

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, however 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.

PRESENT: Grice (Chairman)

Councillors: Baldock Hennessy
Mrs Blake Kay
Blane Ms Melling
Cropper Moran
Fillis Nolan
Gagen O'Toole
Gibson R A Pendleton
Greenall Mrs Pollock
Griffiths

Officers: Assistant Director Housing & Regeneration (Mr B Livermore)
Technical Services Manager (Mr C Brady)
Partnership and Performance Manager (Ms C McNamara)
Homelessness & Private Sector Housing Manager (Ms L Gee)
Deputy Borough Treasurer (Mr M Kostrzewski)
Planning Officer (Mr D Carr)
Group Accountant – Housing Finance (Mr D McCulloch)
Borough Solicitor (Mr T P Broderick)
Principal Overview & Scrutiny Officer (Mrs C A Jackson)

In attendance:

Councillors: Owens (Portfolio Holder – Housing (Finance), Regeneration and
Estates)
Fowler (Portfolio Holder – Health and Leisure)
Westley (Portfolio Holder – Resources and Transformation)

67. APOLOGIES

There were no apologies for absence.

68. MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, Members noted the termination of Councillors G Jones, Pope and Sudworth and the appointment of Councillors Griffiths, Ms Melling and Mrs Pollock for this meeting only, thereby giving effect to the wishes of the Political Group.

69. URGENT BUSINESS

There were no items of urgent business.

70. DECLARATIONS OF INTEREST

1. Councillor Grice declared a personal interest in item 11 (Business Plan 2012/13 Refresh) in matters within the Plan which referred to the Leisure Trust Board in view of his appointment to that Board.

2. Councillor Griffiths declared a personal and prejudicial interest in item 10 (Selective HMO Licensing) as he is a landlord and left the Chamber during consideration of this item.

71. DECLARATIONS OF PARTY WHIP

There were no declarations of a Party Whip.

72. MINUTES

RESOLVED: That the minutes of the meeting held on 1 December 2011 and the Special meeting held on 8 December 2011 be approved as a correct record and signed by the Chairman.

73. KEY DECISION FORWARD PLANS - 1 JANUARY 2012 TO 31 MAY 2012

There were no items under this heading.

74. RELEVANT MINUTES OF CABINET

Consideration was given to the following Minutes of Cabinet.

75. MINUTES OF THE SPECIAL MEETING OF CABINET HELD ON 14 DECEMBER 2011

Consideration was given to the minutes of the special meeting of Cabinet held on 14 December 2011.

RESOLVED: That the Minutes of the Special Meeting of Cabinet held on 14 December 2011 be noted.

76. MINUTES OF THE CABINET MEETING HELD ON 17 JANUARY 2012

Consideration was given to the minutes of the meeting of Cabinet held on 17 January 2012. Members raised questions/comments in relation to:

Minute 99 (Installation of Solar Photovoltaics on Council Owned Buildings – Comments referred to Cabinet from Executive Overview and Scrutiny Committee). Update on current position relating to the initiative.

Minute 104 (Skelmersdale & Up Holland Responsive Transport System). Detail in relation to the pilot scheme, use of funds and potential pitfalls of the operation of the scheme.

Minute 113 (Estate Management Policy). Consultation processes with tenants/Members prior to implementation.

Minute 115 (Skelmersdale Town Centre Regeneration – Progress in 2010 and 2011). Delegation relating to matters necessary to facilitate the development and the reporting processes.

RESOLVED: That the Minutes of the meeting of Cabinet held on 17 January 2012 be noted.

77. CALLED IN ITEMS

Consideration was given to the following two items, as circulated and contained on pages 643 to 668 of the Book of Reports. Consideration of the Call-in Item relating to Strategic Asset Management Project was taken as the last item of business.

78. CALL-IN ITEM ORMSKIRK MOTOR FESTIVAL

Consideration was given to the report of the Borough Solicitor which advised that a decision of Cabinet in relation to the above item (minute 106 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 a different decision put forward by the five Members concerned on the requisition notice.

On behalf of the Members concerned it was explained why funding of the Ormskirk Motor Festival should be limited to £10,000 and the other £7,500 identified in the report, of the Assistant Director Community Services, be provided for a West Lancashire Show.

In the ensuing discussion the following comments/questions were noted in relation to:

- The costs associated with the running of a MotorFest.
- Its potential to attract commercial sponsorship.
- Other initiatives, across the Borough, that could be undertaken to promote/assist small businesses.
- The success of the inaugural event.

The Technical Services Manager responded to questions, referencing details contained in the Assistant Director of Community Services report. He explained, the costs associated with the running of the event; the potential within the next event to attract sponsors; the part Aintree Motor Club had played in the inaugural event and the publicity, both locally and nationally, that the previous event had generated.

RESOLVED: That the Committee does not wish to ask for a different decision.

79. CALL-IN ITEM SKELMERSDALE & UPHOLLAND DEMAND RESPONSIVE TRANSPORT SYSTEM

As this call-in item had been withdrawn prior to the meeting, there was no further discussion on this item.

80. SELECTIVE HMO LICENSING - ITEM REFERRED BY CABINET

Consideration was given to the report of the Borough Solicitor advising of a decision by Cabinet at its meeting on 17 January 2011 to refer the above item to this Committee for consideration and that any agreed comments be referred to Cabinet for consideration on 13 March 2012.

The Homelessness and Private Sector Housing Manager was in attendance and at the invitation of the Chairman explained the purpose of the accreditation scheme which aimed to raise standards in the private rented sector. She stated that a launch event with landlords is planned for 28 February 2012.

In discussion comments questions were raised in respect of the following:

- The application of the proposed selective licensing scheme.
- The optional rather than mandatory registration into the scheme.
- The mechanisms currently available to tenants where accommodation is sub-standard.
- The availability of information packs for private sector tenants.
- Publicity for and promotion of the scheme and accredited landlords.
- Operation of an accreditation scheme.

RESOLVED: That the report of Assistant Director Community Service on Selective HMO Licensing be noted.

(Note:

1. Councillor Griffiths, having declared a personal and prejudicial interest, left the Chamber during discussion of this item.
2. Councillor Westley (Portfolio Holder – Resources and Transformation) left the Chamber during consideration of this item.
3. Councillor Baldock left the meeting at the end of this item.)

81. BUSINESS PLAN 2012/13 REFRESH

Consideration was given to the report of the Managing Directors as circulated and contained on pages 677 to 710 of the Book of Reports which provided details of the Business Plan that had been refreshed to reflect refinements in Members' aspirations and priorities.

The Partnership and Performance Manager was in attendance and at the invitation of the Chairman responded to questions related to the use of visual aids, within the document, to explain the how the Council's income was made up.

RESOLVED: That the Business Plan 2012/13 Refresh at Appendix A to the report be noted.

82. DRAFT REVENUE BUDGET 2012-2013

Consideration was given to the report of the Borough Treasurer as set out at pages 711 to 718 of the Book of Reports which provided a summary of the current budget position.

The Deputy Borough Treasurer was in attendance and at the invitation of the Chairman gave an overview of the current budget position and responded to questions.

Members raised questions/comments in relation to:

- The significant reduction in funding for West Lancashire in comparison to the other Lancashire Districts.
- The Budget Position for 2012-13
- Proposals within the Localism Bill relating to the impact of referendums.

RESOLVED: That the budget position be noted.

83. MEDIUM TERM CAPITAL PROGRAMME

Consideration was given to the report of the Borough Treasurer contained on pages 719 to 726 of the Book of Reports which set out a number of options for determining the medium term capital programme in the context of the current difficult financial environment.

The Deputy Borough Treasurer was in attendance and at the invitation of the Chairman gave an overview of the Medium Term Capital Programme and responded to questions.

Members raised questions/comments in relation to:

- Alternative sources of funding.
- Sale of assets.

RESOLVED: That the report be noted.

84. HOUSING REVENUE ACCOUNT (HRA) BUSINESS PLAN

Consideration was given to the report of the Assistant Director Housing and Regeneration as contained on pages 727 to 746 of the Book of Reports which advised of the current position on business planning for the Housing Revenue Account (HRA) including available options.

It was noted that a presentation to Members on the Plan had taken place on 1 February 2012.

Members raised questions/comments in relation to:

- Changes in the Government's formula rent from April 2012.
- Generation of income to assist with improvements to homes and service delivery.
- The proposed increase in services charges.
- The proposal relating to target rent as part of the Business planning process.

- Methodology to be used in relation to consultation with tenants linked with the standards associated with improvement needs.
- The proposal that in year 1 the rent retained by the Council would be invested in the housing stock.
- Proposals relating to the longer term business plan from year 2.

The Assistant Director Housing and Regeneration responded to questions referring to details in his report highlighting particularly the need for flexibility to allow for known economic/social changes to be taken into account, particularly those anticipated changes to the welfare benefit system.

The Portfolio Holder Housing (Finance), Regeneration and Estates was in attendance and at the invitation of the Chairman the Portfolio Holder for Housing (Finance) commented on the Business Plan and its detail which was in the early stages of development.

In response to a Member's question regarding why the Employee costs within the draft 2012-13 HRA Budget within Property Services had increased from 2011-12, the Assistant Director Housing and Regeneration undertook to provide a response that would be circulated to all Members of the Committee.

