



William J Taylor BA (Hons), M Soc Sc, FIPD  
Chief Executive

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23 June 2010

TO: COUNCILLORS: **O'TOOLE, GRICE, BLAKE, COYLE,  
CROPPER, EVANS, FUREY, GARTSIDE,  
HENNESSY, MAWDSLEY, MORAN, NOLAN,  
PENDLETON, POPE, PRATT, ROBERTS,  
TATTERSALL (1 VACANCY)**

Dear Councillor,

A meeting of the **EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE** will be held in the **COUNCIL CHAMBER, 52 DERBY STREET, ORMSKIRK, WEST LANCASHIRE, L39 2DF** on **THURSDAY 1 JULY 2010** at **07:30PM** at which your attendance is requested.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'W J Taylor', written over a horizontal line.

William J Taylor  
Chief Executive

**A G E N D A**  
**(Open to the Public)**

**1. APOLOGIES**

**2. MEMBERSHIP OF THE COMMITTEE**

To be apprised of any changes to the membership of the Committee in accordance with Council Procedure Rule 4.

**3. URGENT BUSINESS, IF ANY, INTRODUCED BY THE CHAIRMAN**

Note: No other business is permitted unless, by reason of special circumstances, which shall be specified at the meeting, the Chairman is of the opinion that the item(s) should be considered as a matter of urgency.

**4. DECLARATIONS OF INTEREST**

If a member requires advice on Declarations of Interest, he/she is advised to contact the Council Secretary and Solicitor in advance of the meeting. (For the assistance of members a checklist for use in considering their position on any particular item is included at the end of this agenda sheet.)

**Page(s) 1 to 2**

**5. DECLARATIONS OF PARTY WHIP**

In accordance with Overview and Scrutiny Committee Procedure Rule 16, Members must declare the existence of any Party Whip, and the nature of it, when considering any matter in the following categories:

- The review of any decision of the Cabinet or
- The performance of any Member of the Cabinet

N.B. The Secretary of State believes whipping is incompatible with Overview and Scrutiny.

**6. MINUTES**

To receive as a correct record the minutes of the meeting held on 31 March 2010. **Page(s) 3 to 6**

**7. CALLED IN ITEM**

The following item has been called in:

**7(1) PERFORMANCE REWARD GRANT**  
**Page(s) 7 to 18**

**8. KEY DECISION FORWARD PLANS - 1 MAY - 31 AUGUST, 1 JUNE - 30 SEPTEMBER & 1 JULY - 31 OCTOBER 2010**

At the request of a Member of the Committee the following item from the Key Decision Forward Plan has been placed on the agenda.

"A Revitalised Demand-Responsive Transport System for Skelmersdale."

**9. RELEVANT MINUTES OF CABINET**

To scrutinise the minutes of the Cabinet meeting held on 15 June 2010.  
**Page(s) 19 to 31**

**10. CORPORATE PERFORMANCE PLAN AND SUITE OF INDICATORS 2010/11**

To consider the report of the Assistant Chief Executive. **Page(s) 33 to 78**

**11. THE REGULATORY FRAMEWORK FOR SOCIAL HOUSING IN ENGLAND FROM APRIL 2010**

To consider the report of the Executive Manager Housing and Property Maintenance Services. **Page(s) 79 to End**

**We can provide this document, upon request, on audiotape, in large print, in Braille and in other languages.**

**FIRE EVACUATION PROCEDURE: Please see attached sheet.**

**MOBILE PHONES: These should be switched off at all meetings.**

*For further information, please contact:-*

*Cathryn Jackson on 01695 585017*

*or email [cathryn.jackson@westlancs.gov.uk](mailto:cathryn.jackson@westlancs.gov.uk)*





**FIRE PRECAUTIONS ACT 1971**  
**FIRE EVACUATION PROCEDURE FOR MEETINGS WHERE OFFICERS ARE**  
**PRESENT**  
**(52 DERBY STREET, ORMSKIRK)**

**PERSON IN CHARGE:** Most Senior Officer present  
**FIRE MARSHAL:** Member Services Officer / Lawyer  
**DOOR WARDEN(S)** Usher / Caretaker

**IF YOU DISCOVER A FIRE**

1. Operate the nearest **FIRE CALL POINT** by breaking the glass.
2. Attack the fire with the extinguishers provided only if you have been trained and it is safe to do so. **Do not** take risks.

**ON HEARING THE FIRE ALARM**

1. Leave the building via the **NEAREST SAFE EXIT**. **Do not stop** to collect personal belongings.
2. Proceed to the **ASSEMBLY POINT** on the car park and report your presence to the **PERSON IN CHARGE**.
3. **DO NOT** return to the premises until authorised to do so by the **PERSON IN CHARGE**.

**NOTES:**

Officers are required to direct all visitors regarding these procedures i.e. exit routes and place of assembly.

The only persons not required to report to the Assembly Point are the Door Wardens.

**CHECKLIST FOR PERSON IN CHARGE**

1. Advise other interested parties present that you are the person in charge in the event of an evacuation.
2. Make yourself familiar with the location of the fire escape routes and inform any interested parties of the escape routes.
3. Make yourself familiar with the location of the assembly point and inform any interested parties of that location.
4. Make yourself familiar with the location of the fire alarm and detection control panel.
5. Ensure that the fire marshals and door wardens are aware of their roles and responsibilities.
6. Arrange for a register of attendance to be completed (if considered appropriate / practicable).

**IN THE EVENT OF A FIRE, OR THE FIRE ALARM BEING SOUNDED**

1. Ensure that the room in which the meeting is being held is cleared of all persons.
2. Evacuate via the nearest safe Fire Exit and proceed to the **ASSEMBLY POINT** in the car park.
3. Delegate a person at the **ASSEMBLY POINT** who will proceed to the **WARDENCALL SECTION** in Westec House in order to ensure that a back-up call is made to the **FIRE AND RESCUE SERVICE**.

4. Delegate another person to ensure that **DOOR WARDENS** have been posted outside the relevant Fire Exit Doors.
5. Ensure that the **FIRE MARSHAL** has reported to you on the results of his checks, i.e. that the rooms in use have been cleared of all persons.
6. If an Attendance Register has been taken, take a **ROLL CALL**.
7. Report the results of these checks to the **FIRE AND RESCUE OFFICER IN CHARGE** on arrival and inform them of the location of the **FIRE ALARM CONTROL PANEL**.
8. Authorise return to the building only when it is cleared to do so by the **FIRE AND RESCUE OFFICER IN CHARGE**. Inform the **DOOR WARDENS** to allow re-entry to the building.

**NOTE:**

The Fire Alarm system will automatically call the FIRE AND RESCUE SERVICE. The purpose of the 999 back-up call is to meet a requirement of the Fire Precautions Act to supplement the automatic call.

### **CHECKLIST FOR FIRE MARSHAL**

1. Carry out a physical check of the rooms being used for the meeting, including adjacent toilets, kitchen.
2. Ensure that **ALL PERSONS**, both officers and members of the public are made aware of the **FIRE ALERT**.
3. Ensure that **ALL PERSONS** evacuate **IMMEDIATELY**, in accordance with the **FIRE EVACUATION PROCEDURE**.
4. Proceed to the **ASSEMBLY POINT** and report to the **PERSON IN CHARGE** that the rooms within your control have been cleared.
5. Assist the **PERSON IN CHARGE** to discharge their duties.

It is desirable that the **FIRE MARSHAL** should be an **OFFICER** who is normally based in this building and is familiar with the layout of the rooms to be checked.

### **INSTRUCTIONS FOR DOOR WARDENS**

1. Stand outside the **FIRE EXIT DOOR(S)**
2. Keep the **FIRE EXIT DOOR SHUT**.
3. Ensure that **NO PERSON**, whether staff or public enters the building until **YOU** are told by the **PERSON IN CHARGE** that it is safe to do so.
4. If anyone attempts to enter the premises, report this to the **PERSON IN CHARGE**.
5. Do not leave the door **UNATTENDED**.

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

	<b>Overview and Scrutiny only</b>		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 HELD: 31 MARCH 2010**  
Start: 7.30pm  
Finish: 8.30pm

Councillor Bailey (Chairman)

Councillors	Mrs. Blake	Grice
	Cotterill	McKay
	Cropper	R.A. Pendleton
	Duffy	Pope
	Mrs. Evans	W G Roberts
	Gartside	J. Roberts

In Attendance	Grant	Leader
Councillor:	Owens	Portfolio Holder (Regeneration & Estates)
	Westley	Portfolio Holder (Finance & Performance Management)

Officers Executive Manager Housing and Property Maintenance Services (Mr B Livermore)  
Head of Leisure & Cultural Services (Mr J Nelson)  
Access to Services & Performance Manager (Mr S Walsh)  
Group Accountant (Mr M Kostrzewski)  
Assistant Solicitor (Mr M Hynes)  
Principal Member Services Officer (Mrs S Griffiths)

**74. APOLOGIES**

Apologies for absence were submitted on behalf of Councillors Baldock, Griffiths, O'Toole and Vickers.

**75. MEMBERSHIP OF THE COMMITTEE**

There were no changes to membership of the Committee.

**76. URGENT BUSINESS & CHAIRMAN'S ANNOUNCEMENTS**

There were no items of urgent business.

The Chairman referred to the recent death of Councillor Mrs. Doreen Saxon and Members and Officers stood in silence in her memory.

The Chairman paid thanks to ex Councillor Hammond (Deputy Chairman) of the Executive Overview and Scrutiny who had recently retired from the Council.

**77. 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.

1. Councillors Bailey, Cropper and Westley declared personal interests in relation to item 8 (Minutes of Cabinet – 103 Risk Management) as Members of Lancashire County Council.

**78. DECLARATIONS OF PARTY WHIP**

There were no declarations of a party whip.

**79. MINUTES**

RESOLVED: That the minutes of the last meeting of the Committee held on 4 February 2010 be approved as a correct record and signed by the Chairman.

**80. 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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of part 1 of Schedule 12A of the Act and as, in all circumstances of the case, the public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

**81. CALLED IN ITEM - PROPOSED SALE OF LAND AT PINGWOOD LANE, SIMONSWOOD, KIRKBY**

Consideration was given to the report of the Council Secretary and Solicitor advising that a decision of Cabinet in relation to the above item (minute no. 115 refers) had received a call in requisition signed by five Members of the Committee. The report set out the reason given for the call in, together with the alternative decision put forward by the 5 Members concerned on the requisition notice.

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

\* At this point the Committee returned to part 1 of the meeting (open to the press and public)

- Councillor Owens left the meeting prior to consideration of the following item of business.

## **82. RELEVANT MINUTES OF CABINET**

Consideration was given to the minutes of the meeting of Cabinet held on 16 March 2010. Members raised questions/comments upon the following minute nos.-

- 103 (risk management) – Winter weather conditions
- 111 (operational community assets – managed allotment sites) – ask Portfolio Holder to look at expansion/development of new sites

RESOLVED: That the minutes of Cabinet held on 16 March 2010 be noted.

## **83. KEY DECISION FORWARD PLANS – 1 MARCH – 30 JUNE & 1 APRIL – 31 JULY 2010**

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

## **84. NEIGHBOURHOOD MANAGEMENT UPDATE**

Further to minute no. 24(D) of the meeting of the Committee held on 1 October 2009 the Head of Leisure & Cultural Services reported upon the current position in relation to leisure services arrangements with West Lancashire Community Leisure following the cessation of the Safer Stronger Communities Fund (SSCF). His report was circulated and contained on pages 771 – 798 of the Book of Reports.

RESOLVED: That the report be noted.

## **85. REVENUE BUDGET MONITORING**

In a the report of the Council Secretary and Solicitor as circulated and contained on pages 799 – 808 of the Book of Reports consideration was given to a projection on the financial position on the General and Housing Revenue Accounts to the end of the financial year.

During the ensuing discussion Members raised questions/queries relating to the following items:-

- Travel concessions
- Staff vacancies within the Planning Section

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

**86. CAPITAL MONITORING 2009/2010**

Consideration was given to the report of the Council Secretary and Solicitor as circulated and contained on pages 809 – 820 of the Book of Reports updating Members of the Committee on the current position of the 2009/2010 Capital Programme.

RESOLVED: That the current position of the 2009/2010 Capital Programme be noted.

**87. LOCALITY PLANS**

Consideration was given to the report of the Assistant Chief Executive as circulated and contained on pages 821 – 828 of the Book of Reports on the current position on the production of Locality Plans. She sought the Committee's comments on the approach to be adopted in respect of the production of a locality plan for the Borough.

During the ensuing discussion Members raised questions/queries in relation to the following:-

- Representation of the non-parished areas
- Clarification of responsibility of services e.g. street scene, pavement areas in Skelmersdale
- Member involvement in initial scoping exercise
- Locality plan to include new initiatives

RESOLVED: That the report be noted.

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CHAIRMAN





**AGENDA ITEM: 7 (i)**

**EXECUTIVE OVERVIEW &  
SCRUTINY COMMITTEE:  
1 July 2010**

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**Report of: Council Secretary and Solicitor**

**Relevant Portfolio Holder: Councillor I Grant**

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

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**SUBJECT: CALL IN ITEM – PERFORMANCE REWARD GRANT**

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Wards affected: Borough wide

**1.0 PURPOSE OF THE REPORT**

1.1 To advise the Executive Overview & Scrutiny Committee of the reason for the call in of the decision on the above item, as set out in Minute No. 20 of the meeting of Cabinet held on 15 June 2010.

**2.0 RECOMMENDATIONS**

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 5.1 below, it wishes to pursue.

**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 15 June 2010.

3.2 The following decision of Cabinet is contained at Minute No. 20:

## **“20. PERFORMANCE REWARD GRANT**

Councillor Grant introduced the report of the Assistant Chief Executive which sought to formalise the Council’s approach to its ratification of spending decisions made by the West Lancashire Local Strategic Partnership in respect of the allocation of Performance Reward Grant (PRG) and sought endorsement for the use of PRG to fund a ‘Strengthening and Supporting CCTV Provision’ project.

The Assistant Chief Executive circulated revised recommendations which took into account the recently announced Government spending review and the uncertainty as to whether the Performance Reward Grant would be available.

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

- RESOLVED: A. That authority to allocate PRG in accordance with the recommendation of the West Lancashire Local Strategic Partnership be delegated to the Assistant Chief Executive.
- B. That the ‘Supporting and Strengthening CCTV’ project be endorsed, as it meets with the requirements of the PRG Protocol, (Appendix A).
- C. That the Local Strategic Partnership be advised that it should not make any spending commitments or enter into any contractual arrangements which are dependent on Performance Reward Grant until the future availability of this funding source has been confirmed.”

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

- “(a) That the process undertaken by the Local Strategic Partnership’s Executive, to recommend for Performance Reward Grant (PRG) funding the ‘Supporting and Strengthening CCTV’ project, breaches the LSP’s own constitution (para 2.4.4 a), in respect of the function of the Funding Management Group.*
- (b) That the process undertaken by the Local Strategic Partnership’s Executive might be regarded as lacking in the appropriate transparency by the general public, and that a more clearly transparent process for the allocation of PRG funding is needed.”*

3.4 The requisition also provided an alternative decision which was:

- “A. That the LSP Executive be asked to review its decision making processes in respect of PRGs made available, such that they are constitutionally legitimate and transparent.*

*B. That the LSP Executive be asked to resubmit its recommendations to Cabinet at the earliest opportunity after it has revised and implemented its processes.”*

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

Councillor N Hennessy

Councillor J Coyle

Councillor I Moran

Councillor B Nolan

Councillor N Furey

#### **4.0 COMMENTS OF THE ASSISTANT CHIEF EXECUTIVE**

4.1 The LSP Constitution has undergone a review with the Executive receiving a revised version at its meeting of 21st May 2010. Within the revised Constitution, it is noted that the Funding Management Group will cease to operate from October 2010. As such, the role of the Executive in relation to PRG is clarified at 2.4.2 (i) and (j). The amendments are as follows:

- a) The LSP Executive is responsible for developing recommendations concerning use of the Performance Reward Grant, subject to the protocol set out in Appendix 6.
- b) The Executive will manage progress against projects funded by PRG. Through consideration of regular performance reports from project leads, the Executive will make recommendations to address performance issues as they emerge.

4.2 In light of recent announcements regarding the amount of PRG that will be received, the Executive will be reviewing its approach to spending the available monies at its meeting of 16th July. The approach that had been developed by the Secretariat had been devised with a view to being open, transparent and fully engaging with partners. Any suggestions about how the Executive could further improve the openness and transparency of the process would be welcomed by the Secretariat, before 7th July.

#### **5.0 CONCLUSION**

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

5.2 The Secretary of State in his Guidance recommends that Overview & 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 Assistant Chief Executive.



**Cabinet: 15 June 2010**

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**Report of: Assistant Chief Executive**

**Relevant Portfolio Holders: Councillor I Grant  
Councillor D Westley**

**Contact for further information: Cath McNamara (Extn 5380)  
(E-mail: [cath.mcnamara@westlancs.gov.uk](mailto:cath.mcnamara@westlancs.gov.uk) )**

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**SUBJECT: PERFORMANCE REWARD GRANT – SPENDING DECISIONS**

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Borough wide interest

**1.0 PURPOSE OF THE REPORT**

- 1.1 To formalise the Council's approach to its ratification of spending decisions made by the West Lancashire Local Strategic Partnership in respect of the allocation of Performance Reward Grant (PRG)
- 1.2 To seek endorsement for the use of PRG to fund a 'Strengthening and Supporting CCTV Provision' project.

**2.0 RECOMMENDATIONS**

- 2.1 That authority to allocate PRG in accordance with the recommendation of the West Lancashire Local Strategic Partnership be delegated to the Assistant Chief Executive.
  - 2.2 That the 'Supporting and Strengthening CCTV' project be endorsed, as it meets with the requirements of the PRG Protocol, (Appendix A).
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**3.0 BACKGROUND**

- 3.1 One of the provisions of Local Public Service Agreement 2, now the Local Area Agreement (LAA), is the availability of Performance Reward Grant (PRG) from Central Government for the achievement of LAA stretch reward targets for the first LAA (2006/09). The dates for achieving the stretch targets were from 31 March 2009 until 31 December 2010. PRG is being paid in two instalments by Central Government to the accountable body for LAA, Lancashire County

Council (LCC). The first payment was received in April 2010 and the second is expected between February and May 2011.

- 3.2 LCC is the accountable body and banker of the funds received from Central Government in relation to PRG and is responsible for ensuring money is properly accounted for. It has now been agreed by the Lancashire Partnership that any PRG received should be distributed by LCC at the agreed rate of 40% to the Lancashire Partnership, with the other 60% being divided equally and paid to the 12 districts in Lancashire. This Council will receive the PRG payable to the West Lancashire LSP and will act as the accountable body for this, "Local", element of the grant and will be responsible for ensuring that funds are spent in accordance with the agreed protocol.
- 3.3 The amount of Local PRG payable will be wholly dependent upon the success in achieving individual reward targets during the above period but, whatever amounts are payable, they will be split 50% as capital and 50% as revenue.
- 3.4 Claims for the PRG are likely to be submitted by LCC after Christmas in each financial year with the expectation that the funds will be paid to LCC before 31 March. It is expected that the second tranche of funds will be released to the District Partnerships shortly after receipt by LCC, as has been the case this year.
- 3.5 It is estimated that there will be circa £954k in total to be paid to the West Lancashire LSP. PRG can be carried forward from the financial year in which it is paid and there is no final date set by which PRG must be spent.
- 3.6 At a meeting on 13 March 2010, the LSP Executive Group considered a proposal for a project aimed at supporting and strengthening CCTV provision in West Lancashire and agreed that it should be recommended to the Council for endorsement, as it meets with the PRG Protocol.