RESOLVED: That the position be noted.

85. REINVIGORATING THE RIGHT TO BUY AND ONE FOR ONE REPLACEMENT - CONSULTATION

Consideration was given to the report of the Assistant Director Housing and Regeneration that sought views on the proposed response to the above-mentioned consultation relating to the Government's wish to make amendments to the provisions of the Right to Buy legislation.

Members noted that the consultation document had also been considered by the Landlord Services Committee (Cabinet Working Group).

RESOLVED: That the proposed response to the consultation paper approved by Cabinet on 17 January 2012 be noted.

86. 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 involved the likely disclosure of exempt information as defined in paragraph(s) 3 (Business/Financial Affairs) of Part 1 of the Schedule 12A to the 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.

87. CALL-IN - (PART II) STRATEGIC ASSET MANAGEMENT PROJECT

Consideration was given to the report of the Borough Solicitor which advised that a decision of Cabinet in relation to the above item (Minute 122 refers) had received a call in requisition signed by five members of the Committee. The report set out the reason for the call in, together with a different decision put forward by the five Members concerned on the requisition note. The report of the Assistant Director Housing and Regeneration provided an update on the progress of the Project and advised on the outcomes relating to the Birch Green and Wrightington Wards.

RESOLVED: That the Committee does not wish to ask for a different decision.

.....
Chairman



AGENDA ITEM: 7

**EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:
29 March 2012**

Report of: Borough Solicitor

Relevant Head of Service: Managing Director (People and Places)

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

**SUBJECT: PETITION REVIEW REQUEST – PROPOSED DEVELOPMENTS
'OPTION 1' AND 'OPTION 2' (LOCAL DEVELOPMENT
FRAMEWORK/LOCAL PLAN)**

Wards affected: Borough Wide

1.0 PURPOSE OF THE REPORT

- 1.1 To consider a request to review the steps that the Council has taken in response to a petition received in respect of the above.

2.0 RECOMMENDATIONS

- 2.1 That the Committee determines whether it considers the steps taken by the Council in response to the petition are adequate.
- 2.2 That if the Committee does not consider the steps taken to be adequate, consideration be given as to what action to pursue within existing terms of reference.
-

3.0 BACKGROUND

- 3.1 The Council has adopted a 'Petition Scheme' that sets out how it will handle petitions. In accordance with the procedure if a 'petition organiser' does not feel that the Council has dealt with the petition adequately, he/she can request the Executive Overview and Scrutiny Committee to review the steps taken to respond.

4.0 STEPS TAKEN TO RESPOND TO THE PETITION

- 4.1 A petition was received on Thursday, 15 December 2011 containing 1346 signatures, details are attached at Appendix A.
- 4.2 An acknowledgement letter was sent to the 'petition organiser' on 21 December 2011 which advised that a formal response would be sent to him within 15 working days and detailed what steps the Council may take to deal with the petition i.e.:
- Take the action requested
 - Give a written response setting out the Council's views about the request
 - Refer to the relevant overview and scrutiny committee
 - Refer to Cabinet (executive functions)
 - Consider at a meeting of the Council
 - Hold an inquiry
 - Undertake research
 - Hold a public meeting
 - Hold a consultation
 - Hold a meeting with petitioners
 - Call a referendum
- 4.3 On 13 January 2012 a response was sent to the 'petition organiser', a copy of which is attached at Appendix B.

5.0 REVIEW REQUEST

- 5.1 A request to review the steps taken was received, within the deadline, (10 February 2012). A copy of the request is attached at Appendix C.

6.0 COMMENTS OF THE BOROUGH PLANNER

- 6.1 Since the receipt of the petition and the response of the Council, there has been a full public consultation exercise on the draft Local Plan Preferred Options document. This finished on Friday 17th February 2012. During the consultation exercise a Public Forum was held at the Stanley Club in Burscough on Tuesday 10th January, and an exhibition was held at Burscough Wharf on Saturday 21st January. Both events were very well attended. In addition leaflets were delivered to every household with the Champion newspaper.
- 6.2 The Council has received a significant number of comments (approximately 490) on the Burscough Strategic Site (Yew Tree Farm). Of these 380 were in the form of a standard letter. The vast majority of the comments objected to the allocation of the Burscough Strategic Site. A detailed representation has been received from the petition organiser and the petition itself has been submitted as a representation.
- 6.3 At this point in time officers are still considering all the representations received, both in relation to Burscough and other areas of the Borough, as well as many

other detailed policy comments. Whilst the Council's letter, dated 13 January 2012, responded to the points in the original petition, it would be inappropriate to give an additional detailed response to any of these further representations in advance of all the comments made during the consultation period being fully read and considered. The issue of the Burscough Strategic Site cannot be considered in advance, or in isolation, of all the other aspects of the Local Plan. The appropriate time to consider the issues raised, is at the future meetings of Council, Overview & Scrutiny Committee and Planning Committee, where all the representations can be reported on and considered by Members.

- 6.4 It is expected that the report on the consultation responses will be considered at a meeting of Cabinet in June or July 2012. This will take account of, and respond to, all the points made by the petitioner. The report will also be considered by Executive Overview & Scrutiny Committee and Planning Committee in June 2012. Following this there will be a further consultation on the 'publication' version of the Local Plan prior to the Plan's submission to the Planning Inspectorate. An Examination in Public will then be held, which will be chaired by an independent Government Inspector.

7.0 PROCEDURE FOR DEALING WITH REVIEW REQUESTS

- 7.1 The 'petition organiser', Ms Bjork, has been notified of the time, date and place of the this meeting and has also been asked if he would like to speak at that meeting on why he considers that the authority's decision on the petition is inadequate, subject to the permission of the Chairman.

7.2 At the meeting

- Should the 'petition organiser' wish to speak, with the permission of the Chairman, he will be able to address the Committee in accordance with Overview and Scrutiny procedure rules.
[Note: The Chairman will normally allow the 'petition organiser' to address the Committee at the beginning of the item, for a maximum of three minutes.]
- Members of the Committee will be able to ask officers questions, through the Chairman.
- With the agreement of the 'petition organiser', Members of the Committee may be able to ask him questions through the Chairman

- 7.3 Following consideration of the steps taken, the review request and the comments of the relevant officer, the Committee should decide if it considers the petition was dealt with adequately or it may use any of its powers under the Local Government Act 2000 to deal with the matter.

- 7.4 If the Committee considers that the petition was not dealt with adequately it can:
- Request the relevant officer to bring back a more detailed report on the issue.
 - Make a recommendation to Cabinet / Council as appropriate

- Request the Corporate and Environmental Overview & Scrutiny Committee to undertake a Review on the subject matter (subject to current work programmes and resources).
- Set up a Working Group to look at the issue in more detail (subject to the Committees work programme and resources).

7.4 Once the 'review request' has been considered the 'petition organiser' will be informed of the results within 5 working days. The results of the 'review request' will also be published on the website.

8.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

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

9.0 FINANCIAL AND RESOURCE IMPLICATIONS

9.1 There are no significant financial or resource implications other than officer and Member time in dealing with this request.

10.0 RISK ASSESSMENT

10.1 The Council must follow the procedure it has previously adopted under the Local Democracy, Economic Development and Construction Act 2009.

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 a significant direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as Appendix 4 to this report, the results of which have been taken into account in the Recommendations contained within this report.

Appendices

- A. Copy of petition details – 15 December 2011
- B. Letter to Ms Bjork – 13 January 2012
- C. Review request from Ms Bjork – Received 10 February 2012.
- D. Equality Impact Assessment

[REDACTED]
Burscough,
Ormskirk,
Lancashire,
L40 [REDACTED]
[REDACTED]
[REDACTED]

14th December 2011

Dear Ms Denning,

Please find enclosed a 'Petition for Debate', containing 1346 signatures. This includes 84 signatures from the E-Petition. There are a further 46 signatures that have been submitted directly to the Council which I now assume are in your possession, which will bring the total to 1392 signatures.

This petition was commenced following a Burscough Parish Council meeting held on 20th June 2011, where local residents voted unanimously against the West Lancashire Borough Councils proposed development options, named 'Option 1' and 'Option 2'. Local residents believe that these proposed developments will have a number of detrimental effects to the village and the environment. The concerns are listed in the petition as follows;

- i) Loss of Green Belt and agricultural land. The area of land identified by the Council for development is Green Belt land that is continually farmed. Once our Green Belt is lost to development we will never get it back. Areas such as these should be protected for future generations; after all, the intended purpose of Green Belt Land is to prevent urban sprawl by keeping land permanently open.
- ii) Loss of safety buffer between residential and industrial areas. The land identified for development currently acts as the safety buffer, its effectiveness proved when there was the recent explosion and fire on the industrial estate. Safety for residents would be severely compromised if this land is used for housing.
- iii) Further strain on inadequate infrastructure; roads, sewers, health services and schools. Burscough already has issues with flooding and the area of identified land has its own drainage problems. The sewerage system requires updating and an increase of residential properties would put it under increased strain. Health and dental provision is already oversubscribed in Burscough, as are the schools. There is mention in the plan that the development 'could' provide another primary school, a development of this size would definitely require another primary school, and also another secondary school. Residents are concerned that the development may not include any schools at all as it has not been guaranteed within the proposals.
- iv) Damage to the environment through pollution and loss of habitat. The proposal is a fifteen year plan. Burscough residents could be subjected to fifteen years of building

works, and the disruption and pollution the building works would bring. That is a child's lifetime. As previously stated, the area of land is Green Belt agricultural land, with hedgerows and surrounding trees containing a wealth of wildlife, developing this land would mean loss of habitat, resulting in eventual loss of wildlife.

- v) Devaluation of property. Residents have voiced real concerns that a development of this size would have an impact on the value of their homes and re-sale potential, both during construction and after.
- vi) Loss of identity as a village. The purpose of Green Belt land is to prevent urban sprawl. Building on this land would allow just that. The population of Burscough has already doubled in the last few years. Construction of the Heathfields Estate saw a huge rise in population and a development this size would do the same. The 'need' for housing in the local area is not future planning for the local community, in fact the birth rate in Burscough has been steadily falling over the last five years.
- vii) No guaranteed benefits for local residents. There is nothing within the development plans that would be of benefit to local residents. There are no plans for facilities or amenities for local residents to be included in the development, and as stated previously, there has not even been the guarantee of another school to accommodate the increased population. The only guarantee would be disruption to the village and its residents.

We therefore petition West Lancashire Borough Council to reject both of the proposed developments; 'Option 1' and 'Option 2'. It is understood that the Local development Framework is to be replaced by the Local Plan for West Lancashire but this petition is relevant to any proposed plan and should be regarded as direct responses in any consultation process.

As this is a 'Petition for Debate', I would appreciate the opportunity to present this Petition at a Borough Council meeting and await further information from you regarding this.

Yours Sincerely,



Mrs Gillian Bjork

Lead Petitioner



**Director of People and Places
Corporate Services
Terry Broderick
Borough Solicitor
PO Box 16 . 52 Derby Street
Ormskirk .West Lancashire L39 2DF**

Telephone: 01695 577177
Website: www.westlancs.gov.uk
Fax: 01695 585082
E-mail: jacky.denning@westlancs.gov.uk

To: Mrs Gillian Bjork
Petition Organiser
(by e-mail)

Date: 13 January 2012
Your ref:
Our ref: LG1/467
Please ask for: Mrs Jacky Denning
Direct Dial no: 01695 585384

Dear Mrs Bjork

PETITION: Proposed Developments 'Option 1' and 'Option 2' (Local Development Framework/Local Plan)

I refer to your petition regarding the above, which was received on Thursday, 15 December 2011. The Borough Planner has provided the following response setting out the Council's views about the request:

"Response to the concerns raised in the Petition submitted by Mrs Gillian Bjork regarding proposed developments 'Option 1' and 'Option 2' (Local Development Framework / Local Plan)

The Petition relates to development options proposed in the Core Strategy Preferred Options (CSPO) Paper in May 2011 for the site known as Yew Tree Farm in Burscough. The CSPO Paper proposed two options that involved the release of Green Belt at Yew Tree Farm for development by 2027. 'Option 1' involved the development of 600 dwellings, 10 ha of employment land and a range of infrastructure on the site. 'Option 2' involved the development of 300 dwellings, 10 ha of employment land and a range of infrastructure on the site.

It should be noted that since the public consultation on the CSPO Paper in May / June 2011, the Council has refined its draft local planning policies and taken a new approach to the Development Plan Document that is being prepared, to reflect the changing guidance from Central Government. The Council are now preparing a Local Plan Development Plan Document which incorporates the strategic policy that was to be included in the Core Strategy, together with more detailed policy on site allocations and development management policies.

In refining the draft strategic policies that were in the Core Strategy for inclusion in the Local Plan, the Council has made a decision on preferred development locations that will involve Green Belt release. This preferred option has been included in the Local Plan Preferred Options (LPPO) document which is currently out for public consultation (Jan / Feb 2012). This preferred option for Green Belt release includes the proposal to release land within the Green Belt at Yew Tree Farm for the development of 500 dwellings, 10 ha of employment land and a range of infrastructure by 2027.

The new round of public consultation provides members of the public with a further opportunity to engage in the plan making process and to submit their comments. These comments will in turn be referred to and considered by the appropriate Council Committees and Cabinet later in the year.

**Gill Rowe LL.B. (Hons) Solicitor
Managing Director (People and Places)**

**Kim Webber B.Sc., M.Sc.
Managing Director (Transformation)**

The Petition lists seven concerns, which are responded to in turn below.

i) Loss of Green Belt and agricultural land

This concern raises two separate issues; that of Green Belt and that of agricultural land. The former is a matter of planning policy and, like any planning policy, Green Belt policy can be periodically changed, or more pertinently in the case of Green Belt policy, Green Belt boundaries can be periodically reviewed and altered through the preparation of a Local Plan if there is a need and justification.

Given the shortage of available brownfield land in the Borough, and the general lack of available land for development within the existing built-up areas full stop, in order to meet West Lancashire's locally-determined targets for residential and employment development it is anticipated that a small amount of Green Belt land will need to be released for development. While this is not ideal, and is only being considered due to the lack of other viable alternatives, only the most appropriate Green Belt sites adjacent to the existing boundaries of the Key Service Centres have been released for possible development before 2027.

In relation to the Yew Tree Farm site specifically, it does not entirely fulfil any one of the purposes of the Green Belt (as identified within the West Lancashire Green Belt Study, December 2011) and it is a logical location for such a large release in Burscough because the site is surrounded on three and a half sides by built development (and therefore does not constitute urban sprawl). Development of the site would essentially fill the enclosed and non-strategic gap between the town and the employment area. No other substantial site, or even any collection of smaller sites, around Burscough or anywhere else in the Borough could accommodate such a level of development without extending a settlement out into open countryside.

Taking into account the total figure for Green Belt release proposed in the LPPO document, over 90% of the Borough will still be designated as Green Belt and this will be preserved and protected from development in accordance with the National Planning Policy Framework. While it is true to say that once a Green Belt site is lost to development it can never be reclaimed as Green Belt, it is also true to say that by allowing a relatively small amount of Green Belt (that in the case of Yew Tree Farm no longer fulfils the purposes of Green Belt) to be released for development, we are protecting much more valuable Green Belt around Burscough and elsewhere in the Borough in the long-term.

In relation to the issue of agricultural land, like Green Belt, it is never ideal to lose agricultural land to development. However, in a rural borough such as West Lancashire, it is difficult to avoid losing agricultural land or open countryside when considering development on the edge of an existing settlement, which, as discussed above, is a necessity to meet the Borough's housing and employment land targets.

Therefore, one factor assessed in identifying the preferred locations for development on the edge of existing settlements was the quality of the agricultural land. In the case of the Yew Tree Farm site, compared to the other sites considered for release from Green Belt, the quality of the agricultural land is not as high. In addition, the information available to the Council indicates that much of the Yew Tree Farm site is not currently farmed but has been left fallow and unattended.

ii) Loss of safety buffer between residential and industrial areas

Any development of the Yew Tree Farm site, whether for residential or employment uses, would be required to meet standard planning and building regulations in relation to distances between residential and employment uses, and so an appropriate and safe buffer between residential and employment areas would be maintained. The land at Yew Tree Farm as it currently stands provides a far larger buffer than is required to maintain the safety of residents.

iii) Further strain on inadequate infrastructure; roads, sewers, health services and schools

The Council's draft Infrastructure Delivery Plan (IDP) identifies that there are several potential infrastructure constraints in the Burscough area and that these would need to be resolved before development takes place, or at least through the delivery of new development proposals. The draft policy in the Local Plan Preferred Options document relating to development at Yew Tree Farm, and indeed the previous draft within the Core Strategy Preferred Options paper, identifies these infrastructure deficits and requires them to be rectified either prior to development on Yew Tree Farm being permitted or through the development proposals themselves. This includes:

- addressing the waste water treatment infrastructure (which affects Ormskirk as well and must be addressed by United Utilities before any development proposals are permitted at Yew Tree Farm);
- resolving surface water flooding issues in the town;
- the provision of a new primary school in Burscough to accommodate the increased demand for places by the new development;
- improvements to health facilities in the town;
- the provision of new open space, preferably as a new park to serve the whole town; and
- improvements to transport and highway infrastructure to help mitigate any impacts on traffic as a result of new development.

All of the above infrastructure issues should be addressed through the Yew Tree Farm development, either in the form of financial developer contributions or on-site / near-site delivery of new infrastructure funded by the developer, except the first issue which would be addressed by United Utilities. Therefore, any development of the site may actually improve the infrastructure situation in Burscough, or at the very least will not be allowed to make it worse.

iv) Damage to the environment through pollution and loss of habitat

Any application for the development of the Yew Tree Farm site would need to demonstrate that, so far as is possible, habitats on the site would be protected and, where this is not possible, that any impact on wildlife would be mitigated through the appropriate preparation of the site for development and the provision of new habitats on or near the site (e.g. as part of any new open space).