#### **4.0 CURRENT POSITION**

- 4.1 The Protocol states that PRG can be used to provide reasonable additional administrative and financial support for District Councils undertaking responsibilities related to PRG.
- 4.2 At its meeting on 16 June 2009 the Cabinet agreed that the Council would act as the accountable body for the PRG funds awarded to the West Lancashire LSP, subject to sufficient funding being available for the Council to cover its costs (administration and financial support) in undertaking these responsibilities in respect of the PRG programme.
- 4.3 As the accountable body for the local element of the performance reward grant the Council will essentially be undertaking a "rubber stamping" role. The Council would have a right of veto if it was believed that money was being allocated to projects which did not meet with the protocols agreed between LCC and the Department for Communities and Local Government (DCLG). Decisions on the fund can only be made by the LSP. This Council cannot suggest or prioritise projects through the ratification process (although it will continue to have a crucial role in identifying priorities as a key member of the partnership).

4.4 The LSP Executive includes the Council's Leader (or a substitute for the meeting) and Chief Executive (or substitute).

4.5 Given the level of Chief Officer and senior Member involvement and the limited powers of the Council in selecting projects in order to prevent any unnecessary delays in commencing projects it would seem appropriate to use delegated authority in this instance.

## **5.0 ISSUES**

5.1 If I felt unable to ratify a decision because the project did not meet the LCC protocol, I would refer the matter to the LSP's Executive Group in the first instance.

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

6.1 Projects funded through PRG will directly contribute to the achievement of the Sustainable Community Strategy.

## **7.0 FINANCIAL AND RESOURCE IMPLICATIONS**

7.1 This Council's role as the accountable body is to oversee decisions to ensure that funding is used for suitable schemes. A small element of PRG will be used to support the Council's costs in undertaking additional related administrative and financial responsibilities.

## **8.0 RISK ASSESSMENT**

8.1 The decision will ensure that there is a formally agreed mechanism for ratifying Performance Reward Grant spending decisions.

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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.

### **Appendix: PRG Protocol**





**The Lancashire Local Area Agreement – Distribution of the Performance Reward Grant Protocol**

This Protocol is made in respect of payment of the Performance Reward Grant under a Local Public Service Agreement now commonly known as a Local Area Agreement.

This Protocol regulates the Governance and Financial Management of the Performance Reward Grant

This Protocol is agreed by Lancashire County Council and the 12 District Councils; Burnley Borough, Chorley Borough, Fylde Borough, Hyndburn Borough, Lancaster City, Pendle Borough, Preston City, Ribble Valley Borough, Rossendale Borough, South Ribble Borough, West Lancashire District and Wyre Borough.

The protocol is supported by all members of the Lancashire Partnership.

**1. Background**

1. Performance Reward Grant (PRG) is money payable by Central Government for the achievement of Local Area Agreement stretch reward targets. A wide range of partners has been involved in and responsible for the achievement of the targets.
2. The dates for achieving the stretch targets covered by this Protocol are from 31<sup>st</sup> March 2009 to the 31<sup>st</sup> December 2010 and, if achieved, PRG will be paid in instalments mainly over the 2 financial years 2009/10 and 2010/11 with a final payment in the financial year 2011/12
3. PRG will be paid by Central Government to Lancashire County Council as 50% capital and 50% revenue
4. PRG can be carried forward from the financial year in which it is paid
5. There is no final date by which PRG must be spent
6. The level of PRG available is dependent upon the success of individual reward targets

**2. Accounting Arrangements**

## Performance Reward Grant Protocol

1. Lancashire County Council (LCC) is the accountable body and banker of the funds received from Central Government
2. LCC will be responsible for ensuring that money spent through the Lancashire Partnership and the District Local Strategic Partnerships (LSPs) is properly accounted for and will monitor this through the application of this Protocol
3. PRG will be distributed by LCC at the agreed distribution rate of 40% to the Lancashire Partnership and 60% to be divided equally and paid to the District Councils who will receive the money on behalf of the 12 Local Strategic Partnerships
4. PRG funds will be paid by LCC upon receipt from Central Government
5. LCC on behalf of Lancashire Partnership and the District Councils on behalf of the district LSPs will create and maintain clearly identifiable accounting structures for the PRG funds
6. The District Councils on behalf of the LSPs shall prepare, in October of each year, an interim monitoring report on LSP spending to 30 September, projected spend for the remainder of the year and any planned use of PRG funds in future years. Each District will present the report to their district LSP. Copies of District reports are to be forwarded to LCC. A combined District and County report will be presented to the Lancashire Partnership Board.
7. The District Councils on behalf of the LSPs shall also prepare a final year-end report for the PRG funds expenditure on a similar basis as the interim report.
8. The interim and final year-end reports shall have a form and content which is to be agreed by the District Council and the County Council, in consultation with the LSPs, and which will be consistent across the county
9. Unused funds arising from the current and earlier years' contributions may be carried forward into the following financial year.
10. Funds must not be committed by the district LSP or Lancashire Partnership in excess of the budget available. The District Councils and County Council shall be responsible for ensuring that there are sufficient funds in their partnership's budget to cover all outgoing payments and any overspend will be the responsibility of the District Council and County Council respectively
11. It is a requirement of Central Government that PRG funding is used on a 50% capital 50% revenue basis and this applies to the proportion of PRG payable to each District Council, an initial approval letter will be issued to which outlines the amount of capital and revenue payable to each District Council.

## Performance Reward Grant Protocol

However, within this overall requirement, the capital and revenue allocations can be exchanged between LSPs, for example, district A may swap all or some of its capital allocation for district B's revenue allocation.

In cases where LSPs wish to swap capital and revenue funding, an application setting out the details of the proposed swap should be made to the County Council in order that we can maintain the 50/50 rule. A revised approval letter will then be issued to the relevant LSPs. All applications for swaps should be made to Rachel Parker at [rachel.parker@lancashire.gov.uk](mailto:rachel.parker@lancashire.gov.uk).

### **3. Use of the Performance Reward Grant**

1. Performance Reward Grant should be invested in the future of Lancashire with the over-riding aim of "narrowing the gap". The use of PRG should follow the golden thread of priorities which set out the outcomes needed to achieve this over-riding aim in:-

- Ambition Lancashire
- The Local Area Agreement
- Sustainable Community Strategies (District level).

2. The district LSPs shall make recommendations to the District Councils as to the allocation of the PRG and all funding decisions should be made through this route. These recommendations shall be in accordance with their work programme encompassing the above plans and strategies and allowing the principle to be addressed at different spatial levels and as appropriate for different communities across the county.

The councils have responsibility for the proper use of the funds and therefore for formally approving the allocation of the funds. However, the recommendations on the allocation of funds should be made by the LSPs.

3. In order to add value with this funding, all partners when making funding decisions will need to be able to set those decisions in the context of:-

- What is being commissioned at both county and district level
- How this activity helps to achieve the outcomes
- How the gaps and risks are being addressed

Use of PRG funds should be supported by clear business cases which provide this context in order to maximise the outcomes from the use of the resources. Recommendations of the district LSPs and Lancashire Partnership shall be supported by clear reasons

## Performance Reward Grant Protocol

4. In principle the funding should be used to provide services for the people of Lancashire but PRG can also be used to provide reasonable administrative and financial support to the District and County Councils and partners in carrying out their additional responsibilities in relation to the Local Area Agreement. LSPs will determine what is reasonable in relation to any particular activity or function.

5. Recommendations of the LSPs shall be communicated to the District Councils and shall be ratified by that authority through its usual executive process. This may be by the full Cabinet, by a Cabinet member, by a Chief Officer under a scheme of delegation or by any other means within the district council's constitution. The County Council shall delegate its executive function in respect of ratifying the district LSP expenditure to the District Councils

6. After executive ratification, the District Council shall make the payment or payments to implement the decision as and when necessary on behalf of the LSP.

7. Spending recommendations agreed by the Lancashire Partnership Board will be subject to agreement by the LCC Cabinet member for Resources.

8. No decision shall be taken by the District Council or County Council which gives rise to a commitment to make payments in future years unless those payments are covered by currently available funds, either those carried forward for the specific purpose or if sufficient funds are already forecast as being available in the future financial year ie from the second payment instalment.

**CABINET**

**HELD: 15 JUNE 2010**

Start: 7.30pm

Finish: 8.45pm

**PRESENT:**

Councillor I Grant (Leader of the Council, in the Chair)

Councillors		<u>Portfolio</u>
I Ashcroft		Human Resources and Partnership
M Forshaw		Planning and Transportation
A Fowler		Community Services and Health
P Greenall		Street Scene Management
Mrs V Hopley		Housing
A Owens		Deputy Leader & Regeneration and Estates

In attendance Councillors:	T Aldridge	N Furey
	P Cotterill	R Pendleton
	J Coyle	

Officers

Chief Executive (Mr W Taylor)  
Council Secretary and Solicitor (Mrs G Rowe)  
Assistant Chief Executive (Ms K Webber)  
Executive Manager Housing and Property Maintenance Services (Mr R Livermore)  
Executive Manager Community Services (Mr D Tilleray)  
Executive Manager Regeneration and Estates (Mrs J Traverse)  
Head of Leisure & Cultural Services (Mr J Nelson)  
Treasurer (Mr M Taylor)  
ICT and e-Government Manager (Mr C Isherwood)  
Access to Services and Performance Manager (Mr S Walsh)  
LDF, Strategy & Environment Manager (Mr I Gill)  
Assistant Street Scene Manager (Mr I Silverwood)  
Assistant Member Services Manager (Mrs J Denning)  
Lead HR business partner, Lancashire County Council (Ms S Lewis)

**1. APOLOGIES**

An apology for absence was received on behalf of Councillor Westley.

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

There were no items of urgent business, however the Leader wished to congratulate the Chief Executive, Mr W Taylor, on being awarded an MBE in the Queen's Birthday Honours List 2010 for services to Local Government.

**3. DECLARATIONS OF INTEREST**

Councillor Ashcroft declared a personal and prejudicial interest in agenda item 6(16) 'Use of Section 106 Monies in Wrightington, Banks and Hesketh Bank' as a Member of Hesketh with Becconsall Parish Council.

Councillors Grant, Owens, Forshaw, Fowler and Cotterill declared a personal interest in agenda item 5(15) 'Performance Reward Grant – Spending Decision' as members of the Local Strategic Partnership (LSP).

**4. MINUTES**

RESOLVED: That the minutes of the meeting of Cabinet held on 16 March 2010 be received as a correct record and signed by the Chairman.

**5. CONFIRMATION OF PROCEDURAL MATTERS**

RESOLVED: A. That the appointment of Cabinet Committee, Panels and Working Groups for 2010/11, as circulated at the Annual Meeting of the Council on 19 May 2010, with the terms of reference included in the Constitution, be confirmed.

B. That the 'Proper Officer Provisions and Scheme of Delegation to Chief Officers', insofar as they are executive functions, and the Scheme of Delegation to Cabinet Members, as set out in the Constitution, be confirmed.

**6. MATTERS REQUIRING DECISIONS**

Consideration was given to reports relating to the following matters requiring decisions, as contained on pages 13 to 298 and 331 to 340 of the Book of Reports:

**7. LITTLE DIGMOOR PLAY AREA**

Councillor Fowler introduced the report of the Executive Manager Community Services which detailed action undertaken to reduce anti-social behaviour at the Multi-Use Games Area (MUGA) and teenage shelter in Abbeystead, Little Digmoor. He referred to a letter received from Councillor J Coyle which raised a number of issues and advised that there had only been 3 reported incidents to the Police in the last 6 months.

In reaching the decision below, Cabinet gave consideration to the letter from Councillor Coyle and the comments from Councillor Fowler and considered the details set out in the report before it and accepted the reasons contained in it.

RESOLVED: A. That the play equipment, MUGA and teenage shelter remain in situ.

B. That the Executive Manager Community Services continues to work with the Police to monitor any future anti-social behaviour issues and take appropriate action where necessary.

C. That updates be provided via the Member's Update as appropriate and should anti-social behaviour issues cause significant concern in respect of the MUGA, the Executive Manager Community Services report further to Cabinet.

## 8. MARKET REGULATIONS

Councillor Forshaw introduced the report of the Executive Manager Community Services which sought agreement to the introduction of revised Market Traders Regulations.

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 Market Traders Regulations, attached as Appendix A to the report, be approved subject to B. and C. below.
  - B. That the Executive Manager Community Services be authorised to consult with all relevant bodies and individuals in respect of the proposed implementation of the Regulations.
  - C. That the Executive Manager Community Services be authorised, in consultation with the Portfolio Holder for Planning and Transportation, to finalise and implement the new Regulations following the consultations in accordance with B. above.

## 9. OLDER PEOPLE'S CHAMPION GRANTS

Councillor Grant introduced the report of the Assistant Chief Executive to consider the range of grants to be made from the Older People's Champion Grants budget.

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 grants scheme for older peoples champion be revised in order to expand the range of grants from £50 - £500 (previously £250 - £500) to be made from this funding stream.
  - B. That the call in procedure is not appropriate for this item as this matter is one where action is required to implement without delay the arrangements previously agreed by the Council.

## 10. QUARTERLY PERFORMANCE INDICATORS (Q4 2009/10)

Councillor Grant introduced the report of the Assistant Chief Executive which presented the quarterly performance monitoring data for the quarter ended 31 March 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 overall good performance shown by the performance indicator data for the quarter ended 31 March 2010 be noted.
  - B. That call in is not appropriate as this report is to be considered by the Corporate Overview and Scrutiny Committee.

**11. ORGANISATIONAL RE-ENGINEERING ENVIRONMENTAL HEALTH MANAGEMENT**

Councillor Fowler introduced the joint report of the Assistant Chief Executive and the Executive Manager Community Services which detailed the findings and recommendations for savings and service improvements contained within the attached Organisational Re-engineering (OR) Environmental Health Management Report.

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 findings and recommendations for service improvements contained within the report attached as an appendix be noted and agreed.
  - B. That it be noted that £24,000 will be invested into the integration of the Customer Relations Management system (CRM) with the Environmental Health M3PP system, to be funded from savings generated as a result of the OR review.
  - C. That the Assistant Chief Executive, and the Executive Manager Community Services, be given delegated authority to implement the recommendations contained in paragraph 6.1 of the report attached as an appendix.

**12. CORPORATE PERFORMANCE PLAN AND SUITE OF INDICATORS 2010/11**

Councillor Grant introduced the report of the Assistant Chief Executive which sought views on the scope, content and strategic focus of the draft Corporate Performance Plan 2010/11 and provided an update on the progress that had been made towards achieving the Corporate Priorities in 2009/10. The report detailed the outturns for 2009/10 and targets for the next three years and sought approval for the draft Corporate Performance Plan 2010/11 and Suite of Performance Indicators to be adopted as the Council's performance management framework and strategic plan for 2010/11.

Comments were received in respect of:

- Place Survey
- Litter figures
- Wheelie bin collection
- Council Tax collection Performance Indicator
- % calls answered in the Contact Centre Performance Indicator
- Domestic Violence figures

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 progress towards achieving the Corporate Priorities in 2009/10 be noted.



- C. That it be noted that the contents of Appendices A and B and the progress in achieving the 2009/10 Corporate Priorities will be updated and revised before consideration of these documents by the Council.
- D. That subject to the views of the Executive Overview and Scrutiny Committee and to the updated and revised information referred to at C. above, the Council be recommended to adopt the draft Corporate Performance Plan 2010/11 and Suite of Performance Indicators (Appendices A and B) as the Council's performance management framework and strategic plan for 2010/11 and in this respect the Assistant Chief Executive be authorised to make the appropriate changes prior to publication to reflect the revised information referred to at C. above.
- E. That call-in is not appropriate for this item as it is being referred to the next meeting of the Executive Overview and Scrutiny Committee.

### **13. VETTING AND BARRING SCHEME**

Councillor Ashcroft introduced the joint report of the Assistant Chief Executive and Executive Manager Community Services which provided an introduction and set out the implications of the new legislative requirements in relation to employment and review of employees who work with vulnerable adults and children.

Councillor Ashcroft advised that an announcement from the Government had been received, since the publication of the report, of its intention to review the Vetting and Barring Scheme and that the Criminal Records Bureau would communicate any changes as soon as information was available.

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

- RESOLVED:
- A. That the contents of the report and the proposed changes to the Criminal Record Bureau checks for employees in relation to the Vetting and Barring legislation which the Council must undertake be noted.
  - B. That the recent announcement, that the Government intends to review the Vetting and Barring Scheme, and have halted progressing the intended implementation of the scheme in its current form, be noted.

- C. That, subject to the outcome of the Government review and consultation with the Trade Unions, the Assistant Chief Executive be authorised to make all necessary amendments to the employment contracts (Terms & Conditions) for staff, the recruitment policy and all appropriate HR policies and the Council conditions of employment in relation to the implementation and administration of the Vetting and Barring legislation, and to take all necessary steps to implement those changes.

#### **14. INTERIM HOUSING POLICY FOR WEST LANCASHIRE**

Councillor Forshaw introduced the report of the Acting Executive Manager Planning which detailed the outcome of consultation on the draft Interim Housing Policy for West Lancashire, and to request that Council agree the responses to representations made on the draft policy and adopt the revised interim policy for Planning Control purposes.

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 revised Interim Housing Policy be noted.

- B. That the Acting Executive Manager Planning be authorised, in consultation with the Planning Portfolio Holder, to finalise the wording of the policy in respect of development on greenfield sites and affordable housing.

#### **15. THE REGULATORY FRAMEWORK FOR SOCIAL HOUSING IN ENGLAND FROM APRIL 2010**

Councillor Mrs Hopley introduced the report of the Executive Manager Housing and Property Maintenance Services which advised that the Regulatory Framework became effective, subject to the necessary Statutory Instrument being made by Government, on 1 April 2010. The report sought to agree the process of agreeing the standards and any local offers with tenants and the monitoring arrangements that it wished to put in place.

Councillor Hopley advised that the Corporate Overview and Scrutiny Committee would be considering it's work programme for 2010/11 and that the Tenant Services Association (TSA) Governance arrangements was one of the topics put forward for consideration.

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 Housing and Property Maintenance Services be given delegated authority to commence discussions with tenants to agree how the Council will deliver its regulatory requirement.

- B. That following this, a further report be brought back to agree the standards and any local offers, together with the governance arrangements.

- C. That this report be referred to the Executive Overview and Scrutiny Committee and any comments be considered as part of the further report referred to in B. above.
- D. That the call in procedure is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 1 July 2010.

**16. HEALTH AND SAFETY STRATEGIC PLAN 2010/12**

Councillor Ashcroft introduced the report of the Executive Manager Housing and Property Maintenance Services which provided an update on the progress made in relation to the Health and Safety Strategic Plan.