In relation to the length of development and its impact, the Local Plan Preferred Options proposes that 500 dwellings and 10 ha of employment land would be developed on the site, and that this development would take place between 2020 and 2027. Therefore, at this time, only seven years of building works is planned for. In addition, such building works are now heavily managed through planning conditions and building regulations to minimise impact on surrounding properties. Some impact is of course inevitable, but this will be minimised and virtually nil for the vast majority of the town. In the long-term, the infrastructure improvements the development would bring would also be significant benefits for the whole town.

v) Devaluation of property

Planning can have no regard for impact on property values in making decisions on development. However, a well-designed development of the scale proposed at Yew Tree Farm can have a positive impact on property values in the long-term.

vi) Loss of identity as a village

It is recognised that Burscough has grown quite significantly over recent decades, but this growth must be put in context. Within the Borough, both the Skelmersdale & Up Holland area and, perhaps more tellingly, the Northern Parishes area delivered more than twice as many new houses over the last 20 years as Burscough, and the Ormskirk & Aughton area also delivered more houses than

Burscough over the same period. It is the Council's view that Burscough is a Key Service Centre and, most crucially, is the third largest settlement in the Borough providing a very sustainable location for new development, relative to much of the Borough.

With regard to the relationship between new housing and a growing population, while new housing development will almost certainly result in an increased population (hence the need for a new primary school and improved health facilities), the growth may not be as significant as some might think. The housing "need" for the Borough is based upon national household projections, which in turn are based on population projections and changing demographic trends. For this reason, much of the nation's, and West Lancashire's, housing need is not entirely based on population growth, but is based on changing demographic trends.

Recent trends have seen a change in the make-up of the average household, with smaller households becoming more typical, and an ageing population meaning that more households are elderly. There is therefore a need for more housing to meet these changing trends, as well as "natural" growth in the population and housing needs.

Finally on this point, the Council agrees that one of the purposes of the Green Belt is to check urban sprawl, as suggested by the petition. However, it must be clarified that development of Yew Tree Farm would not constitute urban sprawl (and indeed the West Lancashire Green Belt Study (December 2011) demonstrates that the land at Yew Tree Farm no longer fulfils this, or any other, purpose of the Green Belt) as the site is enclosed between the southern residential part of the town and the existing employment area in the west. Therefore, overall, the settlement of Burscough would not sprawl outwards into open countryside as a result of any development on the Yew Tree Farm site, and this was one of the key reasons it was selected as a preferred option for Green Belt release.

vii) No guaranteed benefits for local residents

As addressed above, any proposals for development would be required to provide the new infrastructure that is necessary to ensure that the development would not have an adverse impact on infrastructure and services in the town, and this would include a new primary school. If the developer is not able to provide such infrastructure, the development would only be allowed once infrastructure / service providers are able to improve their infrastructure and services to cater for the development.

Any disruption caused by the development to local residents would be minimised as much as possible, as discussed above.

Overall, the Council recognises and understands the concerns expressed by local residents to the proposed allocation of land at Yew Tree Farm in Burscough for a mixture of residential and employment land development. However, in identifying the site for allocation, the Council has considered all such concerns and weighed any impact into the balance against the positive benefits of the development (for Burscough and the wider Borough) and against alternative options around the Borough.

I should be noted that the Local Plan Preferred Options document is currently subject of a new round of public consultation. This provides members of the public to once again engage in the plan making process and to submit their comments. These comments will in turn be referred to and considered by the appropriate Council Committees and Cabinet later in the year."

I hope you are satisfied with this response, however, if you feel that we have not dealt with your petition properly you have the right to request, within 20 working days, that the Executive Overview and Scrutiny Committee review the adequacy of the step that the Council has taken, or proposed to be taken, in response to the petition. If you wish to

request a review I will need to hear from you by **Friday, 10 February 2012**. Any request must contain a short explanation of the reasons why you feel the Council's response is not considered to be adequate.

Yours sincerely

J Denning

Assistant Member Services Manager

Burscough

Lancashire

L40

9th February 2012

Dear Mrs Denning,

I am writing to you as Lead Petitioner and Chair of Burscough Action Group in response to your letter dated 13th January 2012.

Please be advised that we wish the Executive Overview and Scrutiny Committee to review the adequacy of the Council's response to the Petition that was submitted to the Borough Council on 15th December 2011.

We have many reasons for this request, in brief, there appears to be a number of inaccuracies, contradictions, irregularities and omissions in the evidence and studies used by the Borough Council in identifying land at Yew Tree farm as the Strategic Site for development. Burscough Action Group has collated evidence from the Council's documents in relation to the proposed site which causes us great concern, and we would therefore request that it is investigated further. Please be informed that we would welcome the opportunity to present our collated evidence to the Executive Overview and Scrutiny Committee.

We would be grateful if you would notify us by return that this review has been granted.

Enclosed are an additional 297 signatures to the previously submitted petition, bringing the total number of signatures submitted to 1643.

Yours Sincerely

Mrs Gillian Bjork

Lead Petitioner

Burscough Action Group Chair

1.	Using information that you have gathered from service monitoring, surveys, consultation, and other sources such as anecdotal information fed back by members of staff, in your opinion, could your service/policy/strategy/decision (including decisions to cut or change a service or policy) disadvantage, or have a potentially disproportionately negative effect on, any of the following groups of people: <i>People of different ages – including young and older people</i> <i>People with a disability;</i> <i>People of different races/ethnicities/ nationalities;</i> <i>Men; Women;</i> <i>People of different religions/beliefs;</i> <i>People of different sexual orientations;</i> <i>People who are or have identified as transgender;</i> <i>People who are married or in a civil partnership;</i> <i>Women who are pregnant or on maternity leave or men whose partners are pregnant or on maternity leave;</i> <i>People living in areas of deprivation or who are financially disadvantaged.</i>	No
2.	What sources of information have you used to come to this decision?	There is no adverse impact on equality in relation to the equality target groups as the rules on petitions are intended to enable public access to the decision-making process of the authority and as such contribute towards open and inclusive governance.
3.	How have you tried to involve people/groups in developing your service/policy/strategy or in making your decision (including decisions to cut or change a service or policy)?	No – however groups have been involved in the initial consultation on the Local Plan
4.	Could your service/policy/strategy or decision (including decisions to cut or change a service or policy) help or hamper our ability to meet our duties under the Equality Act 2010? Duties are to:- <i>Eliminate discrimination, harassment and victimisation;</i> <i>Advance equality of opportunity (removing or minimising disadvantage, meeting the needs of people);</i> <i>Foster good relations between people who share a protected characteristic and those who do not share it.</i>	No
5.	What actions will you take to address any issues raised in your answers above	No issues raised.

CABINET (SPECIAL MEETING)

AGENDA ITEM: 9(a)
HELD: 29 FEBRUARY 2012
Start: 7.00pm
Finish: 7.10pm

PRESENT:

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

		<u>Portfolio</u>
Councillors	I Ashcroft	Public Realm and Human Resources
	M Forshaw	Planning and Technical Services
	A Fowler	Health and Leisure
	Mrs V Hopley	Landlord Services and Community Safety
	A Owens	Deputy Leader & Housing (Finance), Regeneration and Estates
	D Westley	Resources and Transformation

In attendance	Fillis	Pendleton
Councillors:	Moran	Sudworth

Officers

Managing Director (People and Places) (Mrs G Rowe)
Managing Director (Transformation) (Ms K Webber)
Assistant Director Housing and Regeneration (Mr B Livermore)
Borough Treasurer (Mr M Taylor)
Property Services Manager (Mr P Holland)
Business Development Manager (Mr W Berkley)
Assistant Member Services Manager (Mrs J Denning)

124. APOLOGIES

There were no apologies for absence.

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

There were no items of urgent business.

126. DECLARATIONS OF INTEREST

There were no declarations of interest.

127. MATTERS REQUIRING DECISIONS

Consideration was given to reports relating to the following matter requiring a decision as contained on pages 1393 to 1431 and 1433 of the Book of Reports.

128. FIRBECK AND FINDON, SKELMERSDALE

Councillor Mrs. Hopley introduced the report of the Assistant Director Housing and Regeneration in relation to a proposal to make improvements to Findon and Firbeck, Skelmersdale.

The Assistant Director Housing and Regeneration circulated a letter from the Tenants and Residents' Forum which outlined its comments on the 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 scheme for improvement at Appendix A to the report be approved for consultation purposes.
- (B) That Council be asked to provide funding, as set out in paragraph 7 of the report, to support the scheme either now or over a period of time.
- (C) That subject to funding being approved, the Assistant Director of Housing and Regeneration be authorised to appoint dba Management Consultants to undertake a consultation exercise as set out in Appendix B to the report.
- (D) That an exception to Contract Procedure Rule 6 be made in relation to (C) above for the reasons set out in paragraph 5 of the report.
- (E) That the Assistant Director of Housing and Regeneration be authorised to negotiate and agree with the Homes and Communities Agency and St Modwens amendments to the Development Agreement and Collaboration Agreement for Skelmersdale Town Centre to enable the scheme for improvement of Firbeck and Findon as identified in Appendix A to proceed.
- (F) That the Assistant Director Housing and Regeneration suspend any letting to properties within Findon and Firbeck which, subject to consultation in (C) above, may be considered for demolition.
- (G) That the Assistant Director Community Services develop and administer a Grant scheme which will enable owners to be effective partners in the scheme.
- (H) That a further report be brought back on the results of the consultation for a final scheme to be approved together with endorsement of a grant scheme referred to in (G) above.