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 Health and Safety Strategic Plan, attached as an appendix to the report, be approved.
  - B. That the current objectives and targets set out in the Plan be noted.
  - C. That Performance against the Health and Safety Strategic Plan be monitored by Member's Updates on a 6 monthly basis and reported to Cabinet yearly.

**17. DISABLED FACILITIES GRANTS REVIEW**

Councillor Mrs Hopley introduced the report of the Executive Manager Housing and Property Maintenance Services which sought approval to offering Disabled Facilities Grants to home owners in a manner that should reduce costs both in terms of the cost of the building work itself and the cost of Officer time in administering the process.

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 a pilot arrangement be put in place, until 30 April 2012, whereby the tendered schedule of rates for disabled facilities construction work applicable to Council owned dwellings also be used for non-Council owned dwellings in accordance with the content of this report.
  - B. That a further report on the pilot be considered by Cabinet during 2011 to recommend the way forward when the pilot arrangements terminate.
  - C. That quarterly monitoring reports be submitted to Cabinet during the pilot process.

**18. PETITION SCHEME**

Councillor Grant introduced the report of the Council Secretary and Solicitor advising that the Council was required by the Local Democracy, Economic Development and Construction Act 2009 to adopt a 'Petition Scheme' setting out how the Council will handle petitions submitted under that Act.

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 'Petitions Scheme' detailed in the Appendix to the report be approved and brought into effect on 15 June 2010.
  - B. That the 'Petitions Scheme' be published on the Council's website in accordance with the legislation and incorporated in the Constitution.
  - C. That the Council Secretary and Solicitor, in consultation with the Leader, be given delegated authority to make any minor amendments to the scheme.
  - D. That the Council Secretary and Solicitor prepare a yearly update to Council in July, providing details of petitions received under the scheme and the steps taken to respond.
  - E. That the Council Secretary and Solicitor and the Assistant Chief Executive, in consultation with the Leader, be authorised to investigate options available and take all necessary steps to implement the e-petitions facility by 15 December 2010.

**19. CHANGES TO EXECUTIVE ARRANGEMENTS**

Councillor Grant introduced the report of the Council Secretary and Solicitor which set out the implications of the Local Government and Public Involvement in Health Act 2007 in relation to the Council changing its governance arrangements and sought approval to the process of consulting on a preferred governance option, in accordance with its provisions.

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's preferred governance model be confirmed, subject to the outcome of the consultation, to be to move to the "Leader and Cabinet Executive (England) model" for the reasons outlined in Section 6 of the report.
  - B. That consultation on the Council's future governance arrangements should be undertaken as outlined in paragraphs 7.4 and 7.5 of the report.

- C. That a report on the outcome of the consultation be submitted to Council at its meeting on 20 October 2010.

## 20. PERFORMANCE REWARD GRANT

Councillor Grant introduced the report of the Assistant Chief Executive which sought to formalise the Council's approach to its ratification of spending decisions made by the West Lancashire Local Strategic Partnership in respect of the allocation of Performance Reward Grant (PRG) and sought endorsement for the use of PRG to fund a 'Strengthening and Supporting CCTV Provision' project.

The Assistant Chief Executive circulated revised recommendations which took into account the recently announced Government spending review and the uncertainty as to whether the Performance Reward Grant would be available.

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

- RESOLVED:
- A. That authority to allocate PRG in accordance with the recommendation of the West Lancashire Local Strategic Partnership be delegated to the Assistant Chief Executive.
  - B. That the 'Supporting and Strengthening CCTV' project be endorsed, as it meets with the requirements of the PRG Protocol, (Appendix A).
  - C. That the Local Strategic Partnership be advised that it should not make any spending commitments or enter into any contractual arrangements which are dependent on Performance Reward Grant until the future availability of this funding source has been confirmed.

## 21. REVIEW OF GRAFFITI REPORTING AND MANAGEMENT ARRANGEMENTS

Councillor Greenall introduced the report of the Executive Manager Street Scene which provided an update with regard to progress made by the Graffiti Task and Time Group in reviewing arrangements for the reporting and management of graffiti across the borough.

Councillor Greenall referred to paragraphs 4.3 and 4.4 of the report which advised that Divisions other than Street Scene also have a graffiti removal function within the Council and he felt that a more expedient way of dealing with graffiti issues was for Street Scene to be singularly responsible for providing the Borough Council's graffiti removal service.

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

- RESOLVED:
- A. That the report and progress made by the Graffiti Task and Time Group be noted.

- B. That the Executive Manager Street Scene, in consultation with the relevant Portfolio Holders and Divisional Managers, be authorised to streamline the Council's response to graffiti removal as appropriate, by becoming singularly responsible for this function with effect from 1 August 2010.

## 22. USE OF SECTION 106 MONIES IN WRIGHTINGTON, BANKS AND HESKETH BANK

Councillor Fowler introduced the report of the Executive Manager Community Services which considered requests from North Meols, Hesketh with Beconsall and Wrightington Parish Councils regarding the use of monies received by the Borough Council from housing developers for the enhancement of public open space and recreation provision in their Parishes.

The Executive Manager Community Services circulated revised recommendations which included an amended figure from £32,000 to £29,600 for Station Road, Hesketh Bank and a revised paragraph 3.4 of the report as follows:

“3.4 In Hesketh with Beconsall a sum for 43-55 Boundary Lane (£29,400) has been received and is unallocated. Further sums from land at Moss Lane ( £31,850 ) and land off Station Road ( £29,600 ) are due now and unallocated. This gives a total of £90,850 available for use in Hesketh with Beconsall.”

In reaching the decision below, Cabinet considered the details set out in the report before it, including the revised paragraph 3.4 and recommendations, and accepted the reasons contained therein.

- RESOLVED: A. That the projects detailed in section 6 of the report be approved and the Section 106 sums of £104,510 for North Meols, £90,850 for Hesketh with Beconsall (£29,400 from available funds and £61,450 when available from funds due) and £81,710 for Wrightington be made available to the respective Parish Councils for their projects.
- B. That the commuted sums be paid to the respective Parish Councils, subject to them entering into suitable legal agreements with the Council.

(Note: Councillor Ashcroft declared a personal and prejudicial interest in this item and left the room whilst the item was under consideration.)

## 23. KEY DECISION FORWARD PLAN - QUARTERLY REPORT ON SPECIAL URGENCY DECISIONS - 1 JANUARY TO 31 MARCH 2010

Councillor Grant 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 ending 31 March 2010.

**24. 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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of that Act 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.

**25. MATTERS REQUIRING DECISIONS**

Consideration was given to reports relating to the following matters requiring decisions, as contained on pages 299 to 330 of the Book of Reports:

**26. LANCASHIRE COMMUNITY TRANSPORT SERVICES - TENDERING EXERCISE**

Councillor Forshaw introduced the report of the Council Secretary and Solicitor which advised of the resolution of the Funding of Voluntary and Other Organisations Cabinet Working Group meeting held on 20 April 2010 in respect of a tendering process being undertaken by Lancashire County Council (the County Council) in relation to community transport services, and the implications thereof. The report also sought support for a partnership approach to the tendering exercise and future provision of community transport services in the Borough.

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 Minute 17, attached at Appendix 1 to the report, of the Funding of Voluntary Bodies Working Group meeting held on 20 April 2010, be endorsed as follows:

**“17. LANCASHIRE COMMUNITY TRANSPORT SERVICES - TENDERING EXERCISE**

Prior to consideration of the report of the Assistant Chief Executive, the Chairman welcomed Tony Moreton and Karen Harrison from Lancashire County Council to the meeting and invited them to make an oral presentation to the Working Group.

Tony Moreton advised the Working Group that E.U. Procurement rules require the County Council to tender, on an open contract basis, for community transport services within Lancashire. He explained that in West Lancashire this included the Dial – A Ride service and three community car schemes. He went on to outline the procurement process and timescales and indicated that the contract with the successful tenderer should be in place by 1 October 2010.

Members of the Working Group were given an opportunity to ask questions to the County Council representatives before they left the meeting.

The Working Group then considered the report of the Assistant Chief Executive in which she

- referred to the recommendations of the Working Group in November 2009 in relation to revenue funding to the West Lancashire Dial a Ride Association for 2010 onwards
- outlined the implications of the tender process and options for the Borough Council

RESOLVED: A. That Cabinet be recommended to support the option set out at paragraph 6.1(i) of the report, namely:

- (i) That subject to a suitable (similar or better) outcome from the tender exercise, by Lancashire County Council, the Council enter into a Grant Funding Agreement with the County Council in relation to community transport services in the Borough
- (ii) That this agreement be for an initial 3 year period to run from 1 October 2010, or such other date as may be agreed by the Assistant Chief Executive, in consultation with the Portfolio Holders for Community Services and Health and Planning and Transportation, with an option to extend
- (iii) That subject to negotiation, payment by the Council under the terms of the Grant funding Agreement to Lancashire County Council shall be determined by the formula set out in paragraph 6.1(i) of the report



- B. That it be noted that in the light of Lancashire County Council's timetable for tendering, the Assistant Chief Executive intends to exercise her urgency powers as set out at Constitution 4.2 paragraph 5.21, to commit the Council to joining the County Council's tender exercise, and to write to the West Lancashire Dial-A-Ride Association, to inform them of the approach to be adopted."
- B. That delegated authority be given to the Assistant Chief Executive in consultation with the Council Secretary and Solicitor and relevant Portfolio Holders, to draw up, negotiate and enter into a Grant Funding Agreement for the provision of Community Transport in West Lancashire with Lancashire County Council.
- C. That the call in procedure is not appropriate for this item as the matter is one where urgent action is required because of the need for timely negotiations in relation to the Grant Funding Agreement, in the light of the County Council's timetable for the tender exercise.

**27. CONVERSION OF FORMER PUBLIC WC'S IN CORONATION PARK, SKELMERSDALE INTO A POLICE POINT**

Councillor Owens introduced the joint report of the Executive Manager Community Services and the Executive Manager Regeneration and Estates which sought authority to convert and lease the building, housing the disused public toilets, located in Coronation Park, Skelmersdale, into a Police Point.

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 authorised to negotiate and agree a lease of the property and to carry out the necessary works to refurbish the premises.

-----  
THE LEADER





## **AGENDA ITEM: 10**

**CABINET: 15 June 2010**

**EXECUTIVE OVERVIEW AND  
SCRUTINY COMMITTEE:  
1 July 2010**

**COUNCIL: 21 July 2010**

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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))/  
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**SUBJECT: CORPORATE PERFORMANCE PLAN AND SUITE OF INDICATORS  
2010/11**

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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 2010/11, contained as Appendix A to this report.
- 1.2 To provide an update on the progress that has been made towards achieving the Corporate Priorities in 2009/10.
- 1.3 To report the outturns for 2009/10 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 2010/11 and Suite of Performance Indicators to be adopted as the Council's performance management framework and strategic plan for 2010/11.

### **2.0 RECOMMENDATIONS TO CABINET**

- 2.1 That the contents of Appendices A and B to this report be noted.
- 2.2 That the progress that has been made towards achieving the Corporate Priorities in 2009/10 should be noted.
- 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 2010/11 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 2010/11.

- 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 relevant Overview and Scrutiny Committee.

### **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 2010/11 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 2010/11.

### **RECOMMENDATION TO COUNCIL**

- 2.7 That the draft Corporate Performance Plan 2010/11 and Suite of Performance Indicators (Appendices A and B) be adopted as the Council's performance management framework and strategic plan for 2010/11.

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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 looks 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 are examined. The Audit Commission stresses that self-evaluation must be meaningful and not for PR purposes. The Corporate Performance Plan provides an important source of evidence to demonstrate this Council's strong strategic and performance management processes. In 2009, the Council was judged to be performing well, having received a score of 3 out of 4 for the Managing Performance element of the CAA Organisational Assessment.
- 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 strategic issues to be addressed against each priority.

4.4 Members will note the move to indicate performance levels using the traffic light system, which is automatically generated by the Covalent performance management system. This uses more of the capability of the purchased system, is used by other authorities, eliminates the time consuming process of manual input of 'local' icons and removes the potential of human error when assigning these icons.

## **5.0 PROPOSALS**

5.1 That the draft Corporate Performance Plan 2010/11 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 2010/11 mitigates against the risk of not achieving the Corporate Priorities as it details the work to be undertaken in 2010/11 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 2010/11

Appendix B: Suite of Performance Indicators

# WEST LANCASHIRE BOROUGH COUNCIL CORPORATE PERFORMANCE PLAN 2010/11





# CONTENTS

*PAGE*

Foreword from the Leader of the Council and the Chief Executive	3
Our Vision, Priorities and Values	4
Corporate Priorities and the Sustainable Community Strategy	7
Leading Our Services - Portfolio Holders	9
• Delivering cost effective services that are accessible to all	11
• Protect and improve the environment and keep our streets clean and tidy	14
• Combat crime and the fear of crime.	16
• Work to create and retain good quality jobs for local people	18
• Improve housing and strive to achieve affordable housing that is available for local people.	20
• Provide opportunities for leisure and culture that together with other council services contribute to healthier communities	22
The Local Area Agreement	24
Further Information Links	25
Key Performance Results 2009/10	26



# 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 2009/10 financial year and forward to what we plan to deliver over 2010/11. 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 frozen Council Tax at 2009/10 levels. 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. We will continue to explore efficiency initiatives 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



*Our aim is to make the best  
use of resources to deliver  
the best possible services.*

# 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 opportunities for and retain good quality jobs in particular 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.

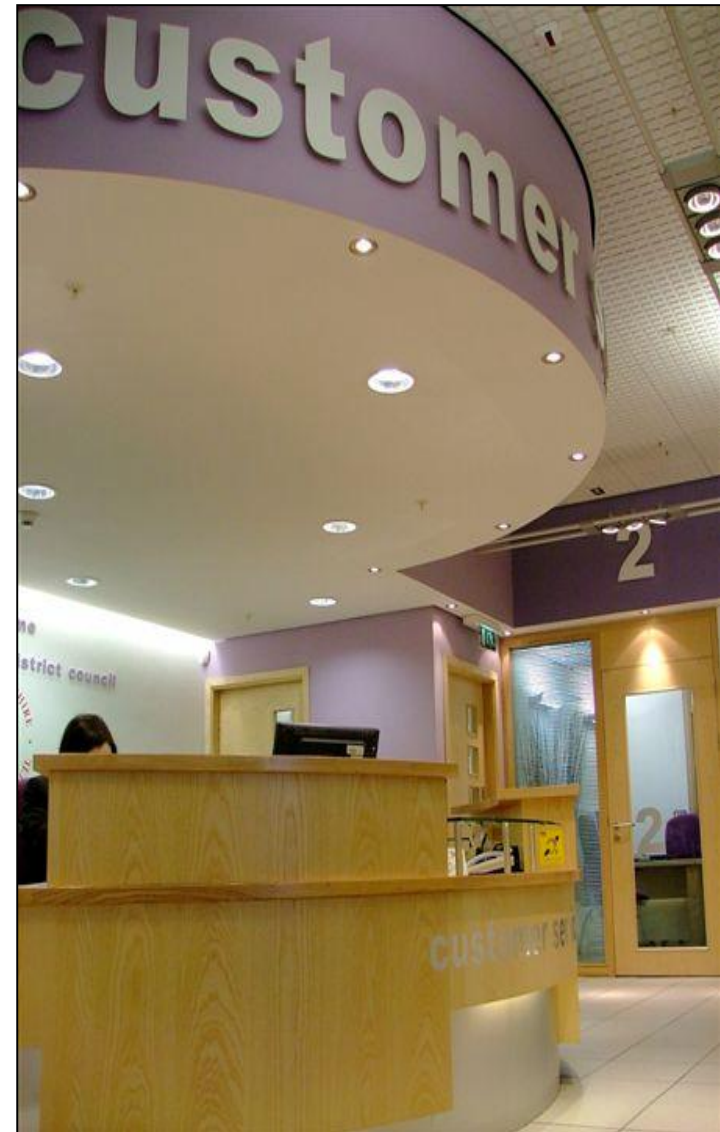




# Our Values

We will deliver this by continuing to be an innovative organisation which:

- ▶ Puts residents and frontline services first
- ▶ Ensures local services offer the best possible value including embracing partnership as a way of securing greater value for money
- ▶ Provides leadership by listening to, informing and consulting local people
- ▶ Is open and accountable in the way we make decisions
- ▶ Promotes equality of opportunity and values the diversity of our communities
- ▶ Values and develops our employees



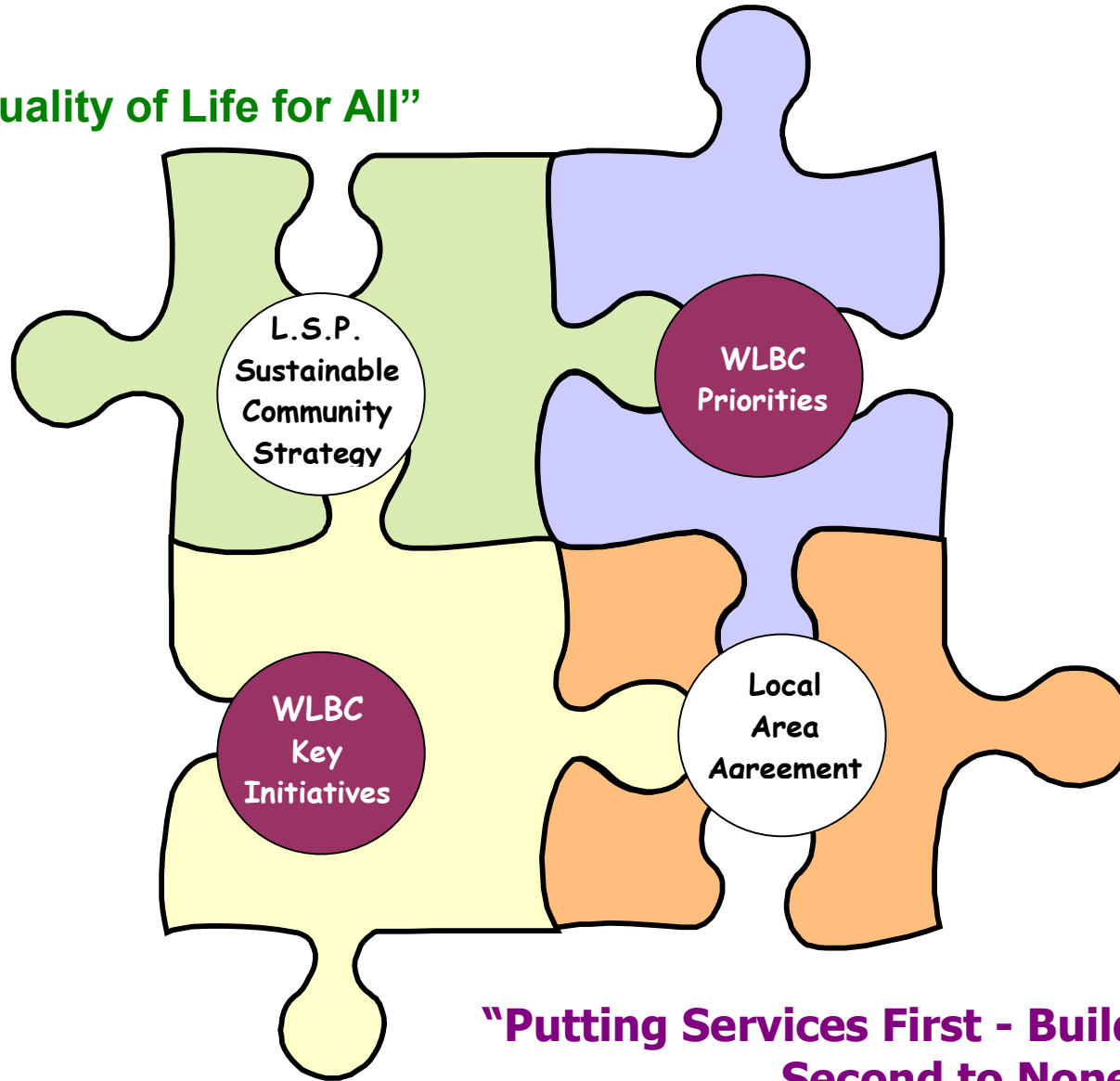
## Our Priorities and the Sustainable Community Strategy

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  
and  
Partnership**

**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.
- The 2008 Place Survey showed a stronger sense that the Council provides value for money amongst West Lancashire residents (39.2%), than regionally and nationally (32.1% and 33.2% respectively);
- Satisfaction with the way the Council runs things is also considerably higher in West Lancashire (51.4%) than regionally (43%) or nationally (45.4%);
- However, delivering cost effective services remains a priority for residents. 95.8% of respondents to a People's Panel Survey felt that it was 'very' or 'fairly' important;
- The Autumn 2009 People's Panel Survey showed that 67.5% of respondents felt that services should be reduced slightly to keep Council Tax increases to a minimum.
- The Council is committed to keeping Council Tax rises as affordable as possible whilst providing the best possible public services.
- To achieve this, providing highest quality services at the most affordable prices to all people in West Lancashire remains a priority for this Council in 2010/11.