- (I) That a Cabinet Working Group be established to oversee the project to consist of 3 Majority Group Members and 2 Minority Group Members. Names to be submitted by Leaders of the Groups in due course.
- (J) That call-in is not appropriate for this item as the report is being submitted to Council on 29 February 2012.

.....
LEADER

CABINET

AGENDA ITEM: 9(b)
HELD: 13 MARCH 2012
Start: 7.30pm
Finished: 8.35pm

PRESENT:

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

Councillors		<u>Portfolio</u>
I Ashcroft		Public Realm and Human Resources
M Forshaw		Planning and Technical Services
A Fowler		Health and Leisure
Mrs V Hopley		Landlord Services and Community Safety
A Owens		Deputy Leader & Housing (Finance), Regeneration and Estates
D Westley		Resources and Transformation

In attendance Mrs. Atherley
Councillors:

Officers

- Managing Director (People and Places) (Mrs G Rowe)
- Managing Director (Transformation) (Ms K Webber)
- Assistant Director Housing and Regeneration (Mr B Livermore)
- Assistant Director Community Services (Mr D Tilleray)
- Borough Treasurer (Mr M Taylor)
- Borough Planner (Mr J Harrison)
- Transformation Manager (Mr S Walsh)
- Business Development Manager (Mr W Berkley)
- Environmental Works Officer (Mr R Brown)
- Principal Member Services Officer (Mrs S Griffiths)

129. APOLOGIES

There were no apologies for absence.

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

There were no items of urgent business.

131. DECLARATIONS OF INTEREST

The following declarations were received:

1. Councillor Forshaw declared a personal and prejudicial interest in agenda item 5(a) (Selective HMO Licensing – item referred by Cabinet to Executive Overview and Scrutiny Committee) in view of him being a private landlord. He left the meeting during consideration of this item.

2. Councillors Grant, Ashcroft, Fowler, Forshaw, Westley and Mrs. Atherley declared personal interests in agenda item 5(f) (Capital Programme Monitoring) in respect of Parish matters, as Members of Aughton, Hesketh with Becconsall, Scarisbrick, Hesketh with Becconsall, Halsall and Aughton Parish Councils respectively.
3. Councillors Fowler and Westley declared personal and prejudicial interests in agenda item 5(k) (War Memorial, Coronation Park, Ormskirk) in view of them being Custodian Trustees of the Comrades Club Trust. They left the meeting during consideration of this item.
4. Councillor Westley declared a personal interest in agenda item 8(b) (Human Resources and Payroll Partnership Arrangements with Lancashire County Council/One Connect Ltd.) in view of him being a Member of Lancashire County Council.

132. MINUTES

RESOLVED: That the minutes of the meetings of Cabinet held on 17 January 2012 and 29 February 2012 be approved as a correct record and signed by the Leader.

133. MATTERS REQUIRING DECISIONS

Consideration was given to the reports relating to the following matters requiring decisions as contained on pages 1455 to 1578 and 1609 to 1630 of the Book of Reports.

134. SELECTIVE HMO LICENSING

Councillor Mrs Hopley introduced the report of the Borough Solicitor which advised Members that no comments had been made by the Executive Overview and Scrutiny Committee at its meeting on 2 February 2012 in respect of the above-mentioned report, which had been referred to it by Cabinet at its meeting on 17 January 2012.

She went on to introduce the report of the Assistant Director Community Services which provided Members with an understanding of the Selective Licensing process for houses in multiple occupation (HMO) together with the reasons for the preferred Landlord Accreditation Scheme.

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 selective houses in multiple occupation licensing scheme not be introduced at the current time.
- B. That the progress of the Landlord Accreditation Scheme be monitored with the Assistant Director Community Services bringing back a report to Cabinet in September 2012.
- C. That call-in is not appropriate for this item, as the matter has been considered by the Executive Overview and Scrutiny Committee.

135. QUARTERLY PERFORMANCE INDICATORS (OCTOBER 2011 TO DECEMBER 2011)

Councillor Westley introduced the report of the Transformation Manager which detailed performance monitoring data for the quarter ended 31 December 2011.

A copy of Minute no. 62 of Corporate Overview and Scrutiny Committee held on 1 March 2012 was circulated which sought a detailed breakdown of information relating to BVPI 12 – Sickness Absence.

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 performance against the indicator set for the quarter ended 31 December 2011 be noted.

B. That the existing target BVPI 12 (Sickness Absence) remain unchanged and the Lead Officer for Human Resources be invited to make a presentation to the Corporate Overview and Scrutiny Committee at the end of the Performance Monitoring period, on the HR service since the introduction of the partnership arrangement with Lancashire County Council.

C. That call-in is not appropriate for this item as the report was considered by the Corporate Overview & Scrutiny Committee on 1 March 2012.

136. PERFORMANCE MANAGEMENT FRAMEWORK

Councillor Westley introduced the report of the Transformation Manager which sought approval for the adoption of the Council's Corporate PI Suite 2012/13.

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 draft Suite of Performance Indicators 2012/13 (Appendix A) and targets be approved as being most important in terms of delivering the Council's Business Plan and adopted as the Council's Corporate PI Suite 2012/13.

B. That it be noted that the Performance Indicators listed in Appendix B to the report previously reported in 2011/12, have been removed from the Suite of Performance Indicators for 2012/13 for the reasons stated in the table.

- C. That the Transformation Manager, in consultation with the Portfolio Holder for Resources & Transformation, be authorised to finalise the suite and targets having regard to any comments arising from the Executive Overview and Scrutiny Committee on 29 March 2012, and to amend the finalised suite and targets in year in response to any issues that may arise (for example government policy and the monitoring period of the JVC in respect of Exchequer Services and ICT)
- D That call-in is not appropriate for this item as it is being considered at the next meeting of Executive Overview & Scrutiny Committee on 29 March 2012.

137. RISK MANAGEMENT

Councillor Westley introduced the report of the Borough Treasurer which set out details on the Key Risks facing the Council and how they are managed.

In relation to the Service Area Housing & Regeneration: Housing, in Appendix B to the report, Councillor Mrs Hopley referred to a letter from the Tenants Services Authority which confirmed its release of the Council of its voluntary undertaking in relation to TSA standards on tenant involvement and empowerment, home tenancy, neighbourhood and community and value for money.

In reaching the decision below, Cabinet considered the details set out in the report before it together with Councillor Mrs Hopley's comments and accepted the reasons contained therein.

RESOLVED: A. That the progress made in relation to the management of the risks shown in the Key Risks Register at Appendix A be noted and endorsed, subject to the following amendments in relation to the Service Area Housing and Regeneration: Housing:-

Latest Note – to read “Following the improvements made in this area the Tenants Services Authority has now confirmed that they are happy to release the Council from its voluntary undertaking to meet certain standards.”

Current Risk Assessment and Score - that as a result the score contained in this column be amended to read ‘4 content’, and the matrix be amended accordingly.”

B. That the revised Risk Management Policy at Appendix B be approved.

138. REVENUE BUDGET MONITORING

Councillor Westley introduced the report of the Borough Treasurer which provided a projection on the financial position on the General and Housing Revenue Accounts to the end of the financial year.

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 financial position of the Revenue Accounts be considered and noted.
- B. That call-in is not appropriate for this item as it is to be submitted to the next meeting of the Executive Overview and Scrutiny Committee.

139. CAPITAL PROGRAMME MONITORING

Councillor Westley introduced the report of the Borough Treasurer which updated Members on the current position in respect of the 2011/12 Capital Programme.

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

- RESOLVED: A. That the current position in respect of the 2011/12 Capital Programme be noted.
- B. 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.

140. CARETAKING SERVICE REVIEW

Councillor Mrs Hopley introduced the report of the Assistant Director Housing and Regeneration which informed Members of the caretakers service review report together with the officers' responses to it.

A copy of Minute No. 71 of the Landlord Services Committee (Cabinet Working Group) held on 7 March 2012 was circulated.

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 service review recommendations and officer responses as detailed in paragraph 4 of the report, be noted.
- B. That the subsequent actions identified in paragraph 4 of the report, be endorsed for implementation by the Assistant Director Housing and Regeneration under his delegated authority.

141. DEFRA CONSULTATION ON AMENDING THE POWERS OF LOCAL AUTHORITIES REGARDING PRESENTATION OF WASTE FOR COLLECTION

Councillor Fowler introduced the report of the Assistant Director Community Services which outlined (in Appendix 1) the proposed response to the Department for Environment, Food and Rural Affairs (DEFRA) on the above-mentioned consultation document.

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

- RESOLVED:
- A. That the proposed response contained in Appendix 1, be approved.
 - B. That the Assistant Director Community Services forward the response to DEFRA as a matter of urgency.
 - C. That call-in is not appropriate for this item as this matter is one where urgent action is required because of the consultation deadline.

142. PUBLIC LAND AUCTION PILOT

Councillor Forshaw introduced the report of the Assistant Director Housing and Regeneration which sought approval to investigate and develop a Department of Communities and Local Government (DCLG) sponsored public land action pilot between the Homes and Communities Agency and the Council.