## Did You Know?

- Council Tax paid to the Borough Council has been frozen with no increase in 2010/11 as we aim to help our customers through the recession.
- Responding to our customers' views, the Council has also frozen fees for car parking, bulky collections, pest control and many other services in 2010/11.
- The Council has been proactive in responding to, and preparing for, further cuts in public funding. We have completed a £1.75 million package of efficiency savings including a 10% reduction in the workforce.
- Nevertheless, services are more accessible than ever as:
  - 111 services can now be provided through the front office;
  - Over 92% of telephone calls are answered through our Contact Centre;
  - The number of unique visitors to the Council's website increased by more than 33% in 2009/10;
  - The number of online payments made in 2008/9 increased by 15%; and
  - Ours was judged to be the 9<sup>th</sup> best District Council website in the country by SOCITM.

# Delivering Cost Effective Services that are Accessible to All

## Our Key Objectives

In 2010/11, we aim to:

- Continually improve the efficiency and effectiveness of services, achieve annual savings and control and minimise levels of Council Tax and housing rents;
- Seek to enhance the satisfaction of residents with the overall service provided by the Council; and
- Reduce staff sickness.



## Our Key Initiatives

We will work towards achieving our goals in 2010/11 by:

- Pursuing a range of efficiency and cost cutting measures; and
- Improving the quality of residents' experience, whether they click, call or come in.

# 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 2008/9, 74% of respondents to the Place Survey were satisfied with the cleanliness of their streets;
- ◆ Clean streets was the third most important factor in terms of making somewhere a good place to live;
- ◆ However, more residents felt that spending levels should be maintained on street cleaning than any other service area. Collection of household waste and materials for recycling was seen by residents to be the second most important service into which we should retain investment levels (Peoples Panel Survey 16);
- ◆ 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?

- ◆ Smashing our targets for environmental cleanliness for the 2<sup>nd</sup> year running, means low levels of litter, detritus, graffiti and fly-posting on our streets;
- ◆ Our streets are more hygienic too as incidents of dog fouling have been significantly reduced;
- ◆ Results of the 2008 Place Survey showed that on average, significantly fewer residents (29%) felt that litter or rubbish lying around was a problem, than in the North West (40.6%) or England (36.7%).
- ◆ More residents were also satisfied with how well we are keeping public land clear of litter and refuse.
- ◆ We are working in partnership with LCC to build a £3.5m new waste transfer station at the Robert Hodge Centre, which will deliver further service improvements for residents and cost efficiencies.
- ◆ Our 'Let's Talk Rubbish' roadshows are helping to teach children the importance of being clean, green and tidy.
- ◆ 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 2010/11, we aim to:

- Continue to increase the proportion of waste that is sent for recycling/composting;
- Decrease the proportion of land with significant deposits of litter (13%) and detritus (20%) by March 2011; and
- Maintain public satisfaction with street cleanliness.



## Our Key Initiatives

We will work towards achieving our goals in 2010/11 by:

- Review service delivery across waste and recycling, looking for improved working methods and ways of increasing productivity while driving down fuel usage; and
- Look to roll out Alternate Weekly Collection across the Radburn designed estates of Skelmersdale.



# 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 the 2008 Place Survey showed that over 67% of residents felt that the level of crime was important in making somewhere a good place to live - significantly higher than any other factor.
- ♦ The Autumn 2009 People's Panel Survey showed more residents felt Council spending on community safety (including CCTV and tackling anti-social behaviour) should increase, than any other service;
- ♦ The same survey showed strong support for the Council's approach to anti-social behaviour, that a significant number of residents felt that investing in community safety improves quality of life and that despite relatively low levels of crime, fear of crime caused concern to some people;
- ♦ Working with partners to combat crime and the fear of crime therefore remains a priority for this Council.

## Did You Know?

- ♦ Improvements in crime rates have been achieved, particularly in serious acquisitive crime, (-14%), all vehicle crime (-21.6%) and anti-social behaviour. Overall crime has fallen by 1%. As well as making West Lancashire even safer, this means that we are on track to achieve our LAA target in 2011/12.
- ♦ Our Community Safety Partnership, of which the Council is the lead agency, has successfully bid for £380k of LSP Performance Reward Grant monies. This will be used to secure the future sustainability of CCTV provision, including looking at opportunities provided by new technologies;
- ♦ The Council and partner agencies including the Police, Fire and Rescue and advice services got together with the community to facilitate a number of targeted "Your Community Matters" events across Skelmersdale, in order to make them safe, clean and green.
- ♦ According to the Autumn 2009 People's Panel Survey, more people than ever feel that West Lancashire is a safe and secure place to live (83.2%).

# Combating Crime and the Fear of Crime

## Our Key Targets

In 2010/11, our aim is to:

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



## Our Key Initiatives

In 2010/11, we hope to achieve this by:

- Delivering the Crime and Disorder Reduction Strategy in partnership with other organisations and agencies;
- Continuing to tackle domestic violence through our partnership strategy with other organisations and agencies; and
- Working on a countywide footprint to monitor the effectiveness and coverage of current CCTV provision in tackling crime, including reviewing the possibility of next generation technology.

# Working to Create Opportunities For & Retain Good Quality Jobs in Particular 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 working with partners to minimise 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 2010 was 4.1%, which is the same as the national average, but higher than that for Lancashire (3.2%).
- ◆ Results of the 2008 Place Survey showed that more West Lancashire residents (22.1%) felt that job prospects needed improving, than was the average for the North West (21%) and England (19.3%).
- ◆ 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 2009 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 opportunities for and retain good quality jobs, in particular for local people.

## Did You Know?

- ◆ The Council has achieved much success in supporting local businesses including:
- ◆ Through the Inspire Project (created in 2005), we have provided £820,787 grant assistance to 78 companies across West Lancashire, helped to create 388 jobs, safeguard 1,158 jobs, create 11 new businesses and created 44,700 sq.m of additional or improved commercial floor space;
- ◆ Assisting two large local employers (TraC of Skelmersdale and TRM Packaging of Burscough) to obtain grants and funding to move to larger premises. This has both created more jobs and ensured that the businesses have remained in the Borough.
- ◆ The Council has achieved its target and unemployment is now in line with the national average.
- ◆ We continue to plan for the future and all residents have been given the opportunity to share their views on what West Lancashire should look like by 2027. Leaflets, the website and local public meetings have informed residents and encouraged people to have their say on the new homes, jobs and services that are needed. These views will be used by the Council to inform our Local Development Framework.

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

## Our Key Targets

In 2010/11, we aim to:

- Help to reduce unemployment to below the national average;
- Assist in the creation of a range of new employment opportunities; and
- Assist in the provision of skills for the local workforce.



## Our Key Initiatives

In 2010/11, we hope to achieve this by:

- Continuing the implementation of 'Vision for Skelmersdale' plan;
- Pursuing a Multi-Area Agreement to support and develop our local economy;
- Continuing to work with other neighbouring authorities outside the Lancashire cluster; Continuing to support rural businesses through the Lancashire West Local Action Group (LAG) to help develop our rural economy; and
- Helping to implement the Local Strategic Partnership's Employment and Skills Action Plan by working with the Employment and Skills Thematic Group.





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

## Why is this a Priority?

- ◆ More people in West Lancashire feel that affordable housing is important in terms of making somewhere a good place to live (36%) than on average in the North West (34.6%) and England (33.3%), according to the 2008 Place Survey;
- ◆ The same survey showed that more people in West Lancashire feel that affordable housing needs to be improved (22.7%) than on average in the North West (18.3%) and England (21.8%);
- ◆ The availability of affordable housing is crucial to the local economy in terms of attracting people to live in the Borough and encouraging those already here to remain.
- ◆ This goal is shared with the Local Strategic Partnership and the LAA. 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 and the LAA.

## Did You Know?

- ◆ The Council has made significant improvements to its housing stock and is on track to achieve the Decent Homes standard by December 2010.
- ◆ Further investment is planned this year to improve the energy efficiency of Council housing stock, which will benefit not only the environment, but also our tenants' pockets!
- ◆ Following a review of the available housing land, and changes in national policy, the Council has decided it is time to update the approach in West Lancashire and has sought the views of local people and developers about which villages the new policy should apply to, and what the proportions and thresholds for affordable housing should be.
- ◆ We have conducted an extensive Housing Needs Survey of residents to determine both the volume and type of housing required by local people to either rent or buy, depending on their financial means. The results of the Survey will be used by the Council to inform future housing policies.

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

## Our Key Targets

In 2010/11, we aim to:

- Attain the Decent Homes Standard by December 2010; and
- Assist in increasing the number of affordable homes delivered.



## Our Key Initiatives

In 2010/11, we hope to achieve this by:

- Delivering Year 8 of the Capital Investment Programme;
- Delivering the Affordable Housing Strategy in partnership with others; and
- 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.
- ◆ Whilst fewer residents on average felt that sports and leisure facilities (9.9%) and parks and open spaces (22.6%) were important in terms of making somewhere a good place to live, a higher proportion felt that these services needed improving (17.6%/14.8%) than was the average regionally and nationally.
- ◆ Despite significant investment and improvement to our leisure facilities over recent years, satisfaction also remains relatively low at 41.6% for sports and leisure facilities and 57.1% for parks and open spaces.
- ◆ 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 5th anniversary. During these four years substantial investment has been made to improve facilities and services, at a reduced cost to the Council.
- ◆ As part of the Council's continuing policy to enhance leisure facilities, investments have been made to improve:
  - ◆ Coronation Park, Skelmersdale;
  - ◆ A play area at Manor Road Park, Burscough;
  - ◆ Halsall Lane/Cottage Lane Park;
  - ◆ Enhancements to Richmond Park, Bursough; and
  - ◆ Allotments, including new fencing at the Tower Hill site.
- ◆ MEND (Mind, Exercise, Nutrition, Do it) has been so successful in helping overweight children to lead healthier, happier lives, West Lancashire Community Leisure Trust is running the programme again this year.
- ◆ Thanks to our Leisure Trust arrangement, further investment has been made to improve the gym facilities at Burscough Sports Centre and Nye Bevan Pool.

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

## Our Key Targets

In 2010/11, our aim is to:

- Maximise opportunities to contribute to the health of the community through partnership including working especially with the Primary Care Trust;
- Improve satisfaction with sports and leisure facilities working in partnership with SERCO and the Leisure Trust;
- Improve satisfaction with parks and open spaces; and
- Increase the number and proportion of playgrounds meeting our local policy.

## Our Key Initiatives

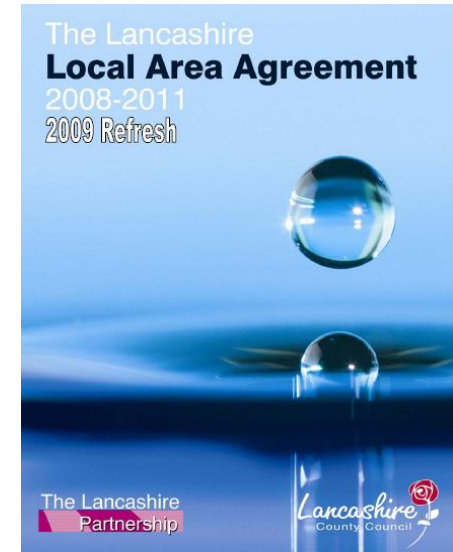
We hope to achieve this in 2010/11 by:

- Helping to implement the Local Strategic Partnership's Health Inequalities Strategy through the Health and Wellbeing Thematic Group;
- Continuing to work in partnership, through the West Lancashire Community Leisure Trust, to provide leisure centres; and
- Continuing the investment in and refurbishment of our formal parks.



# 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 2009/10

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 Partnership & 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 2009/10

Priority/Target	2009/10 Performance
<b>Delivering Cost effective services that delight the customer and are accessible to all</b>	
Pursue a range of efficiency and cost-cutting measures, including a managed reduction in staffing levels	The Council's Organisational Downsizing initiative has generated savings of £1.75m by reducing staff numbers by 57 full time equivalent posts while minimising the impact on front line services
Investigate a range of shared service initiatives with other Councils and partners in the public and private sector	The new Human Resources Partnership Arrangement with the County Council will enable an effective HR service to be delivered and will save £90,000 per annum
Commence to deliver the Customer Relations and Access Strategy, including the development of integrated approaches to service access with public sector partners	A revised strategy is to be produced which will reflect the new sub-divisional structure and will provide a more streamlined approach to customer access and communications. The integrated customer services point feasibility project has been postponed pending further details emerging about Skelmersdale Vision. However progress towards this aim has been achieved through joint working with the County Council in their face to face project, whereby a County staff resource will be co-located in the Council's Customer Service Point in Skelmersdale initially.
Improve the quality and accessibility of accommodation which customers use. Including the provision of new Council offices within a package of mixed development by 2011	The project negotiations with an adjoining landowner have proved more protracted than envisaged. Therefore, any new accommodation will only have a target opening date of 2012. Any new offices will contain high quality service areas for the public. Recent staff relocations have involved upgrading buildings including areas the public use.
Deliver a rolling programme of Value for Money and Organisational re-Engineering reviews of the Council's services	Environmental Health and Private Sector Housing Review was completed October 2009. A further area for review is currently being considered.
Further improve accountability and transparency of work undertaken in partnership with other bodies	All minutes of LSP Forum and Executive are published as soon as possible after they have been approved. Forum and Executive Group minutes are also included in quarterly Members Updates. All minutes of Thematic Group meetings are published on the website upon receipt of them from Thematic Group Support Officers.
<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	Following the commissioning of the new transfer facility at our Skelmersdale depot, waste and recycling collection services will be reviewed and the potential options to change the collection criteria of material (dry recycle) will be fully explored. It is expected that this work will be carried out throughout 2010/11, with collection changes being introduced from October 2010 onwards. It is expected that these changes will result in reduced travel distance and collection downtime as the tipping location for our refuse and recycling vehicles will be onsite.

Priority/Target	2009/10 Performance
<b>Combating Crime and the Fear of Crime</b>	
To deliver the Crime and Disorder Reduction Strategy in partnership with other organisations and agencies	
To deliver the Domestic Violence Strategy in partnership with other organisations and agencies	
<b>Working to Create and Retain Good Quality Jobs for Local People</b>	
Commence implementation of 'Vision for Skelmersdale' plan;	Work has commenced on site on the construction of the new Skelmersdale College buildings which formed an integral part of the "Vision".
Deliver Year 6 of the Investing in Business Programme.	
<b>Improving Housing and Ensuring that there is Affordable Housing Available for Local People</b>	
Deliver the Affordable Housing Strategy in partnership with others;	
Deliver the Private Sector Housing Strategy in partnership with others.	



<b>Providing Opportunities for Leisure and Culture</b>	
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.	








# PERFORMANCE – PRIORITIES & KEY TARGETS 2009/10











Priority/Target	2009/10 Performance
<b>Delivering cost-effective services that are accessible to all</b>	
Further improve the efficiency and effectiveness of services	A programme of efficiency improvements has been delivered in the year, together with a range of improvements to services.
Achieve year-on-year affordable Council Tax rises, in line with inflation, and with targeted investment in key corporate priorities	Band D Council Tax frozen at 2009/10 level. Over the last 9 years the cumulative increase in council tax has been the lowest in Lancashire and half the national average
Achieve an improvement in the satisfaction of residents with the overall service provided by the Council (as measured through the Place survey)	To be measured in 2010 Place Survey
Reduce staff sickness	10.7 days, down from 11.6 in previous year.
Seek to achieve annual cash savings in line with government targets;	National PI is only finalised in July, but the Council is on course to achieve 3% cashable revenue efficiency savings
Increase the proportion of people who transact business with the Council via the website;	15% increase – website rated amongst 10 best District sites nationally

Priority/Target	2009/10 Performance
To maximise the level of income due to the authority.	The Council tax collection rate was 98.02% and the Rent collection rate 98.48%, both of which are above target
<b>Protecting and Improving Street Scene and the Environment</b>	
To increase recycling/composting to 50% by March 2010	45%
To decrease the proportion of land with significant deposits of litter and detritus	4% (litter) 9% (detritus)
To increase public satisfaction with street cleanliness	To be measured in 2010 Place Survey
<b>Combating Crime and the Fear of Crime</b>	
To assist in sustaining the number of crime incidents per 1,000 population below the regional average	
To assist in maintaining a high proportion of people feeling that West Lancashire is a safe and secure place to live	To be measured in 2010 Place Survey
<b>Working to Create and retain Good Quality Jobs for Local People</b>	
Help to reduce unemployment to below the national average	4.1% (equal to national average)
To assist in the creation of new jobs	
To assist in the provision of skills for the local workforce	
<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	
To assist in maintaining a high proportion of people feeling that West Lancashire is a safe and secure place to live	To be measured in 2010 Place Survey
<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	To be measured in 2010 Place Survey
Increase satisfaction with parks and open spaces	To be measured in 2010 Place Survey
Increase the number and proportion of playgrounds meeting our local policy	29.41%
Carry out a food hygiene inspection at all food businesses due to be inspected.	



## APPENDIX B: PERFORMANCE INFORMATION 2009/10

Icon key	
	On target (within 0.01%) or exceeded
	Off target (within 5%)
	Off target (by 5% or more)
	Contextual data only. No target.
	Performance improved on previous year
	Performance declined on previous year
	No change

PI Code & Short Name	2008/09 Result	2008/09 Benchmarks			2009/10 Result & Target		Targets 2010 to 2013			Traffic Light Icon	Long Term Trend Arrow	Latest Notes
	2008/09 Result	All DCs - BQ 2008/09	All DCs - TQ 2008/09	All DCs - Median 2008/09	2009/10 Result	Annual 2009/10	Annual 2010/11	Annual 2011/12	Annual 2012/13			
BV3 % satisfaction with overall LA service	51.4%	N/A	N/A	45.4 ‡	*	*	51.4%	*	51.4%	N/A	N/A	Place Survey indicator. Next Place Survey autumn 2010.
BV8 % invoices paid on time	96.86%	N/A	N/A	N/A	97.15%	98.00%	98.00%	98.00%	98.00%			West Lancs local indicator.
BV9 % of Council Tax collected	98.39%	N/A	N/A	N/A	98.02%	98.30%	98.1%	98.1%	98.1%			West Lancs local indicator.
BV12 Working Days Lost Due to Sickness Absence	11.16	N/A	N/A	N/A	10.70	8.08	8.08 †	8.08 †	8.08 †			West Lancs local indicator.
BV66a % Rent collection & arrears recovery (Cumulative)	98.15%	N/A	N/A	N/A	98.72%	98.20%	98.5%	98.75%	98.85%			West Lancs local indicator.
BV89 Satisfaction with cleanliness of streets	59.2%	N/A	N/A	56.9 ‡	*	*	59.2%	*	59.2%	N/A	N/A	Place Survey indicator. Next Place Survey autumn 2010.
BV119a % satisfied with sports/leisure facilities	41.6%	N/A	N/A	46.2 ‡	*	*	41.6%	*	41.6%	N/A	N/A	Place Survey indicator. Next Place Survey autumn 2010.
BV119e % satisfied with parks and open spaces	57.1%	N/A	N/A	68.5 ‡	*	*	57.1%	*	57.1%	N/A	N/A	Place survey indicator. Next Place Survey autumn 2010.
BV212 Average time taken to re-let local authority housing.	32.50	N/A	N/A	N/A	37.00	30.00	30	28	26			West Lancs local indicator.





Notes: # LAA target not set beyond 2010/11 ; \* Bi-ennial Place Survey PIs have baseline result of 2008/09 set as the target for 2010/11 to reflect 'doing the same with less' following reduction in resources due to downsizing throughout the Council. No survey in 2009/10 or 2011/12 ; † The target is aspirational and subject to comprehensive implementation of procedures ; ‡ England average ; N/A data not available ; Ns new to 10/11 Suite of indicators and/or not previously recorded/reported ; <sup>A</sup> The future and/or content of the 2010/11 Place Survey is still unknown. It is proposed that those Place Survey indicators discontinued at a national level be dropped from WLBC suite as there will be no practical method of collection **unless** they are included under local agreement in any Place Survey undertaken in partnership with other local authorities ; <sup>B</sup> No longer statutory to report. PI discontinued at national level. Proposed deletion from WLBC Suite ; <sup>C</sup> Not a district level indicator. Proposed deletion from WLBC Suite.

PI Code & Short Name	2008/09 Result	2008/09 Benchmarks			2009/10 Result & Target		Targets 2010 to 2013			Traffic Light Icon	Long Term Trend Arrow	Latest Notes
	2008/09	All DCs - BQ 2008/09	All DCs - TQ 2008/09	All DCs - Median 2008/09	2009/10 Result	Annual 2009/10	Annual 2010/11	Annual 2011/12	Annual 2012/13			
LAA Loc01 No. of new homes granted planning permission per year (Local LAA Indicator)	Ns	N/A	N/A	N/A	41	300 (600)	300 (900)	#	#		Ns	Local LAA indicator. 900 cumulative over 3 years to 2010/11: 300 per year.
LAA Loc02 No. of new homes constructed (Local LAA Indicator)	130 (185)	N/A	N/A	N/A	109 (239)	58 (243)	57 (300)	#	#			Local LAA indicator. 300 cumulative over 3 years to 2010/11: 185 / 243 / 300. (cumulative result/target)
NI 1 % of people who believe people from different backgrounds get on well together in their local area	83.6%	75.0%	82.4%	79.7%	*	*	85.0%	*	#	N/A	N/A	Next Place Survey autumn 2010. LAA indicator.
NI 2 % of people who feel that they belong to their neighbourhood	67.3%	57.7%	66.1%	61.8%	*	*	67.3%	*	67.3%	N/A	N/A	This NI will be discontinued nationally for 2010/11. Formerly Place Survey indicator. Proposed removal from WLBC suite for 2010/11 <sup>A</sup>
NI 3 Civic participation in the local area	11.8%	12%	15.9%	13.8%	*	*	11.8%	*	11.8%	N/A	N/A	This NI will be discontinued nationally for 2010/11. Formerly Place Survey indicator. Proposed removal from WLBC suite for 2010/11 <sup>A</sup>
NI 4 % of people who feel they can influence decisions in their locality (Was QoL 23)	27.3%	26.0%	30.8%	28.1%	*	*	29.4%	*	#	N/A	N/A	Next Place Survey autumn 2010. LAA indicator.
NI 5 Overall/general satisfaction with local area	82.5%	79.2%	87.4%	83.9%	*	*	82.5%	*	82.5%	N/A	N/A	Next Place Survey autumn 2010.
NI 6 Participation in regular volunteering	23.7%	21.8%	28.1%	24.2%	*	*	24.5%	*	#	N/A	N/A	Next Place Survey autumn 2010. LAA indicator.
NI 12 Refused & deferred Houses in Multiple Occupation licence applications leading to immigration enforcement activity.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	This PI was deleted at National Level and never introduced. Proposed removal from WLBC suite for 2010/11.

Notes: # LAA target not set beyond 2010/11 ; \* Bi-ennial Place Survey PIs have baseline result of 2008/09 set as the target for 2010/11 to reflect 'doing the same with less' following reduction in resources due to downsizing throughout the Council. No survey in 2009/10 or 2011/12 ; † The target is aspirational and subject to comprehensive implementation of procedures ; ‡ England average ; N/A data not available ; Ns new to 10/11 Suite of indicators and/or not previously recorded/reported ; <sup>A</sup> The future and/or content of the 2010/11 Place Survey is still unknown. It is proposed that those Place Survey indicators discontinued at a national level be dropped from WLBC suite as there will be no practical method of collection **unless** they are included under local agreement in any Place Survey undertaken in partnership with other local authorities ; <sup>B</sup> No longer statutory to report. PI discontinued at national level. Proposed deletion from WLBC Suite ; <sup>C</sup> Not a district level indicator. Proposed deletion from WLBC Suite.

PI Code & Short Name	2008/09 Result	2008/09 Benchmarks			2009/10 Result & Target		Targets 2010 to 2013			Traffic Light Icon	Long Term Trend Arrow	Latest Notes
	2008/09	All DCs - BQ 2008/09	All DCs - TQ 2008/09	All DCs - Median 2008/09	2009/10 Result	Annual 2009/10	Annual 2010/11	Annual 2011/12	Annual 2012/13			
NI 14 Avoidable contact: the proportion of customer contact that is of low or no value to the customer	21.75%	27.38%	11.70%	20.20%	25.92%	25.00%	23.00%	23.00%	23.00%			This NI will be discontinued nationally for 2010/11. Proposed removal from WLBC suite for 2010/11 <sup>B</sup> .
NI 17 Perceptions of anti-social behaviour	17.2%	18.2%	11.4%	14.9%	*	*	17.2%	*	17.2%	N/A	N/A	Next Place Survey autumn 2010.
NI 21 Dealing with local concerns about anti-social behaviour and crime issues by the local council and police	30.3%	24.0%	29.2%	26.6%	*	*	30.3%	*	30.3%	N/A	N/A	Next Place Survey autumn 2010.
NI 22 Perceptions of parents taking responsibility for the behaviour of their children in the area	37.3%	26.8%	35.35%	31.2%	*	*	37.3%	*	37.3%	N/A	N/A	Next Place Survey autumn 2010.
NI 23 Perceptions that people in the area do not treat one another with respect and consideration	23.8%	33%	21.9%	26.3%	*	*	23.8%	*	23.8%	N/A	N/A	This NI will be discontinued nationally for 2010/11. Formerly Place Survey indicator. Proposed removal from WLBC suite for 2010/11 <sup>A</sup>
NI 27 Understanding of local concerns about anti-social behaviour and crime issues by the local council and police	28.9%	22.4%	26.55%	24.4%	*	*	28.9%	*	28.9%	N/A	N/A	Next Place Survey autumn 2010.
NI 35 Building resilience to violent extremism	1	N/A	N/A	N/A	2	2	4	#	#			
NI 37 Awareness of civil protection arrangements in the local area	13.2%	13.3%	18.3%	15.0%	*	*	13.2%	*	13.2%	N/A	N/A	This NI will be discontinued nationally for 2010/11. Formerly Place Survey indicator. Proposed removal from WLBC suite for 2010/11 <sup>A</sup>

Notes: # LAA target not set beyond 2010/11 ; \* Bi-ennial Place Survey PIs have baseline result of 2008/09 set as the target for 2010/11 to reflect 'doing the same with less' following reduction in resources due to downsizing throughout the Council. No survey in 2009/10 or 2011/12 ; † The target is aspirational and subject to comprehensive implementation of procedures ; ‡ England average ; N/A data not available ; Ns new to 10/11 Suite of indicators and/or not previously recorded/reported ; <sup>A</sup> The future and/or content of the 2010/11 Place Survey is still unknown. It is proposed that those Place Survey indicators discontinued at a national level be dropped from WLBC suite as there will be no practical method of collection unless they are included under local agreement in any Place Survey undertaken in partnership with other local authorities ; <sup>B</sup> No longer statutory to report. PI discontinued at national level. Proposed deletion from WLBC Suite ; <sup>C</sup> Not a district level indicator. Proposed deletion from WLBC Suite.

PI Code & Short Name	2008/09 Result	2008/09 Benchmarks			2009/10 Result & Target		Targets 2010 to 2013			Traffic Light Icon	Long Term Trend Arrow	Latest Notes
	2008/09	All DCs - BQ 2008/09	All DCs - TQ 2008/09	All DCs - Median 2008/09	2009/10 Result	Annual 2009/10	Annual 2010/11	Annual 2011/12	Annual 2012/13			
NI 41 Perceptions of drunk or rowdy behaviour as a problem	21.5%	30.8%	21.25%	25.6%	*	*	21.5%	*	21.5%	N/A	N/A	Next Place Survey autumn 2010.
NI 42 Perceptions of drug use or drug dealing as a problem	26.8%	20.3%	30.9%	25.5%	*	*	26.8%	*	26.8%	N/A	N/A	Next Place Survey autumn 2010.
NI 119 Self-reported measure of people's overall health and wellbeing	75.7%	74.7%	80.1%	77.6%	*	*	77.5%	*	#	N/A	N/A	Next Place Survey autumn 2010. LAA indicator.
NI 137 Healthy life expectancy at age 65	N/A	N/A	N/A	14.16	N/A	N/A	14.46	N/A	N/A	N/A	N/A	Next Census 2011. LAA indicator. Baseline 12.6 from Census 2001.
NI 138 Satisfaction of people over 65 with both home and neighbourhood	86.2%	84.2%	89.4%	86.9%	*	*	86.2%	*	86.2%	N/A	N/A	Next Place Survey autumn 2010.
NI 139 The extent to which older people receive the support they need to live independently at home	27.5%	28.0%	33.9%	30.6%	*	*	33.6%	*	#	N/A	N/A	Next Place Survey autumn 2010. LAA indicator.
NI 140 Fair treatment by local services	74.1%	71.8%	78.5%	75.4%	*	*	74.1%	*	74.1%	N/A	N/A	This NI will be discontinued nationally for 2010/11. Formerly Place Survey indicator. Proposed removal from WLBC suite for 2010/11 <sup>A</sup>
NI 151 Overall Employment rate (working-age)	78.4%	N/A	N/A	N/A	73.3%	78.4%	tbc	tbc	tbc			Lag in information released on NOMIS means 2009/10 figure relates to performance as at September 2009
NI 152 Working age people on out of work benefits	12.3%	N/A	N/A	N/A	14.2%	12.2%	12.2%	#	#			LAA local indicator. Lag in information means 2009/10 result is the average figure during the twelve month period ending August 2009 which is the most recent information available.

Notes: # LAA target not set beyond 2010/11 ; \* Bi-ennial Place Survey PIs have baseline result of 2008/09 set as the target for 2010/11 to reflect 'doing the same with less' following reduction in resources due to downsizing throughout the Council. No survey in 2009/10 or 2011/12 ; † The target is aspirational and subject to comprehensive implementation of procedures ; ‡ England average ; N/A data not available ; Ns new to 10/11 Suite of indicators and/or not previously recorded/reported ; <sup>A</sup> The future and/or content of the 2010/11 Place Survey is still unknown. It is proposed that those Place Survey indicators discontinued at a national level be dropped from WLBC suite as there will be no practical method of collection unless they are included under local agreement in any Place Survey undertaken in partnership with other local authorities ; <sup>B</sup> No longer statutory to report. PI discontinued at national level. Proposed deletion from WLBC Suite ; <sup>C</sup> Not a district level indicator. Proposed deletion from WLBC Suite.









PI Code & Short Name	2008/09 Result	2008/09 Benchmarks			2009/10 Result & Target		Targets 2010 to 2013			Traffic Light Icon	Long Term Trend Arrow	Latest Notes
	2008/09	All DCs - BQ 2008/09	All DCs - TQ 2008/09	All DCs - Median 2008/09	2009/10 Result	Annual 2009/10	Annual 2010/11	Annual 2011/12	Annual 2012/13			
NI 153 Working age people claiming out of work benefits in the worst performing	28.3%	N/A	N/A	N/A	28.1%	28.1%	28.1%	#	#			LAA indicator. 2009/10 result taken from August 2009 which is the most recent information available. Target above LAA target of 24.5 for 2010/11.
NI 154 Net additional homes provided	130	N/A	N/A	N/A	109	300	tbc	tbc	tbc			
NI 155 Number of affordable homes delivered (gross)	13	N/A	N/A	N/A	32	16	22	#	#			LAA indicator
NI 156 Number of households living in temporary accommodation	4	N/A	N/A	N/A	4	1	1	#	#			Local LAA indicator.
NI 157a Processing of planning applications: Major applications	52.27%	60.00%	90.45%	75.00%	47.83%	70.00%	70.00%	70.00%	70.00%			
NI 157b Processing of planning applications: Minor applications	75.68%	71.15%	86.15%	78.48%	73.73%	80.00%	80.00%	80.00%	80.00%			
NI 157c Processing of planning applications: Other applications	90.89%	82.97%	93.68%	88.82%	91.15%	90.00%	90.00%	90.00%	90.00%			
NI 158 % non-decent council homes	2.8%	N/A	N/A	N/A	tbc	5.0%	0%	0%	0%	N/A	N/A	An external company calculate the performance of non-decent homes. This figure is expected in June 2010.
NI 159 Supply of ready to develop housing sites	105.3%	N/A	N/A	N/A	100.8%	100.0%	100.0%	100.0%	100.0%			
NI 160 Local authority tenants' satisfaction with landlord services	71.00%	N/A	N/A	N/A	N/A	N/A	80.00%	N/A	85%	N/A	N/A	Bi-ennial STATUS survey. Next survey due 2010/11.

Notes: # LAA target not set beyond 2010/11 ; \* Bi-ennial Place Survey PIs have baseline result of 2008/09 set as the target for 2010/11 to reflect 'doing the same with less' following reduction in resources due to downsizing throughout the Council. No survey in 2009/10 or 2011/12 ; † The target is aspirational and subject to comprehensive implementation of procedures ; ‡ England average ; N/A data not available ; Ns new to 10/11 Suite of indicators and/or not previously recorded/reported ; <sup>A</sup> The future and/or content of the 2010/11 Place Survey is still unknown. It is proposed that those Place Survey indicators discontinued at a national level be dropped from WLBC suite as there will be no practical method of collection unless they are included under local agreement in any Place Survey undertaken in partnership with other local authorities ; <sup>B</sup> No longer statutory to report. PI discontinued at national level. Proposed deletion from WLBC Suite ; <sup>C</sup> Not a district level indicator. Proposed deletion from WLBC Suite.

PI Code & Short Name	2008/09 Result	2008/09 Benchmarks			2009/10 Result & Target		Targets 2010 to 2013			Traffic Light Icon	Long Term Trend Arrow	Latest Notes
	2008/09	All DCs - BQ 2008/09	All DCs - TQ 2008/09	All DCs - Median 2008/09	2009/10 Result	Annual 2009/10	Annual 2010/11	Annual 2011/12	Annual 2012/13			
NI 163 Proportion of population aged 19-64 for males and 19-59 for females qualified to at least Level 2 or higher	69.3%	N/A	N/A	N/A	tbc	76.2%	78.1%	#	#	N/A	N/A	Single tier and county level reporting. Latest county figure available from 2008 only. LAA indicator.
NI 170 Previously developed land that has been vacant or derelict for more than 5 years	3.39%	N/A	N/A	N/A	3.39%	5.00%	5.00%	5.00%	5.00%			This NI will be discontinued nationally for 2010/11. Proposed removal from WLBC suite for 2010/11 <sup>B</sup> .
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	682.0	484.0	1155.8	730.0	Figure available July	1416 (Oct 2009 forecast)	N/A	N/A	N/A	N/A	N/A	NI reported in two stages. October (half year) figure is a forecast for financial year end and used as target. July figure is the actual outturn. Target for 10/11 to be set October 2010.
NI 180 The number of changes of circumstances which affect customers' HB/CTB entitlement within the year.	1046.6	N/A	N/A	N/A	1160	823	N/A	N/A	N/A			Figure reported is last figure available from website and supplied by DWP. There have been problems with data management at a national level and the data is no longer available to report. This NI will be discontinued nationally for 2010/11. Proposed removal from WLBC suite for 2010/11 <sup>B</sup> .
NI 181 Time taken to process Housing Benefit/Council Tax Benefit new claims and change events (days)	7.40	N/A	N/A	N/A	10.22	15.00	12.00	12.00	12.00			Changes resulting in bulk processing favourably impacted on 08/09 and 09/10 results.
NI 182 Satisfaction of business with local authority regulation services	83.51%	N/A	N/A	N/A	tbc	84.00%	tbc	tbc	tbc	N/A	N/A	Survey completed. Result due end June.
NI 184 Food establishments in the area which are broadly compliant with food hygiene law	82%	N/A	N/A	N/A	84%	83%	tbc	tbc	tbc			This NI will be discontinued nationally for 2010/11. Proposed removal from WLBC suite for 2010/11 <sup>B</sup> .