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 Assistant Director Housing and Regeneration be authorised to investigate and develop a land auction pilot scheme.
 - B. That the Assistant Director Housing and Regeneration be authorised to enter into any necessary documentation to facilitate the pilot.
 - C. That a report be brought back before Cabinet at the earliest opportunity providing details of the pilot and a detailed costed programme for progressing the pilot forward.

143. MEETING OF THE FUNDING OF VOLUNTARY ORGANISATIONS WORKING GROUP HELD ON 29 FEBRUARY 2012

Councillor Fowler introduced the report of the Transformation Manager which outlined the recommendations of the Funding of Voluntary and Other Organisations Working Group, in respect of a proposal regarding provision of a Citizens Advice service within 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 a grant of £48,425 per annum for a three year period (commencing April 2012) be made to the Chorley, South Ribble and Districts Citizens Advice Bureaux for the provision of an advice service within the West Lancashire Borough, as outlined in Appendix A, subject to Governance Arrangements to refer to one elected Member representative only to be nominated by the Leader.
- B. That the annual grant be subject to the CAB fulfilling the detailed criteria contained within a three year Service Level Agreement to include 12 month monitoring arrangements.
- C. That a “one-off” start up grant of £6,500 be made to the Chorley, South Ribble and Districts Citizens Advice Bureaux and funded from an underspend in the 2011/12 voluntary organisations grants budget rolled forward into 2012/13.
- D. That call-in is not appropriate for this item as this matter is one where urgent action is required due to the need to re-introduce an advice service providing wide ranging help and advice for residents within the Borough through the CAB as soon as practicable.

144. WAR MEMORIAL, CORONATION PARK, ORMSKIRK

Councillor Grant introduced the report of the Assistant Director Community Services which detailed proposals from the Custodian Trustees of Ormskirk Comrades Club to accept the transfer of ownership of the War Memorial located at the Comrades Club site in Ormskirk and arrange for its relocation to Coronation Park, Ormskirk.

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

- RESOLVED: A. That the proposal from the Custodian Trustees to accept ownership of the War Memorial be accepted.
- B. That the Assistant Director Community Services be authorised to take all necessary action, obtain all necessary permissions and consents and to enter into all necessary documentation to
- (i) enable the transfer of ownership of the War Memorial and its relocation, and
- (ii) secure the reimbursement of all associated costs from the Custodian Trustees of the Comrades Club, Ormskirk.

- C. That call-in is not appropriate for this item as this matter is one where urgent action is required because of the requirement to progress design work, engage and secure necessary planning consent and commission the relocation work within the time available to ensure that the War Memorial can be relocated to its new location in Coronation Park by November 2012.

145. KEY DECISION FORWARD PLAN QUARTERLY REPORT

Councillor Grant introduced the report of the Borough Solicitor which advised that no decisions had been made during the last quarter in respect of Special Urgency Procedure Rule 16 for the period 1 October – 31 December 2011.

RESOLVED: That it be noted that Procedure Rule 16, Special Urgency, was not exercised during the quarter period ending 31 December 2011.

146. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1,2 and 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.

147. MATTERS REQUIRING DECISIONS

Consideration was given to reports relating to the following matters requiring decisions as contained on pages 1579 –1607 of the Book of Reports.

148. HOME CARE LINK BUSINESS PLAN UPDATE

Councillor Mrs Hopley introduced the report of the Assistant Director Community Services which provided an update of the business plan for Home Care Link services.

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 progress on the Home Care Link Business Plan be noted.
- B. That the direction taken towards securing and expanding contractual agreements be agreed.
- C. That the revised staffing structure for the unit be noted and endorsed.
- D. That a final updated business plan be received at the next Cabinet meeting.

149. HUMAN RESOURCES AND PAYROLL PARTNERSHIP ARRANGEMENTS WITH LANCASHIRE COUNTY COUNCIL/ONE CONNECT LTD.

Councillor Ashcroft introduced the report of the Managing Director (Transformation) which updated Members on the negotiations regarding the arrangements for Human Resources and Payroll Services from 1 April 2012.

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 proposals from LCC/OCL for the delivery of HR Services to the Council, as set out in paragraph 5.1 be noted.
- B. That the proposal from LCC/OCL for the delivery of Payroll Services to the Council as set out in paragraph 5.2 be noted.
- C. That the Managing Director (Transformation) in consultation with the relevant Portfolio Holders, be authorised to finalise negotiations and take all action necessary to enter into appropriate agreements to enable the long term provision of HR Management Support through LCC, via their partnership with One Connect Limited.
- D. That call-in is not appropriate for this item as this matter is one where urgent action is required in light of the fact that the current Human Resources agreement expires on 31st March 2012.

150. SKELMERSDALE VISION; PROPOSED PURCHASE OF COLLEGE LAND, SKELMERSDALE

Councillor Grant introduced the joint report of the Managing Director (Transformation) and Assistant Director Housing and Regeneration which sought approval for the purchase of a plot of land in Skelmersdale in relation to the Skelmersdale Town Centre Regeneration Project.

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 Assistant Director Housing and Regeneration be authorised to negotiate the terms and conditions for and (subject to agreement) then proceed to purchase the College land indicated on the plan appended to this report, on the basis outlined in the report at para(s) 3.1 to 5.4 (inclusive). The authorisation to include the ability to enter into all necessary agreements to give effect to the decision to purchase.
- B. That call-in is not appropriate for this item as this matter is one where urgent action is required.

.....
LEADER



AGENDA ITEM: 10(a)

**EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:
29 March 2012**

Report of: Borough Solicitor

Relevant Managing Director: Managing Directors

Contact for further information: Mrs S Griffiths (Extn. 5097)
(E-mail: susan.griffiths@westlancs.gov.uk)

SUBJECT: CALL IN ITEM – PUBLIC LAND AUCTION PILOT

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. 142 of the meeting of Cabinet held on 13 March 2012.

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 a meeting of Cabinet on 13 March 2012.
- 3.2 The decision of Cabinet reads as follows:

142. PUBLIC LAND AUCTION PILOT

“Councillor Forshaw introduced the report of the Assistant Director Housing and Regeneration which sought approval to investigate and develop a Department of Communities and Local Government (DCLG) sponsored public land action pilot between the Homes and Communities Agency and the Council.

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 Assistant Director Housing and Regeneration be authorised to investigate and develop a land auction pilot scheme.
- B. That the Assistant Director Housing and Regeneration be authorised to enter into any necessary documentation to facilitate the pilot.
- C. That a report be brought back before Cabinet at the earliest opportunity providing details of the pilot and a detailed costing programme for progressing the pilot forward."

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

"To enable full scrutiny of the pilot scheme"

3.4 The requisition also provided a different decision which was:

*"That a report be brought back before Cabinet at the earliest opportunity **and Executive Overview and Scrutiny** providing details of the pilot and a detailed costing programme for progressing the pilot forward"*

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 Fillis
Councillor Gagen
Councillor Gibson
Councillor Hennessy
Councillor Furey

4.0 COMMENTS OF THE ASSISTANT DIRECTOR HOUSING AND REGENERATION

- 4.1 The invitation to participate in the public land auction pilot and the grant that will support the initial stages of the application have been made on the basis that the Council will sign up to the pilot by the end of March.
- 4.2 The grant has been confirmed at £100K and if the Council decides after fully evaluating the proposal to withdraw from the pilot, the grant will not be refundable.
- 4.3 I would recommend to Members that it would be better to take advantage of the grant that is on offer and then evaluate the costs rather than report further on the financial implications and risk losing the grant as the deadline of the 31st March has been exceeded.

5.0 CONCLUSION

- 5.1 Following consideration of the decision of Cabinet, the requisition for call in and the comments of the Assistant Director Housing and Regeneration, 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

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

Appendices

Report of the Assistant Director Housing and Regeneration



AGENDA ITEM: 5(i)

CABINET: 13 MARCH 2012

Report of: Assistant Director Housing and Regeneration

Relevant Managing Director: Managing Director (Transformation)

Relevant Portfolio Holder: Councillor A Owens & Councillor M Forshaw

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

SUBJECT: PUBLIC LAND AUCTION PILOT

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

- 1.1 To seek approval to investigate and develop a Department of Communities and Local Government (DCLG) sponsored public land auction pilot between the Homes and Communities Agency (HCA) and West Lancashire Borough Council (WLBC)

2.0 RECOMMENDATIONS TO CABINET

- 2.1 That the Assistant Director Housing and Regeneration be authorised to investigate and develop a land auction pilot scheme.
- 2.2 That the Assistant Director Housing and Regeneration be authorised to enter into any necessary documentation to facilitate the pilot.
- 2.3 That a report be brought back before Cabinet at the earliest opportunity providing details of the pilot and a detailed costed programme for progressing the pilot forward.

3.0 BACKGROUND

- 3.1 The Government gave a commitment in the plan for growth to pilot elements of the Land Auctions approach using publically owned land.
- 3.2 The Council were approached in this matter prior to the Government's Housing Strategy being launched in November 2011 and it was agreed after consultation with the Leader that the benefits of this would be further investigated.
- 3.3 This report looks at the overall picture and how a pilot scheme could be developed in West Lancashire.
- 3.4 The Community Land Auction model has been designed by academic Tim Leunig and this system would replace the current planning system for the provision of new houses. The process would work along these lines.
- The Local Authority would run an initial auction to invite land owners to state the fixed price at which they would be willing to sell their site for development; The Local Authority uses quality, price, planning and other criteria to select sites and sign option agreements with the owners.
 - The Local Authority decides the approach it will take to granting development consent for the land; and
 - Through a second auction, the Local Authority offers the option agreement to the market and the successful bidders buy the site from the land owners at the fixed price. The Local Authority is free to use the profit made from the uplift in value because of planning approval in any way it likes for investment. For example, to invest in local infrastructure.