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	2008/09 Result	2008/09 Benchmarks			2009/10 Result & Target		Targets 2010 to 2013					
PI Code & Short Name	2008/09	All DCs - BQ 2008/09	All DCs - TQ 2008/09	All DCs - Median 2008/09	2009/10 Result	Annual 2009/10	Annual 2010/11	Annual 2011/12	Annual 2012/13	Traffic Light Icon	Long Term Trend Arrow	Latest Notes
NI 185 % annual CO2 reduction from local authority operations	Baseline 4655305 kg	N/A	N/A	N/A	tbc	2.5%	2.5%	2.5%	2.5%	N/A	N/A	Targets reflect reduction on baseline figure and follow WLBC climate change strategy - a 25% reduction by 2020. Result published by DEFRA and not yet available. Figure expected June 2010.
NI 186 % Per capita reduction in CO2 emissions in the LA area	Baseline 2005 7.97t	N/A	N/A	N/A	tbc	9.75%	12.50%	#	#	N/A	N/A	Targets are % reduction on 2005 baseline. LAA indicator. Result published by DEFRA. 2008/9 figure due September 2010, and 2009/10 figure September 2012.
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	7.99%	14.31%	7.47%	10.71%	7.52%	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	37.63%	22.23%	34.74%	29.31%	39.67%	38.69%	39.75%	#	#			LAA indicator.
NI 188 Planning to Adapt to Climate Change	1	0	1	0	2	2	3	#	#			LAA indicator.
NI 189 Flood and coastal erosion risk management	100%	100%	100%	100%	tbc	99%	100%	100%	100%	N/A	N/A	Result published by DEFRA. 2009/10 figure due July 2010.
NI 190 Achievement in meeting standards for the control system for animal health.	Ns	N/A	N/A	N/A	Ns	Ns	N/A	N/A	N/A	Ns	Ns	Single tier and county level reporting. Not relevant to WLBC. <sup>C</sup>

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NI 191 Residual household waste per household	503.62	579.75	485.25	529.5	501.24	505.79	500	499	497			
NI 192 Percentage of household waste sent for reuse, recycling and composting	45.19%	32.22%	45.12%	38.32%	44.74%	50.00%	50%	52%	54%			LAA indicator. No district target set by LAA. Overall Lancashire target of 44% for 2010/11.
NI 194 Air quality – % reduction in NOx and primary PM10 emissions through local authority's estate and operations	Baseline NOx: 13,229 kg PM10: 414 kg	N/A	N/A	N/A	tbc	2.5%	2.5%	2.5%	2.5%	N/A	N/A	Targets reflect reduction on baseline figure and follow WLBC climate change strategy - a 25% reduction by 2020. Result published by DEFRA and not yet available. Figure expected June 2010.
NI 195a Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Litter	4.17%	6.00%	2.00%	4.00%	4.00%	15.00%	4.00%	3.00%	3.00%			LAA indicator. WLBC target above LAA target of 13% for 2010/11.
NI 195b Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Detritus	8.47%	14.25%	5.00%	10.00%	9.00%	24.00%	7.00%	7.00%	6.00%			LAA indicator. WLBC target above LAA target of 20% for 2010/11.
NI 195c Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Graffiti	.22%	2.00%	.00%	1.00%	.95%	4.00%	1.00%	1.00%	1.00%			LAA indicator. WLBC target above LAA target of 4% for 2010/11.
NI 195d Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Fly-posting	0.17%	0.25%	0.00%	0.00%	0.11%	2.00%	1.00%	1.00%	1.00%			LAA indicator. WLBC target above LAA target of 2% for 2010/11.
NI 196 Improved street and environmental cleanliness – fly tipping	1	3	2	2	tbc	1	1	1	1	N/A	N/A	DEFRA provide figure. Results expected August 2010.

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NI 197 Improved Local Biodiversity – proportion of Local Sites where positive conservation management has been or is being implemented	16%	N/A	N/A	N/A	21%	21%	24%	#	#			LAA indicator. County level data only.
II 199 Children and young people's satisfaction with parks and play areas	44.6%	N/A	N/A	54.1 <sup>†</sup>	51.5%	Ns	N/A	N/A	N/A	Ns		Single tier and county level reporting. County figure reported. Tellus4 survey <sup>C</sup> .
VL01 No. bins missed per 100,000 collections	57.92	N/A	N/A	N/A	61.54	60.00	60	55	50			
VL06 Average time taken to remove fly tips (days)	1.08	N/A	N/A	N/A	1.15	1.00	1	1	1			
VL07a No. complaints fouling/strays	298	N/A	N/A	N/A	277	250	260	260	260			
VL07b Dog fouling per km	1.56	N/A	N/A	N/A	0.64	2.38	2.1	1.9	1.7			
WL08 Number of Crime Incidents per 1,000 population	59.89	N/A	N/A	N/A	60.45	65.00	65.00	65.00	65.00			
VL18 Use of leisure and cultural facilities (swims and visits)	1,221,854	N/A	N/A	N/A	1,261,214	1,300,000	1,300,00	1,320,000	1,340,000			
WL19b(ii) % Direct Dial calls answered within 10 seconds	76.35	N/A	N/A	N/A	69.77	80.00	80.00	80.00	80.00			Result affected by office moves and staff changes.
VL24 % Building regulations applications determined within 5 weeks	58.45%	N/A	N/A	N/A	64.24%	62.00%	62.00%	62.00%	62.00%			
WL84(iii) % feel safe & secure in West Lancs	81.7%	N/A	N/A	N/A	N/A	81.7%						Deleted for 2010/11 suite. No People's Panel survey carried out in 2009/10.

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WL85a Website: no. visits	1,022,208	N/A	N/A	N/A	1,229,632							Deleted for 2010/11 suite. No target. Contextual information only.
WL85aa Website: number of unique visitors	348,668	N/A	N/A	N/A	465,279	375,000	500,000	500,000	500,000			
WL85b Website: use of online forms	8,164	N/A	N/A	N/A	6,500	10,000	7,000	7,000	7,000			Target reduced to reflect that the previous year's increase resulted from prize draw campaign, but taking into account increased number of forms available for public use.
WL85c Website: no. online payments	12,588	N/A	N/A	N/A	14,486	15,000	15,000	15,000	15,000			
VL88 % Planning decisions delegated to officers	90.98%	N/A	N/A	N/A	93.01%	90.00%	90.00%	90.00%	90.00%			
WL90 % of Contact Centre calls answered	87.1%	N/A	N/A	N/A	92.4%	85.0%	89.0%	89.0%	89.0%			
WL92 % of cases (telephone calls) to the Contact Centre solved at first point of contact	61.8	N/A	N/A	N/A	64.3	65.0	65.0	65.0	65.0			
WL96 % of playgrounds meeting WLBC policy	29.41%	N/A	N/A	N/A	29.41%	38.78%	38.78%	39.5%	40.0%			
WL101b Average time taken to carry out standard searches	6.61	N/A	N/A	N/A	6.18	7.50	7.50	7.25	7.00			
WL108 Average waiting time for callers to the contact centre (seconds)	51.75	N/A	N/A	N/A	44.00	50.00	44.00	44.00	44.00			
WL111 % Housing Repairs Completed in Timescale	92.31%	N/A	N/A	N/A	88.01%	94.50%	94.50%	94.50%	95.00%			

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WL112 % actions complete from Health and Wellbeing Thematic Group Action Plan where WLBC is lead body	Ns	N/A	N/A	N/A	Ns	Ns	tbc	tbc	tbc	Ns	Ns	Targets will be determined following agreement of the 2010/11 action plan by the thematic group.
WL113 Businesses assisted by partnership for start up/thrive	Ns	N/A	N/A	N/A	Ns	Ns	500	550	605	Ns	Ns	
WL114 % LA properties with CP12 outstanding	Ns	N/A	N/A	N/A	Ns	Ns	0.8	0.6	0.4	Ns	Ns	

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This table has been compiled based on the NI set as at 01.04.2010.







**AGENDA ITEM: 11**

**CABINET: 15 JUNE 2010**

**EXECUTIVE OVERVIEW &  
SCRUTINY COMMITTEE:  
1 JULY 2010**

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

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

**Contact for further information: Mr R V Livermore (Extn. 5200)  
(E-mail: bob.livermore@westlancs.gov.uk)**

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**SUBJECT: THE REGULATORY FRAMEWORK FOR SOCIAL HOUSING IN  
ENGLAND FROM APRIL 2010**

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RVL/BC/2.922cab  
3 June 2010

Borough wide interest

**1.0 PURPOSE OF THE REPORT**

- 1.1 The purpose of this report is to advise Members that the Regulatory Framework became effective, subject to the necessary Statutory Instrument being made by Government, on 1 April 2010.
- 1.2 To agree the process of agreeing the standards and any local offers with tenants.
- 1.3 Finally, to agree the monitoring arrangements that it wishes to put in place.

**2.0 RECOMMENDATIONS TO CABINET**

- 2.1 That the Executive Manager Housing and Property Maintenance Services be given delegated authority to commence discussions with tenants to agree how the Council will deliver its regulatory requirement.
- 2.2 That following this, a further report be brought back to agree the standards and any local offers, together with the governance arrangements.
- 2.3 That this report be referred to the Executive Overview and Scrutiny Committee and any comments be considered as part of the further report referred to in 2.2 above.

- 2.4 That the call in procedure is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 1 July 2010.

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

- 2.5 That the report be noted and any comments be considered as part of the further report referred to in 2.2 above.
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### **3.0 BACKGROUND**

- 3.1 The concept of social housing regulation was introduced by the Housing and Regeneration Act 2008.
- 3.2 The Government established the Tenant Services Authority (TSA) to be the domain regulator.
- 3.3 Regulation of Local Authorities and Arms Length Management Organisations (ALMOs) came into operation from 1 April 2010.
- 3.4 The TSA has carried out informal consultation into the way that it should regulate. In response to this a workshop was arranged for Tenants, Councillors and staff on 2 September 2009. The workshop informed the views that were sent to the TSA on 4 September 2009 (Appendix A) as part of the response to the discussion paper.
- 3.5 Following this, the TSA published a formal Consultation Paper that was considered by Cabinet, Executive Overview and Scrutiny Committee and the Tenant and Resident Forum in January and February 2010 (Appendix B).
- 3.6 After consideration the Council sent its response on 5 February 2010 (Appendix C).

### **4.0 CURRENT POSITION**

- 4.1 Following consultation the TSA issued the Regulatory Framework for Social Housing in England in March 2010 that came into effect from 1 April 2010 for Local Authorities and ALMOs.
- 4.2 The TSA want to ensure that regulation brings:
- (i) A fair deal for tenants
  - (ii) Protection for taxpayers and other funders of social housing
  - (iii) by a modern and effective regulator
- 4.3 There are 6 Standards introduced by the TSA, these are:
1. **Tenant Involvement and Empowerment**, which covers:

- (a) Customer Service, choice and complaints
  - (b) Involvement and Empowerment
  - (c) Understanding and responding to diverse needs of tenants
2. **Home**, which covers:
    - (a) quality of accommodation
    - (b) repairs and maintenance
  3. **Tenancy**, which covers:
    - (a) allocations
    - (b) rents
    - (c) tenure
  4. **Neighbourhood and Community**, which covers:
    - (a) neighbourhood management
    - (b) rents
    - (c) anti-social behaviour
  5. **Value for Money**
  6. **Governance and Financial Viability** – this standard, or part of this standard, does not apply to Local Authorities, which covers:
    - (a) Governance
    - (b) Financial viability
- 4.4 The 6 Standards are underpinned by 10 principles. These are:
1. ‘Co-regulation’ is the TSA’s approach – where they expect robust self-regulation by Boards and Councillors who govern the delivery of housing services, incorporating effective involvement, subject to a “backbone” of regulation by the TSA.
  2. We must meet the 6 Standards. The TSA are primarily concerned about outcomes for tenants, not detailed processes.
  3. We must engage meaningfully with our tenants and offer them opportunities to agree how services are delivered against the TSA Standards, which can be tailored to reflect local priorities.
  4. Every tenant matters. The TSA expects us to understand and respond to the particular needs of our tenants and to demonstrate how we have taken into account the needs of tenants across the 7 equality strands which consist of race, disability, sexual orientation, age, gender, religion or belief and gender identity. Plus taking into account the support needs of tenants.
  5. Good governance is a universal principle and is essential to the quality of service delivery, financial robustness and value for money.

6. Transparency, effective tenant scrutiny, and an element of independent validation are central to the co-regulatory framework. The Council must set out our service standards and report our performance to our tenants.
7. The TSA encourage effective forms of Independent validation, audit and benchmarking of performance to encourage us to improve continually and free the best from unnecessary red tape.
8. The TSA, for service delivery standards, will focus their resources and target on a risk based way and target the providers with the most challenging performance issues.
9. The TSA support the principle of sector-led improvement.
10. The TSA intend to expand the range of providers that own and manage social housing.

## **5.0 ISSUES**

- 5.1 The regulation criteria will require a significant amount of resources to be used to put the framework in place.
- 5.2 Work has already started to look at the Standards and to identify current levels of service delivery.
- 5.3 By October 2010 we must agree our approach to developing the Standards and any local offers and to have these agreed and in place by April 2011.
- 5.4 By October of each year (starting 2011) an Annual Report must be published looking at the performance in the previous financial year.
- 5.5 Good practice will be published in May 2010 where we can compare current practice with the best in class.
- 5.6 Equality Impact Assessment guidance will be released by the TSA in Spring 2010.
- 5.7 Providers with the greatest risk of failing TSA Standards will be published in June 2010.
- 5.8 I am therefore seeking a delegation by Cabinet to explore detailed discussions with tenants on how these matters can be taken forward to enable agreement to take place.
- 5.9 I intend to then report back to Cabinet on the agreement and the governance arrangements that will need to be put into place to ensure compliance.

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

- 6.1 Discussions have already taken place with tenants to indicate that in agreeing the Standards and our local offers, the Council will need to ensure that these are sustainable, otherwise it could lead to costly audits and inspections if these are not achievable. It is important that we agree standards that are acceptable and deliver quality services within the financial framework that exists.
- 6.2 The Community Strategy looks to improve the quality of housing for local people and therefore this work is broadly in line with this.

## **7.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 7.1 The budget for 2010/11 includes £25k to support the work necessary in delivering this agenda.
- 7.2 Care needs to be taken that aspirational standards are not agreed without appreciating the additional costs associated with this so that the package of Standards and local offers are sustainable.

## **8.0 RISK ASSESSMENT**

- 8.1 The focus of staff and tenants needs to be directed towards this initiative. There is much to do and time constraints could be a major impediment to delivering this on time.

## **9.0 CONCLUSION**

- 9.1 The best way forward appears to be to delegate the negotiation with tenants to the Executive Manager Housing and Property Maintenance Services so that discussion can take place at the earliest opportunity and, that when agreement can be reached, the matter is taken back for Cabinet to consider.
- 9.2 If Members agree this approach I will arrange regular briefings for the Housing Portfolio Holder to ensure that agreement can be generally acceptable and sustainable.

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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 benefit in undertaking an Equality Impact Assessment at this stage. However, each standard and local offer will need to be considered with regard to Equality Impact Assessment and these undertaken where necessary.

### **Appendices**

Appendix A - Letter dated 4 September 2009 to TSA

Appendix B - Report to Cabinet 19 January 2010 and Executive Overview & Scrutiny  
Committee 4 February 2010

Appendix C - Letter dated 5 February 2010 to TSA



**Bob Livermore FCIH**  
**Executive Manager Housing and**  
**Property Maintenance Services Division**

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*Date:* 4th September 2009

*Your ref:*

*Our ref:* RVL/EH

*Please ask for:* R V Livermore

*Direct dial no:* 01695 585200

*Extension:* 5200

Amanda Newton  
National Conversation Project Manager  
Tenant Services Authority  
4th Floor  
One Piccadilly Gardens  
Manchester  
M1 1RG

Dear Amanda

I am responding to the TSA Discussion Paper on Building a new Regulatory Framework.

The Council have held a Workshop, as recommended by the TSA, and I attach a copy of this and the covering letter sent in support of this.

The National Conversation findings accord with the Council's experience of working with Tenants over a number of years.

Your approach to regulation is probably the only sensible way that this matter can move forward within the current paradigm. However, the Council believes fundamentally that this will allow a two tier approach whereby service enhancements will be restricted and Tenants will not be able to aspire to the same level of services dependent on their landlord.

The National Standards are of some concern as, from a Local Authority view point, resources have been agreed with Government on the level of performance monitoring and we would not wish to see these become more burdensome.

In regard to the issue of tenants with care and support needs, we do need to ensure that there is not duplication with the regulatory framework governing Social Services.

.....continued.....

With regard to the two tier arrangements you propose, under the current system we see no alternative but would prefer that there be a level financial base for all social landlords.

The intervention and enforcement powers will, in our opinion, lead to landlords being cautious about setting aspirational standards.

In shaping the standards the TSA need to avoid on size fitting all and allow tenants to decide between a range of options what is their priority.

In terms of tenant empowerment and involvement, we feel that the Tenant Compacts need to be further developed to encourage involvement but to ensure that all tenants are able to influence service delivery aspects without the need for active participation.

Tenancy Agreements can be decided between landlords and tenants and the TSA's role should be to have examples of good practice and a framework of essential and desirable areas that the Agreement would cover.

The Governance issues for a Local Authority are challenging. We feel that Tenants should be able to influence decisions and be consulted before decisions are made, however service delivery for a Local Authority is such that it is not always sensible to have a two tier system – one for Tenants and one for Citizens.

The Local Authority sector works closely with the Audit Commission and further regulation in this field would not be welcomed.

This Council is keen to encourage value for money and believes the Government's principles of Best Value should be used to inform the National Framework.

The Council would be concerned to see additional burden introduced by the TSA in terms of monitoring requirements.

The Council is concerned that any grading system should be fair and equitable. Unless the financial circumstances of each landlord is similar we do not see how this could be achieved without creating a system which potentially is partial.

The best way to incentivise great performance and best practice is to reduce fees for your service.

The approach to ensure standards are met seems to be wide and provided these are used proportionately, the Council is content with these powers.

The registration process seems to be overly burdensome and should be streamlined.

.....continued.....



Finally, there should be a stronger link between the level of fee paid and the consultation which is currently being carried out. The Council is concerned that aspirational consultation without knowing the costs involved is not helpful and could be resented in the longer term.

Yours sincerely



**R V LIVERMORE**  
**EXECUTIVE MANAGER**  
**HOUSING AND PROPERTY MAINTENANCE SERVICES**

***UK Council of  
the Year 2009/10***  
*(LGC Highly Commended)*

Chief Executive: William J. Taylor BA (Hons) M.Soc.Sc.F.C.I.P.D.  
Deputy Chief Executive: Les Abernethy BSc MCD MRTPI

***“Excellent”***  
*As rated by the  
Audit Commission*





**AGENDA ITEM:**

**CABINET:**  
**19<sup>th</sup> January 2010**

**EXECUTIVE OVERVIEW &  
SCRUTINY COMMITTEE:**  
**4<sup>th</sup> February 2010**

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

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

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**SUBJECT: A NEW REGULATORY FRAMEWORK FOR SOCIAL HOUSING  
IN ENGLAND – A STATUTORY CONSULTATION**

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RVL/EH2909cabeo&s  
8<sup>th</sup> January 2010  
Borough-wide interest

**1.0 INTRODUCTION**

1.1 This report is to consider the Consultation Paper issued by the Tenant Services Authority (TSA) on a new regulatory framework for Social Housing in England and to decide how best to respond to this.

**2.0 RECOMMENDATIONS TO CABINET**

2.1 That the Executive Manager Housing and Property Maintenance Services, in consultation with the Portfolio Holder for Housing, respond to TSA after hearing the views and comments of Cabinet, Executive Overview and Scrutiny Committee, and the Tenant and Resident Forum.

2.2 That call in is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 4<sup>th</sup> February 2010.

**3.0 RECOMMENDATION TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE**

3.1 That the Committee consider the report and agree comments to be taken into account by the Executive Manager Housing and Property Maintenance Services, when responding to the Consultation Paper issued by the TSA.

## **4.0 BACKGROUND AND PRINCIPLES TO SHAPE REGULATION**

- 4.1 The Government has established the TSA to be the domain regulator for social housing under the Housing and Regeneration Act 2008.
- 4.2 The TSA will commence its regulation for Local Authorities and Arms Length Management Organisations (ALMOs) from 1 April 2010.
- 4.3 The TSA have already carried out consultation in a discussion document. This formed the basis of a workshop for Members, Tenants and Officers.
- 4.4 Following the workshop the Council's comments were sent to the TSA (Appendix 1)
- 4.5 The TSA propose to use 10 principles to shape regulation, these are:
- 4.5.1 National Standards will be established based on clear criteria.
- 4.5.2 National Standard will be clear, succinct, based on outcome and avoid prescribed detailed processes.
- 4.5.3 The National Standard Framework will require providers to agree local standards with their tenants for the areas of service that are relevant to them locally.
- 4.5.4 Every tenant matters. We expect providers to understand and respond to the particular needs of their tenants and to demonstrate how they have taken into account the needs of tenants across the six diversity groups. The diversity groups consist of the following:
- (a) ethnicity
  - (b) disability
  - (c) sexuality
  - (d) age
  - (e) gender
  - (f) religion/belief
- 4.5.5 Promote transparency in reporting of performance by providers for tenants and Local Authorities (in their strategic role) in areas they operate.
- 4.5.6 Good governance is a universal principle and is essential to the quality of service delivery, financial robustness and value for money.
- 4.5.7 TSA wants to promote effective forms of independent validation, audit and benchmarking of performance to encourage providers to continually improve and free the best from unnecessary red tape.

- 4.5.8 For the national service delivery standards, the TSA will focus their resources in 2010/11 on identifying and addressing the worse performing providers, where tenants are being let down by their providers performance.
- 4.5.9 The standards framework must support the principle of sector-led improvement. Where problems are identified the provider will usually be offered an opportunity for speedy self-improvement.
- 4.5.10 Registration criteria should encourage new entry into the social housing sector consistent with TSA objectives in the Housing and Regeneration Act 2008.

## **5.0 CURRENT POSITION ON NATIONAL AND LOCAL STANDARDS**

- 5.1 Following the discussion document the TSA advise that there was broad reaffirmation by stakeholders of the proposed National Standards. The National Standards have been rationalised and are set out below:

### **5.1.1 Figure 1 – Proposals for national standards**

- A. Tenant Involvement and Empowerment
  - Involvement and empowerment
  - Customer service and choice
  - Equalities and diversity
  - Tenants with additional support needs
  - Complaints
- B. Home
  - Repairs and maintenance
  - Quality of accommodation
- C. Tenancy
  - Allocations
  - Rent
  - Tenure
- D. Neighbourhood and Community
  - Neighbourhood management
  - Local area co-operation
  - Anti-social behaviour
- E. Value for Money
  - Value for money
- F. Governance and Financial Viability\*
  - Governance
  - Financial viability

\* This standard does not apply to Local Authorities.

- 5.1.2 Landlords will be required to publish their plans for how they will develop local standards as soon as possible after 1/4/10 and by no later than 1/10/10. Local Standards will need to be in place 1/4/11.
- 5.1.3 The definition of “local” could mean a whole Local Authority area or it could be drilled down to neighbourhoods with different priorities and needs.
- 5.2 The TSA can issue Codes of Practice but they do not propose do so at the moment.

## **6.0 REGULATION OF LOCAL AUTHORITY PROVIDERS**

- 6.1 There are some differences in the sector between Registered Social Landlords (RSLs) and Local Authority providers. Whilst the TSA will regulate the financial affairs and governance arrangements of RSLs, the current arrangements of the Audit Commission overseeing the financial and governance issues of Local Authorities will continue.
- 6.2 The TSA are in discussions with the Local Government Association (LGA) to establish a Local Performance Framework. This is expected to include:
- (a) An annual report for tenants which will contain a self assessment against national and local standards.
  - (b) Accreditation Schemes and external validation where appropriate.
  - (c) National Indicator Set Data.
  - (d) Tenant feedback and resident petitions
  - (e) Cases reported to the Local Government Ombudsman where a determination is made.
  - (f) Outcomes reported by the Audit Commission’s CAA process.
- 6.3 The TSA will require information but have agreed with Government that this will be information already provided by Local Authorities for public reporting and internal management purposes.

## **7.0 PROPOSED TENANT INVOLVEMENT AND EMPOWERMENT STANDARD**

- 7.1 This Standard covers customer services and choice, tenant involvement and empowerment and complaints. This is complemented by cross cutting themes of equality and diversity and tenants with additional support needs.

- 7.2 The required outcomes are:

### **7.2.1 Customer service and choice**

Registered providers must design and deliver housing services that tenants can access easily. Tenants must be offered choices over the services they receive, and be treated with fairness and respect. In relation to all the standards, registered providers must consider equality issues and the diversity of their tenants, including tenants with additional support needs.

Registered providers must understand their tenants' needs and use this information to:

- design and deliver housing services
- communicate with tenants

## **7.2.2 Involvement and empowerment**

Registered providers will offer all tenants opportunities to be involved in the management of their housing. This must include opportunities to:

- influence housing related policies and how housing related services are delivered
- be involved in scrutinising performance in delivering housing-related services registered providers must offer tenants support so they are more able to be effectively engaged, involved and empowered.

## **7.2.3 Responding to complaints**

Registered providers must have a clear and accessible policy. They must deal with tenants' complaints and any other feedback promptly, politely and fairly. The policy must include how they use complaints and other feedback to:

- change how they do things
- improve services

## **7.3 Specific requirements**

### **7.3.1 Customer service and choice**

7.3.1.1 Registered providers will be able to show they have arrangements for understanding their tenants, their views and needs so that in all the standards, they can use this information to:

- improve services
- offer choices in the services provided

7.3.1.2 For all the standards, registered providers must consider equality issues and the diversity of their tenants, including tenants with additional support needs and incorporate choices that are designed to meet the diverse needs of their tenants.

7.3.1.3 Registered providers will provide tenants with accessible, comprehensive and timely information about:

- how tenants can access services
- the standards of housing services their tenants can expect
- how they are performing against those standards
- the service choices available to tenants

- any additional costs that are relevant to specific choices
- how tenants can communicate with them

### 7.3.2 Involvement and empowerment

7.3.2.1 Registered providers, having consulted their tenants, must have arrangements in place that support and enable tenants to be involved and empowered. Tenants must have the opportunity to:

- be involved in the management of their homes (including, for example, in relation to the repairs programme and choice of main contractors)
- influence their registered provider's strategic priorities
- measure and scrutinise how effective their registered provider's involvement and empowerment policy is

7.3.2.2 Registered providers must say how they will provide support to build tenants' capacity to be effectively engaged, involved and empowered.

7.3.2.3 Arrangements for involvement and empowerment must be clearly published and accessible for tenants.

7.3.2.4 Following consultation with their tenants, registered providers will establish by no later than 1 April 2011 local standards in those service areas where the TSA has indicated that its national standards should be tailored with local standards where tenants want them. Local standards should include commitments on:

- local standards for performance
- how performance will be monitored and reported to tenants
- how tenants can be involved in scrutinising performance
- what happens if local standards are not met
- arrangements for reviewing the local standards on an annual basis

7.3.2.5 Registered providers will consult their tenants about how many tenant members there should be on their governing bodies or service delivery committees. Registered providers will do this at least once every three years.

7.3.2.6 Registered providers will offer tenants a range of opportunities to scrutinise their performance. This applies to all standards.

7.3.2.7 When registered providers are required by law to consult tenants about changes to their constitution (for example, where there will be a change of registered provider), they should clearly and objectively set out the options, and the costs and benefits of the options.

7.3.2.8 Where registered providers intend to make a significant change in the arrangements for the management of their stock, they must consult their tenants.



7.3.2.9 Where registered providers have consulted tenants about the standards, they should feed back to tenants about how they have taken their views into account.

### 7.3.3 Responding to complaints

7.3.3.1 Registered providers will have an approach to complaints that is clear, simple and accessible to tenants and potential tenants. The approach should include:

- a range of ways for tenants to express a complaint
- details of what to do if they are unhappy with the outcome of a complaint

7.3.3.2 Registered providers will develop, agree and monitor service standards for complaints with tenants. Registered providers will make sure that complaints and any other feedback are managed and resolved promptly, politely and fairly.

7.3.3.3 Each year registered providers will publish information about:

- the number of complaints received
- the nature of the complaints
- the business area the complaints relate to
- the outcome of the complaints
- how they have changed the way they do things to improve services as a result of feedback

## 8.0 PROPOSALS FOR THE HOME STANDARD

8.1 The required outcomes are:

### 8.1.1 Quality of accommodation

Registered providers must ensure that all homes are warm, weatherproof and have modern facilities.

### 8.1.2 Repairs and maintenance

Registered providers must provide a cost-effective repairs and maintenance service that responds to the needs of, and offers choices to, tenants. They must meet all applicable statutory requirements that provide for the health and safety of tenants in their homes.

## 8.2 Specific requirements

### 8.2.1 Quality of accommodation

8.2.1.1 Registered providers must ensure tenants' homes either:

- meet the Decent Homes Standard set out in Section 5 of the Government's Decent Homes guidance\*,

or

- meet the standards of design and quality that applied when the home was first

built, and were required as a condition of publicly funded financial assistance\*\*, if these standards are higher than the Decent Homes Standard

8.2.1.2 Registered providers must meet the standard in 8.2.1.1 by 31 December 2010. They must continue to maintain their homes to this standard. The TSA may agree an extension to this date with the registered provider where it is reasonable.

8.2.1.3 Registered providers must ensure their tenants have the opportunity to agree a local standard, as set out in 7.3.2.4 of the Tenant Involvement and Empowerment standard. The local standard should be higher than the standard set out in 8.2.1.1. In developing local standards, registered providers must:

- have regard to Section 6 of the Government's Decent Homes guidance
- demonstrate how they have ensured that tenants' views have been taken into account

\* 'Decent Homes guidance' means A Decent Home: Definition and Guidance for Implementation, published by the Department for Communities and Local Government in June 2006, and any guidance issued by the Department or its successors, in relation to that document<sup>14</sup>.

\*\* 'Financial assistance' is defined in Section 19 (3) of the Housing and Regeneration Act, 2008. For the purpose of this standard it includes financial assistance provided by the Homes and Communities Agency's predecessor bodies.

## 8.2.2 Repairs and maintenance

8.2.2.1 Registered providers must have a repairs and maintenance service that:

- is cost effective
- has the objective of completing repairs and improvements 'right first time'
- has published standards that have been agreed with tenants for completing repairs and improvements
- offers tenants choice (for example about appointment times for carrying out repairs)

8.2.2.2 Registered providers must ensure a prudent, planned approach to repairs and maintenance. It should demonstrate an appropriate balance of planned and responsive repairs, and value for money. The approach should include:

- responsive repairs
- planned and capital work
- work to empty properties
- adaptations
- cyclical works
- communal areas as well as individual homes

8.2.2.3 Registered providers must comply with all applicable legislation and regulation that provide for the health and safety of the occupants of their homes.

8.2.2.4 Registered providers must ensure their tenants have the opportunity to agree a local standard, as set out in 7.3.2.4 of the Tenant Involvement and Empowerment standard.

8.2.2.5 Registered providers must provide tenants with clear information about:

- each other's responsibilities
- the progress of works

8.2.2.6 Registered providers must co-operate with relevant organisations to provide an adaptations service that meets tenants' needs.

## **9.0 PROPOSALS FOR A TENANCY STANDARD**

9.1 The required outcomes are:

### **9.1.1 Allocations**

Registered providers must let their homes in a fair, transparent and efficient way. They must take into account the housing needs and aspirations of tenants and potential tenants. They should demonstrate how their allocations processes:

- make the best use of available housing
- contribute to local authorities' strategic housing function and sustainable communities

There should be clear decision making and appeals processes.

### **9.1.2 Rents**

Registered providers will charge rents in accordance with the objectives and framework set out in the Government's direction to the TSA of November 2009.

### **9.1.3 Tenure**

Registered providers must offer and issue the most secure form of tenure compatible with:

- the purpose of the housing
- the sustainability of the community

They must meet all applicable statutory and legal requirements in relation to the form and use of tenancy agreements.

## **9.2 Specific requirements**

### **9.2.1 Allocations**

9.2.1.1 Registered providers will co-operate with local authorities' strategic housing function, and their duties to meet identified local housing needs. This includes assistance with local authorities' homelessness duties, and through meeting obligations in nominations agreements. Where in exceptional circumstances registered providers choose not to participate in choice-based lettings schemes in areas where they own homes, they justify their reasons for doing so publicly.

9.2.1.2 Registered providers will develop and deliver services to address under occupation and overcrowding in their homes, within the resources available to them. These services will meet the needs of their tenants, and will offer choices to them.

9.2.1.3 Registered providers will provide tenants wishing to move with access to clear and relevant advice about their housing options. They will participate in mobility schemes and mutual exchange schemes where these are available.

9.2.1.4 Registered providers will publish their allocations policies and outcomes, how this has made best use of available housing and contributed to sustainable communities. The published policies should include (where it applies) their participation in:

- common housing registers
- common allocations policies
- local lettings policies

Registered providers will clearly set out, and be able to give reasons for, the criteria they use for excluding actual and potential tenants from consideration for allocations, mobility or mutual exchange schemes.

9.2.1.5 Registered providers will develop and deliver allocations processes in a way which supports their effective use by the full range of actual and potential tenants, including those with support needs, those who do not speak English as a first language and others who have difficulties with written English.

9.2.1.6 Registered providers will work to make sure that the specific needs and aspirations of tenants and potential tenants with diverse needs are reflected in the choices available to them. This applies particularly to the development of local lettings policies.

9.2.1.7 Registered providers must minimise the time that properties are empty between each letting. When doing this, they must take into account the circumstances of the tenants who have been offered the properties.

9.2.1.8 Registered providers must record all lettings and sales in the Continuous Recording of Lettings system.

## 9.2.2 Rents

9.2.2.1 Registered providers will ensure they meet the following requirements which

derive from the Government's direction to the TSA of November 2009 and published within Directions to the Tenant Services Authority – summary of responses and Government response, November 2009, CLG.

9.2.2.2 Subject to paragraph 2.3, registered providers will set rents with a view to achieving the following as far as possible:

9.2.2.2.1 Rents conform with the pattern produced by the rent formula set out in Rent Influencing Regime guidance\* ('target rents') with a five per cent tolerance in individual rents (ten per cent for supported and sheltered housing) ('rent flexibility level') but subject to the maximum rent levels specified in that guidance ('rent caps').

9.2.2.2.2 Weekly rent for accommodation increases each year by an amount which is no more than RPI\*\* + 0.5% + £2 until it reaches the upper limit of the rent flexibility level or the rent cap, whichever is lower.

9.2.2.2.3 Weekly rent for accommodation which has reached or is above the upper limit of the rent flexibility increases each year by an amount which is no more than the increase to the target rents.

9.2.2.2.4 Rent caps increase annually by RPI + one per cent.

9.2.2.2.5 Target rents increase annually by RPI + 0.5%.

9.2.2.3 Where the application of the rents standard would cause registered providers to be unable to meet other standards, particularly in respect of financial viability including the risk that a reduction in overall rental income causes them to risk failing to meet existing commitments such as banking or other lending covenants, then the TSA may allow extensions to the period over which the requirements of the rent standard are met.

9.2.2.4 Registered providers must provide clear information to tenants that explains how their rent and any service charge is set, and how it is changed, including reference to the RPI benchmark to which annual changes to rents should be linked (except where rents are controlled under different legislation).

\* 'Rent Influencing Regime guidance' means the Rent Influencing Regime Guidance published by the Housing Corporation<sup>15</sup> in October 2001, and any guidance issued by the Housing Corporation or TSA, or its successors, in relation to that document.

\*\* 'RPI' means the general index of retail prices (for all items) published by the Office of National Statistics or, if that index is not published for any month, any substituted index or index figures published by that Office.

### 9.2.3 Tenure

9.2.3.1 Registered providers must publish clear and accessible policies which outline their

approach to tenancy management. They must develop and provide services that will support tenants to maintain their tenancy and prevent unnecessary evictions. The approach must set out how registered providers will make sure that the home continues to be occupied by the tenant they let the home to.

9.2.3.2 Registered providers must provide tenants with accessible, comprehensive and timely information about their responsibilities and tenants' responsibilities.

## 10.0 PROPOSALS FOR NEIGHBOURHOOD AND COMMUNITY STANDARDS

10.1 The required outcomes are:

### 10.1.1 Neighbourhood management

Registered providers will keep the common areas associated with the homes that they own clean and safe. To achieve this, they will work in partnership with:

- their tenants
- other providers and public bodies, where this is the most effective way of achieving this standard

### 10.1.2 Local area co-operation

Registered providers will co-operate with relevant partners to help promote social, environmental and economic well being in the areas where their properties are.

### 10.1.3 Anti-social behaviour

Registered providers must work in partnership with other public agencies to prevent and tackle anti-social behaviour in the neighbourhoods where they own homes.

## 10.2 Specific requirements

### 10.2.1 Neighbourhood management

10.2.1.1 Registered providers will consult with tenants in developing their policy for maintaining and improving the neighbourhoods associated with their homes.

This

applies where the registered provider has a responsibility for the condition of that neighbourhood. The policy must include any communal areas associated with the registered provider's homes. The registered provider must publish this policy.

10.2.1.2 Registered providers must ensure their tenants have the opportunity to agree a local standard, as set out in 7.3.2.4 of the Tenant Involvement and Empowerment standard.

### **10.2.2 Local area co-operation**

10.2.2.1 Registered providers, having taken account of their presence and impact within the areas where they have properties, will:

- identify and publish the roles they are able to play within the areas where they have properties
- co-operate with local strategic partnerships and local strategic housing authorities where they are able to assist them in achieving their objectives

### **10.2.3 Anti-social behaviour**

10.2.3.1 Registered providers will develop and deliver services which are effective in achieving the core commitments of the Respect Standard for Housing Management 17.

10.2.3.2 Registered providers will publish a policy on how they work with relevant partners to tackle anti-social behaviour in areas where they own properties.

10.2.3.3 Registered providers must ensure their tenants have the opportunity to agree a local standard, as set out in 7.3.2.4 of the Tenant Involvement and Empowerment standard.

## **11.0 PROPOSALS FOR A VALUE FOR MONEY STANDARD**

11.1 The required outcomes are:

### **11.1.1 Value for money**

In meeting all national standards and their local standards, registered providers have a comprehensive approach to managing their resources to provide cost-effective, efficient, quality services and homes to meet tenants' and potential tenants' needs.