4.0 PUBLIC LAND AUCTION PILOT

- 4.1 Clearly the existing planning regulation is in place and its requirement must be observed.
- 4.2 The Government however, wishes to test the land disposal elements of the model and a number of pilots have been selected to learn from.
- 4.3 The DCLG recognise that there are costs associated with conducting a pilot and proposals are currently being considered by Treasury which would form the basis of the offer of participating.
- 4.4 The pilot will be allowed to have the maximum possible flexibility so that any innovation can form part of the learning process.
- 4.5 The responsibilities of the Council need to be looked at as a potential Land Owner on the one side and the Local Planning Authority on the other.
- 4.6 To ensure that there is a clear distinction in roles, the Assistant Director of Housing and Regeneration will, through the estates function, carry out the land owning aspect of the pilot with the HCA.

- 4.7 The Council, as part of the process, will need to agree the terms of the pilot with the HCA and for this to be acceptable to the DCLG to benefit from the pilot status and obtain grant funding for the scheme.
- 4.8 A detailed costed plan will be prepared so that Members can decide whether the grant offered to participate and the risks and rewards associated with the project can be fully assessed. The intention is to seek Cabinet's comments, later, on the costed plan, in 2012.
- 4.9 Dependant upon which site or sites are selected with the HCA, there is a potential for a significant sum of money to be raised which can then be used by the Council to support, through its Capital Programme, the priorities of the Council.
- 4.10 In order to fully develop the pilot, a planning application would need to be made by the Assistant Director of Housing and Regeneration which will then be considered on its merits, independently by the Local Authority, as part of its planning responsibilities as Planning Authority.

5.0 THE WAY FORWARD

- 5.1 I anticipate that once the process starts, work could then start in earnest to develop a project plan which could be fully costed and would be brought back at the earliest opportunity during the summer for Members to consider and determine the way forward.
- 5.2 At the time of drafting the report, the level of grant funding had not been finalised between the DCLG and the Treasury however, I anticipate that I will be able to advise Members verbally of the level of funding that is offered.
- 5.3 The pilot project will last for a period of two years and it is anticipated that the sale of the land would take place by 2014.
- 5.4 There will be detailed negotiations between the Council and the HCA in determining the current valuation of the land as it stands within the existing planning arrangements. This value would be retained by the HCA. Any uplift that could be generated by a positive planning permission would then be available to be shared in a negotiated agreement between the HCA and the Council.
- 5.5 The DCLG will appoint research analysts to review the pilot and to report on the outcome so that the Government can learn from this and decide whether to introduce the community land auction model, or variation of this, as a result of the pilots.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 6.1 There are no significant impacts associated with this report and, in particular, no significant impact on crime and disorder. This report has not significant links with the Sustainable Community Strategy.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 At this stage, the full extent of the financial and resource implications is not known.
- 7.2 In discussions with the DCLG, provided the Council have agreed terms with the HCA and which are acceptable to the DCLG, then the DCLG will offer grant funding for year one of the project.
- 7.3 If, after detailed consideration and costing, the Council no longer wish to pursue the pilot, the DCLG have confirmed that they would not require repayment of the grant.

8.0 RISK ASSESSMENT

- 8.1 On an initial evaluation, Officers feel that at this stage, there are no risks to the Council as the grant will cover the cost of work in the early days to draw up a detailed programme of work which is fully costed. At that stage, and we anticipate this to be in the summer of 2012, a detailed report can be considered by Cabinet on whether they wish to further pursue the option of the pilot knowing in greater detail the cost implications, the risks associated with this and the opportunity for reward in terms of possible uplift in valuation of the land.
- 8.2 Officers can recommend the Council to move forward to the next stage.

9.0 CONCLUSION

- 9.1 This project is an exciting opportunity to test, on behalf of the Government, part of the elemental approach which would need to be put in place if the community land auction model was further pursued.
- 9.2 Clearly, not all aspects of the community land auction model can be pursued because the existing planning regime is in place and needs to form part of the overall project responsibility and accountabilities in that the matter needs to be handled under current planning arrangements.
- 9.3 The opportunity to participate in this scheme and to attract scarce resources which can be used to invest in the Council's priorities for West Lancashire, have been the driving focus in moving matters forward.

Background Documents

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

Equality Impact Assessment

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

Appendices

None



AGENDA ITEM: 11

CABINET: 13 MARCH 2012

**EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:
29 MARCH 2012**

Report of: Transformation Manager

Relevant Head of Service: Managing Director (Transformation)

Relevant Portfolio Holder: Councillor D Westley

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

SUBJECT: PERFORMANCE MANAGEMENT FRAMEWORK 2012/13

Borough wide interest

1.0 PURPOSE OF THE REPORT

- 1.1 To seek approval for the Suite of Performance Indicators (Appendix A) to be adopted as the Council's Corporate PI Suite 2012/13.

2.0 RECOMMENDATIONS TO CABINET

- 2.1 That the draft Suite of Performance Indicators 2012/13 (Appendix A) and targets be approved as being most important in terms of delivering the Council's Business Plan and adopted as the Council's Corporate PI Suite 2012/13.
- 2.2 That it be noted that the Performance Indicators listed in Appendix B to the report previously reported in 2011/12, have been removed from the Suite of Performance Indicators for 2012/13 for the reasons stated in the table.
- 2.3 That the Transformation Manager, in consultation with the Portfolio Holder for Resources & Transformation, be authorised to finalise the suite having regard to comments from Executive Overview and Scrutiny Committee made on 29 March 2012, and to amend the finalised suite in year in response to any issues that may arise (for example government policy and the monitoring period of the JVC in respect of Exchequer Services and ICT).
- 2.4 That call-in is not appropriate for this item as it is being considered at the next meeting of Executive Overview & Scrutiny Committee on 29 March 2012.

3.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

- 3.1 That the Committee consider the draft Suite of Performance Indicators 2012/13 (Appendix A) and comment as appropriate.
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4.0 BACKGROUND

- 4.1 Following revisions to the corporate priorities as detailed in the *Business Plan 2012/13 Refresh*, a review of the 2011/12 suite of performance indicators was undertaken.
- 4.2 A revised suite aimed at reporting performance against the priorities agreed by members through the Business Plan was developed and is attached as Appendix A. The suite will help the authority understand how well it is performing and provide information as to whether the organisation is on track to achieve the priorities.
- 4.3 Key indicators will be reported on a quarterly basis, as indicated in the Appendix, with the remainder reported annually. The quarterly reports will be structured to differentiate between strategic information (directly relevant to the corporate priorities) and performance against the service priorities/operational information.
- 4.4 It is recommended that targets for performance in 2012-13 are based on 2011/12 outturn unless otherwise indicated.
- 4.5 Appendix B details those indicators that are being recommended for deletion. Explanations for the recommendations have been provided within the table.

5.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 5.1 The information set out in this report aims to help the Council to improve service performance and is consistent with the Sustainable Community Strategy aim of providing good quality services that are easily accessible to all.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 6.1 There are no significant financial or resource implications arising from the recommendations within this report.

7.0 RISK ASSESSMENT

- 7.1 Monitoring and managing performance information data helps the authority to ensure it is achieving its priorities and reduces the risk of not doing so.

8.0 CONCLUSIONS

- 8.1 The proposed revisions to our suite of performance indicators provide balanced coverage of our corporate and service priorities.

Background Documents

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

Equality Impact Assessment

The decision does not have a direct impact on members of the public, employees, elected members and/or stakeholders. Therefore no equality impact assessment is required.