### **11.2 Specific requirements**

#### **11.2.1 Value for money**

11.2.1.1 Registered providers, publish as part of their communications with their tenants, information on at least an annual basis that demonstrates:

- how they have allocated and prioritised expenditure on different areas of housing services covered by the national standards and their local standards and other priorities such as investment in the supply of new social housing
- how they have ensured that it has secured value for money in that expenditure, how they have tested this, and the benefits that tenants can expect their expectations for future value for money improvements and how they have taken into account in these expectations improvements arising from asset management, income management, and procurement policies.

11.2.1.2 Registered providers have arrangements for tenants to influence the services delivered and the cost of those services that result in service charges to tenants. Registered providers must ensure their tenants have the opportunity to agree a local standard (in line with the requirements of 7.3.2.4 of the Tenant Involvement and Empowerment standard).

11.2.1.3 Registered providers' governing bodies scrutinise the performance of the registered provider at least annually against this standard.

## **12.0 PROPOSALS FOR A GOVERNANCE AND FINANCIAL VIABILITY STANDARD**

12.1 The required outcomes are:

### **12.1.1 Governance**

Registered providers have effective governance arrangements that ensure that they have structures, systems and processes to deliver their aims, objectives and intended outcomes for tenants and potential tenants in an effective, transparent and accountable manner. Governance arrangements ensure they:

- adhere to all relevant legislation
- comply with their governing documents and all regulatory requirements
- are accountable to tenants, the TSA and relevant stakeholders
- safeguard tax payers' interests and the reputation of the sector

### **12.1.2 Financial viability**

Registered providers must manage their resources effectively to ensure their viability is maintained.

## **12.2 Specific requirements**

### **12.2.1 Governance**

12.2.1.1 Registered providers adopt and comply with an appropriate code of governance. They will give the reasons for their choice and explain areas of non-



compliance with their chosen code.

12.2.1.2 Registered providers must establish and maintain clear roles, responsibilities and accountabilities for their board, chair and chief executive. At least once a year, they must assess how effective these arrangements are in meeting the required outcomes above.

12.2.1.3 Registered providers submit an annual return, on an accurate and timely basis in a form determined by the TSA. This is currently the Regulatory and Statistical Return (and its successor the National Register of Social Housing).

12.2.1.4 Where a registered provider is within a wider group structure that is not regulated by the TSA, it will ensure with its parent that nothing in their relationship shall hinder the subsidiary's ability to meet all the national standards, and the TSA's effective regulation of performance against these standards.

### **12.2.2 Financial viability**

12.2.2.1 Registered providers ensure that:

- effective controls and procedures are in place to ensure security of assets and the proper use of public funds
- effective systems are in place to monitor and accurately report delivery of their plans
- the risks to delivery of financial plans are identified and effectively managed

12.2.2.2 Registered providers will ensure that they have a robust and prudent business planning and control framework. Through this framework they will ensure:

- there is access to sufficient liquidity at all times
- financial forecasts are based on appropriate and reasonable assumptions
- planning sufficiently considers the financial implications of risks to the delivery of plans
- they monitor, report on and comply with their funders' financial covenants

12.2.2.3 Registered providers will provide to the TSA:

- accurate and timely statutory and regulatory financial returns
- an annual report on any losses from fraudulent activity

## **13.0 EXPECTED OUTCOMES**

13.1 The TSA wish to improve service delivery to tenants and have a "tool kit" to achieve this which includes:

- (a) Promoting sector-led improvement and best practice
- (b) Monitoring performance
- (c) Co-regulation

- (d) Assessing compliance
- (e) Issuing of Annual Report – effective 1/7/11
- (f) Wider information requirements and submissions
- (g) Inspections
- (h) Complaints
- (i) Risk-based approach and regulatory activity
- (j) Publishing regulatory assessments
- (k) Use of formal regulatory enforcement powers

#### **14.0 MISCELLANEOUS**

- 14.1 The Consultation Paper which runs to 140 pages also seeks views on the registration and deregistration criteria.
- 14.2 There is no discussion about fees other than to say that there will be no charges until April 2011.

#### **15.0 PRINCIPLES FOR PROPOSED RESPONSE**

- 15.1 The TSA are clearly in a difficult position because of the different funding regimes for RSLs, ALMOs and Local Authorities.
- 15.2 This being the case there is little alternative but to specify the areas that should be covered e.g. the National Standards and to require providers to prioritise and shape services to meet local needs within the funding available.
- 15.3 Whilst I have some concerns that this could become a bureaucratic process overall I feel that under the circumstances this will create a dialogue on service delivery which will improve services and or give better value for money.
- 15.4 Dependent on the HRA settlement for 2010/11 it may be prudent to allow resources to support the work that will be necessary to ensure all local standards are in place by 1/4/11.
- 15.5 Fortunately, the work necessary to successfully install the replacement Housing Management Information Computer System will be of assistance and we have already engaged with Tenants on ways to improve outcomes for our customers.

#### **16.0 PROPOSALS**

- 16.1 Generally, the approach taken by the TSA is appropriate and should be supported, subject to views of Tenants and Members, which will be canvassed as part of this report.
- 16.2 I have some reservations about the costs that could be levied by the TSA and am disappointed that these do not form part of this Consultation. I propose to ask that fees be consulted upon at the appropriate time.

#### **17.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY**

- 17.1 There are no sustainability implications arising from this Consultation Paper.

17.2 The aims of the TSA in trying to improve services for Tenants is in accordance with the Community Strategy.

## **18.0 FINANCIAL AND RESOURCE IMPLICATIONS**

18.1 There are no direct financial issues arising from the Consultation for 2010/11 but please note the comments in 16.2 above because there will be changes for this service from 2011/12 onwards which , at this stage, are not specified.

18.2 Either new or refocused resources will need to be used to ensure we are compliant with agreeing local standards by 1/4/11.

18.3 I will allocate a small budget next year to help support the work that is necessary within the timescale specified.

## **19.0 RISK ASSESSMENT**

19.1 The biggest risk of delivering the requirements of the TSA will be the time demands and capability of tenants to participate.

19.2 This is an area that needs to be discussed with Tenants to see how we can encourage more Tenants to share the burden of this activity.

## **20.0 CONCLUSIONS**

20.1 Overall the TSA Consultation Paper should be supported and we should use this as a vehicle to have a dialogue with customers and to find ways to improve involvement and service delivery.

### **Background Documents**

A new regulatory framework for social housing in England – a statutory consultation issued by TSA.

### **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 – Letter dated 4<sup>th</sup> September to TSA





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*Date:* 5 February 2010

*Your ref:*

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Amanda Newton  
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Dear Amanda

I am writing to formally respond to the consultation on a New Regulatory Framework for Social Housing in England. This response has been considered by the Council's Tenant and Resident Forum, Executive Overview and Scrutiny Committee and approved by the Portfolio Holder for Housing, Councillor V. Hopley. I hope our responses to your questions are helpful in deciding the future shape of regulation for our sector.

**1. Does our approach to co-regulation as expressed through our ten principles seem a reasonable basis on which to develop the new framework from 1 April 2010?**

In the broadest terms West Lancashire Borough Council accepts that the criteria laid out in the consultation are a reasonable basis to develop the new framework. It must also be clearly stated, that the Council support the Local Government Association (LGA) request, that any regulatory framework will be in "total consistency" with the Local Performance Framework (LPF). We would also want to see a principle established which commits the TSA to ensuring that regulation, and the cost of that regulation, is kept to a minimum and that there is a demonstration of the cost benefits, to all stakeholders, of the regulatory framework in place. We would make the following observations:

- We agree that the methodology for developing National Standards should be based on clear criteria. Common expectations, as expressed through the National Conversation, are not necessarily a good or appropriate means of establishing national priorities.

We are concerned that the National Conversation itself was limited, with timescales inappropriate to this level of consultation, and results from this should be treated with a degree of caution.

- Whilst we accept that the TSA is obliged to comply with government directions, such directions may be perceived as being politically motivated towards achieving government objectives and may not accord with local requirements and local circumstances.
- To add to this the setting of criteria to enable the TSA to meet its objectives will, in effect, enable the TSA to set standards across the full range of landlord services. In doing so we have concerns, as outlined in the introduction to this letter that the role of the TSA may grow exponentially and have the effect of increasing the regulatory burden on local authorities.

There is a potential conflict between the setting of national standards and the agreement of local standards if residents do not wish to see a national standard applied locally. It would be helpful if the TSA could set out its view should such a situation arise.

Additionally, any standards must have regard to them being too aspirational and effectively undeliverable either in terms of cost or in terms of what is being required (for example if tenants do not want to be empowered but do want the landlord to concentrate efforts and available funds on delivering better services).

The requirement to publish an annual report on achievement against national and local standards within two months of the close of the financial year is extremely tight if you wish this to be produced and delivered within this timeframe and we would expect to publish any performance information in line with the corporate approach of the Council.

Principle VIII also needs to be expanded to identify the incremental nature of the development of the TSA regulatory role. The TSA will not be fully formed as a regulator at the 1<sup>st</sup> April and this needs to be acknowledged as does the consequences of this.

The use of external validation, whilst a useful tool, should not be mandatory and our view is that, given the likelihood of disparate local standards, this will be difficult to achieve in practice.

With regard to the intention to concentrate on poor performing providers we would query why this is a stated target for 2010-11 only? It would seem appropriate for the majority of the regulators resources to be concentrated on this area for a period of some years in line with the stated aim of intervention on a 'by exception' basis.<sup>1</sup> We would also expect any fee structure to be proportionate to the level of intervention.

**2. Does our approach to setting national and local standards appear reasonable for the requirements that will apply from 1 April 2010?**

We welcome the decision to reduce the number of proposed national standards from 14 to six and for the focus on local standards. We also welcome the decision not to issue any Codes of Practice and the assumption that circulars issued by the predecessor organisation, the Housing Corporation, will not be incorporated in the standards framework as such items work against the presumption of delivering a service to meet local needs and expectations.

We note that you are not proposing to prescribe the definition of the term local. Whilst we appreciate that such terms cannot be prescriptive there is a concern that too open ended or indeed a non definition could lead to demands for local standards where in effect it is not practical or in any way cost effective to set them (e.g. for a particular block or small estate). We would expect the TSA to take a common sense approach to such issues.

**3. Does it seem reasonable to extend the same approach to those providers owning fewer than 1,000 properties, taking into account their size and risk profile in a proportionate approach to compliance?**

We would support a proportionate response to providers owning fewer than 1,000 properties and would not expect the full breadth of standards to be applied.

**4. Do our proposals on how we will approach the regulation of local authorities appear reasonable?**

We welcome the TSA's statement that they wish to avoid unnecessary burdens. However, as stated above we are concerned that as drafted the regulatory framework proposed does not provide sufficient comfort that the TSA will support the LPF and be in conformity with the objectives of the LPF. The TSA has set out its intention to look at a range of performance data and require submission of annual reports. It is also noted that the Comprehensive Area Assessment (CAA) is the last in the listing of information that will be reviewed. It would be helpful if the TSA could explain the rationale for this.

We would wish to see the Memorandum of Understanding between the TSA and the LGA before commenting on the approach to the Local Performance Framework.

In responding to this point we must query some of the statements made in the consultation document. Paragraph 5.8 states that the TSA may refer issues to the Audit Commission 'Where we believe, on the basis of clear evidence, that financial management is not satisfactory...'. We would ask how the TSA expects to make such judgements, without the submission of any financial reporting data?

**5A. Does the proposed text for the Tenant Involvement and Empowerment standard:**

- **address priorities for tenants whilst taking into account our duty to have regard to the desirability of registered providers being free to choose how to provide services and conduct their business?**
- **express requirements of providers in a way that is clear, succinct, and as outcome focused as possible?**

In regard to involvement and empowerment, West Lancashire Borough Council members have been undertaking this for many, many years and completely support the objective of involving and empowering residents **to the level of their choice**. It is important that this standard emphasises that, whilst it is important for the Council to ensure that the opportunities and support are available, involvement and empowerment should not be a requirement in itself. Residents' should be clear that receiving a high level of service should not be dependent upon their involvement. A high level of service should be provided anyway. In this respect perhaps there should be further consideration as to the language used here in terms of the tenant (and leaseholder) being a consumer and customer?

We also have some concern over the use of the word 'choice' in this standard. Within the financial constraints imposed upon local authorities the concept of any choice is severely limited in its application. If this is an attempt to allow residents a greater freedom to choose, for instance, the time and date of appointments then we agree with a move from strict adherence to repair times that do not accord with residents' wishes. However, the definition needs to be more clearly stated for the previously mentioned reason.

With regard to the issue of complaints, we broadly agree with the standard set other than where it requires the landlord service to differ from the corporate standards set as a local authority. Issues such as complaints apply across the range of services provided by a local authority and are monitored by existing arrangements. Given the stated objective of the TSA not to impose additional burdens on local authority landlords we do not believe this is an area where a national standard should be set.

**5B. Does the proposed text for the Home standard:**

- **address priorities for tenants whilst taking into account our duty to have regard to the desirability of registered providers being free to choose how to provide services and conduct their business?**
- **express requirements of providers in a way that is clear, succinct and as outcome focused as possible?**



Although we broadly agree with the standards as drafted we would welcome further clarification as to the use of the word 'choice' in terms of the provision of repairs and maintenance services (this is not we assume choice of contractor although tenants are involved in the selection of contractors through the tendering process).

Also in respect of 1.3 setting a local standard that is higher than the standard set out in 1.1 is laudable but dependent on resources being available to set and deliver against such a standard.

Future funding of Local Authorities still remains unclear and to meet National Standards of meeting the Decent Homes Standard may be dependent on decisions outside of the control of tenants or Local Authorities. Consideration needs to be given to this.

**5C. Does the proposed text for the Tenancy standard:**

- **address priorities for tenants whilst taking into account our duty to have regard to the desirability of registered providers being free to choose how to provide services and conduct their business?**
- **express requirements of providers in a way that is clear, succinct and as outcome focused as possible?**

The standards on rent and tenure are sufficient as drafted.

We broadly agree with the standard on Allocations but would have welcomed a drive towards a more consistent approach across registered providers, in their approach to working with local authorities as this produces the greatest difficulties in meeting identified housing need. The wording at 1.1 page 54 should also recognise (or it should be acknowledged in the preamble) that local authority landlords will already be co-operating with local authorities in meeting strategic housing objectives. As with 1.4 local authority landlords will also allocate as they are required to meet annual allocation plan requirements and in line with the Council's Allocation Scheme.

Additionally, greater emphasis on addressing the needs of vulnerable people would have been welcome.

**5D. Does the proposed text for the Neighbourhood and Community standard:**

- **address priorities for tenants whilst taking into account our duty to have regard to the desirability of registered providers being free to choose how to provide services and conduct their business?**
- **express requirements of providers in a way that is clear, succinct and as outcome focused as possible?**

The standards on neighbourhood management and local area co-operation are reasonable.

However, we would urge the TSA to acknowledge that local authority housing management services will already be co-operating with local strategic partnerships and if they are not this will be picked up in the LAA or CAA assessments. The TSA does not need to separately monitor this area for LA's outside these existing regulatory processes.

We agree with an approach which encourages plans for improving neighbourhoods as this is particularly important for Councils in their place making role.

However, it must be recognised that such activities need to be proportionate to the resources available and the challenges identified and that there are different ways of achieving this, i.e. a one size fits all approach is not appropriate.

With regard to the standard on anti-social behaviour we would refer to our comments in the introduction to this response concerning potential for the exponential growth of regulation. With its reference to the Respect Standard for Housing Management (and implicit acceptance of this standard becoming mandatory) this concern is demonstrated by expecting adherence to a very prescriptive standard. We would expect that the standard should be at a level higher than that drafted. We also understand that the Respect Standard is in the process of being re-drafted which makes it difficult to comment fully until the revised draft is available.

Paragraph 3.2 seems to be focused on registered providers rather than local authorities and therefore not in keeping with the principle of co-regulation. The different challenges facing both sectors is therefore not reflected in this standard.

We believe that this standard requires re-drafting to make it far more succinct and outcome focused than is the case at present.

**5E. Does the proposed text for the Value for Money standard:**

- **address priorities for tenants whilst taking into account our duty to have regard to the desirability of registered providers being free to choose how to provide services and conduct their business?**
- **express requirements of providers in a way that is clear, succinct and as outcome focused as possible?**

We are surprised that the TSA feels the need for such a standard when there is already sufficient requirement, related regulation and audit within the local authority sector to both achieve and demonstrate value for money.

This standard therefore should not apply to local authority landlords as it is duplication.

**5F. Does the proposed text for the Governance and Financial Viability standard:**

- **allow registered providers to choose how to conduct their business whilst ensuring the security of social housing assets for current and future tenants?**
- **express requirements of providers in a way that is clear, succinct and as outcome focused as possible?**

We do not propose to comment on this standard as it does not apply to local authorities. We do note that again the TSA states that it will work closely with the Audit Commission if “any issues” arise in your work on service delivery regulation. We would urge the TSA to be mindful to not over stepping its responsibilities and becoming involved in areas of regulation which are not its responsibility and may foster duplication.

**6. Does our approach to monitoring and compliance against the standards and regulatory requirements seem a reasonable basis for ‘how’ we regulate in 2010-11?**

The stated approach to monitoring and compliance is broadly acceptable. We would expect the approach to monitoring and compliance to be proportionate and as stated above to continue to focus on service delivery issues in the poorest performing providers rather than the generality of providers.

However, we would make the following comments.

One consequence of setting non-prescriptive targets as part of the standards is that it may be difficult to compare performances between landlords as methods of delivery may be too diverse to allow for direct comparison.

**7. Does our approach to dealing with complaints seem reasonable?**

We agree that the approach to complaints as drafted appears to be broadly reasonable. There is the question of costs to the TSA, and potentially tenants, of investigating some forms of complaints. There could be a position taken that complaints of any form (other than where there is an immediate threat to life and limb) will only be investigated where internal complaints processes have been exhausted.

Additionally, the TSA will need to demonstrate to providers that they have the ability and skills to investigate such complaints. In this respect we also note that TSA staff roles and directorates are only just being established and that they need to be operational by the 1<sup>st</sup> of April?

**8. Is our general approach to using our formal regulatory and enforcement powers reasonable?**

Whilst we agree that the general approach to using the formal regulatory and enforcement powers is reasonable, we would raise a query over the power to direct a tender of the management service.

**9. Do our proposals for establishing registration and deregistration criteria seem reasonable?**

This section appears to be largely irrelevant to local authorities addressing, as it does, requirements about governance and financial viability over which the TSA has no remit for the local authority sector.

Given the restrictions on the ability of local authorities to raise private finance, we would, again, strongly urge the TSA to rescind the levying of registration fees on the local authority sector.

**10. Does our approach to issuing directions on Accounts and the Disposal Proceeds Fund seem reasonable?**

We do not propose to comment on this question as it does not apply to local authorities.

Yours sincerely



**R V LIVERMORE  
EXECUTIVE MANAGER  
HOUSING AND PROPERTY MAINTENANCE SERVICES**

***UK Council of  
the Year 2009/10  
(LGC Highly Commended)***

Chief Executive: William J. Taylor BA (Hons) M.Soc.Sc.F.C.I.P.D.  
Deputy Chief Executive: Les Abernethy BSc MCD MRTPI

***“Excellent”  
As rated by the  
Audit Commission***