Appendices

Appendix A – Draft 2012/13 CORPORATE PERFORMANCE INDICATOR SUITE

Appendix B – Draft 2012/13 DELETED PERFORMANCE INDICATORS

APPENDIX A: 2012/13 CORPORATE PERFORMANCE INDICATOR SUITE

i STRATEGIC – CORPORATE PRIORITIES

Performance Indicator	Note	Reported	Target 11/12	Target 12/13
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• Balancing the budget and providing the best possible services within the resources available				
WL118 Income levels from fees and charges	Part of Business Plan Delivery Plan	Annual Suite	N/A - new for 12/13	Budget projection tbc
WL117 planned net spend by service per head of population	Information based on Revenue Return Estimates	Annual Suite	N/A - new for 12/13	Data only
BV66a % Rent collection & arrears recovery (Cumulative)	Target based on 10/11 outturn.	QPI /Annual Suite	98.41%	98.41%
OCL-BV9 % of Council Tax collected	OCL contractual PI. Target set via contract process.	QPI /Annual Suite	98.19% (OCL= 98.06%)	tbc via SLA ¹
OCL-BV10 NNDR Collection rate current year	OCL contractual PI. Target set via contract process.	QPI /Annual Suite	N/A - new for 12/13	tbc via SLA ¹
CIT03 % satisfaction with how WLBC runs things	Citizen survey.	Annual Suite	58%	2011/12 outturn ²
CIT08 % residents agreeing that WLBC provides value for money	Citizen survey.	Annual Suite	N/A - new for 12/13	2011/12 outturn ²

• Focussing upon sustainable regeneration and growth within the Borough				
NI 151 Overall Employment rate (working-age)	External organisations provide data. Useful indicator to monitor overall employment rate.	QPI /Annual Suite	74.4.%	74.4.%
NI 152 Working age people on out of work benefits	External organisations provide data. This is a useful indicator to monitor the overall employment rate.	Annual Suite	12.2%	12.2%
NI 159 Supply of ready to develop housing sites	Need to monitor for Local Plan. Change to target reflects that planning submissions for residential development are,	Annual Suite	82.1%	80%

• Focussing upon sustainable regeneration and growth within the Borough				
	as a result of the economy, failing to keep pace with the current housing targets consequently resulting in an increase in the 5 year housing supply deficit.			
NI 154 Net additional homes provided	Monitored for Local Plan. Despite planning submissions being below what's required to meet our housing need, there has been an increase in activity resulting in the revised target.	Annual Suite	72	80
NI 155 Number of affordable homes delivered (gross)	Currently quarterly, but as an annual target proposed change to annual reporting. Despite planning submissions being below what's required to meet our housing need, there has been an increase in activity resulting in the revised target.	Annual Suite	29	30

• Caring for our Borough – delivering the small improvements that can make a big difference				
WL01 No. bins missed per 100,000 collections		QPI /Annual Suite	62.10	2011/12 outturn
WL06 Average time taken to remove fly tips (days)		QPI /Annual Suite	1.04	2011/12 outturn
NI 191 Residual household waste per household (Kg)		QPI /Annual Suite	512.66	2011/12 outturn
NI 192 Percentage of household waste sent for reuse, recycling and composting		QPI /Annual Suite	45.93	2011/12 outturn
NI 195a Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Litter		QPI /Annual Suite	2.33	2011/12 outturn
NI 195b Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Detritus		QPI /Annual Suite	6.11	2011/12 outturn
NI 195c Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Graffiti		QPI /Annual Suite	0.83	2011/12 outturn
NI 195d Improved street and		QPI /Annual Suite	0%	2011/12

▪ Caring for our Borough – delivering the small improvements that can make a big difference				
environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Fly-posting				outturn
CIT02 Satisfaction with cleanliness of streets	Citizen Survey.	Annual Suite	59.2%	2011/12 outturn ²
CIT05 % satisfaction with local area as a place to live	Citizen Survey.	Annual Suite	83%	2011/12 outturn ²

▪ Exploring innovation as a means to secure further value for money
No specific additional items proposed.

▪ Minimising uncertainty for staff and stakeholders by continuing to implement a managed approach to change
No specific additional items proposed.

ii SERVICE PRIORITIES/OPERATIONAL

Service Priorities

Performance Indicator	Note	Reported	Target 11/12	Target 12/13
Improve housing and strive to achieve affordable housing that is available for local people				
NI 157a Processing of planning applications: Major applications	The previous target has been difficult to meet given the relatively small number of major applications we receive and the fact that most are determined by the Planning Committee and are subject of S106 Agreements both of which extend the decision making process. The new target still exceeds the 60% Government target for determining major planning applications within 13 weeks.	QPI /Annual Suite	72.2%	65%
NI 157b Processing of planning applications: Minor applications		QPI /Annual Suite	74.86%	75%
NI 157c Processing of planning applications: Other applications		QPI /Annual Suite	85.77%	85%
WL24 % Building regulations applications determined within 5 weeks		QPI /Annual Suite	69.23%	70%
BV212 GN Average time taken to re-let local authority housing (days) – GENERAL NEEDS	Based on benchmarking this is top quartile performance across the national benchmarking group.	QPI /Annual Suite	NEW for 12/13	17.5 days
BV212 SP Average time taken to re-let local authority housing (days) – SUPPORTED NEEDS	Based on current performance.	QPI /Annual Suite	NEW for 12/13	45 days
NI 158 % non-decent council homes	Programmes of work minimised the non-decency levels at the end of 2010 to meet government targets. Newly arising non-decent properties occur each year and programmes of work will be developed to keep this to a minimum. We consider 5% to be a reasonable level to maintain, whilst ensuring work is programmed efficiently to achieve value for money.	Annual Suite	0.88%	5%
WL111 % Housing repairs completed in	Target set as per new tender for maintenance contracts.	QPI /Annual Suite	93.91%	95%

timescale				
WL114 % LA properties with CP12 outstanding	Legal duty for all eligible properties to have CP12 certificate each year.	QPI /Annual Suite	0%	0%
CIT04 Local authority tenants' satisfaction with landlord services	Bi-ennial survey therefore 2011/12 target not applicable. 2012/13 target agreed in Service Improvement Plan.	Annual Suite	N/A	89%

Provide opportunities for leisure and culture that together with other council services contribute to healthier communities

WL18 Use of leisure and cultural facilities (swims and visits)	2011/12 target was set above 2010/11 outturn.	QPI /Annual Suite	1,200,000	11/12 outturn
CIT06 % satisfied with sports/leisure facilities	Citizen Survey. 11/12 target based on 2008/09 outturn from Place Survey.	Annual Suite	41.6%	11/12 outturn ²
CIT07 % satisfied with parks and open spaces	Citizen Survey. 11/12 target based on 2008/09 outturn from Place Survey.	Annual Suite	57.1%	11/12 outturn ²

Reduce crime and the fear of crime

CIT01 % feel West Lancs is safe & secure place to live	Citizen Survey.	Annual Suite	75%	11/12 outturn ²
WL08a – number of crimes		QPI /Annual Suite	5,969	11/12 outturn

Protect and improve the environment and keep our streets clean and tidy

CIT12 % of people satisfied with household collections for domestic waste	Citizen survey.	Annual Suite	N/A – new for 12/13	N/A - Baseline information
CIT13 % of people satisfied with household collections for recyclable materials	Citizen survey.	Annual Suite	N/A - new for 12/13	N/A - Baseline information

- **Work to create opportunities for and retain good quality jobs in particular for local people**
No specific additional items proposed. *See Focusing upon sustainable regeneration and growth within the Borough*

Operational PIs

Customer Service

Performance Indicator	Note	Reported		
WL19b(ii) % Direct Dial calls answered within 10 seconds	Customer focus/service standards	QPI /Annual Suite	79.41%	11/12 outturn
WL90 % of Contact Centre calls answered	Customer focus/service standards	QPI /Annual Suite	89%	11/12 outturn
WL108 Average waiting time for callers to the contact centre (seconds)	Customer focus/service standards	QPI /Annual Suite	44	11/12 outturn
CIT14 % of residents who feel well informed by the Council	Citizen Survey	Annual Suite	N/A - new for 12/13	N/A - Baseline information

Corporate Health

BV12 Working Days Lost Due to Sickness Absence	Demonstrates management of staffing resource. Target based on SLA.	QPI /Annual Suite	8.08	8.08
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OCL

OCL-ICT1 Severe Business Disruption	OCL contractual PI. Target set via contract process.	QPI /Annual Suite	N/A - new for 12/13	tbc via SLA ¹
OCL-ICT2 Minor Business Disruption	OCL contractual PI. Target set via contract process.	QPI /Annual Suite	N/A - new for 12/13	tbc via SLA ¹
OCL-NI 181 Time taken to process Housing Benefit/Council Tax Benefit new claims and change events	OCL contractual PI. Target set via contract process.	QPI /Annual Suite	9.19 days (OCL = 12)	tbc via SLA ¹
OCL-B2 Overpayment Recovery of Housing Benefit overpayments (payments received)	OCL contractual PI. Target set via contract process.	QPI /Annual Suite	N/A - new for 12/13	tbc via SLA ¹
OCL-R1 Sundry Debtors (cash collected and write offs)	OCL contractual PI. Target set via contract process.	QPI /Annual Suite	N/A - new for 12/13	tbc via SLA ¹
OCL-BV8 % invoices paid on time	Largely dependent on processes/actions of WLBC staff. OCL monitors, but non-contractual. WLBC determines target.	QPI /Annual Suite	98.24%	11/12 outturn
OCL-BV9 % of Council Tax collected	Reported under the priority "Balancing the budget and providing the best possible services within the resources available"			
OCL-BV10 NNDR Collection rate current year	Reported under the priority "Balancing the budget and providing the best possible services within the resources available"			

¹ Target to be applied based on actual performance during 12 months from service commencement. Quarterly reports will reflect monitoring period targets.

² Subject to collection mechanisms being in place.

APPENDIX B : To delete from the corporate suite in 2012/13

Performance Indicator	Note	Frequency	Reported	
WL116 No. cases solved by contact centre	Managerial contextual data. Retain in service monitoring.	Quarterly	QPI /Annual Suite	DELETE
CIT15 Understanding of local concerns about anti-social behaviour and crime issues by the local council and police	No longer statutory.	Annual / bi	Annual Suite	DELETE
BV212 Average time taken to re-let local authority housing (days)	Replaced with more relevant PIs that provide breakdown: BV212 SP Average time taken - SUPPORTED NEEDS; and BV212 GN Average time - GENERAL NEEDS.	Quarterly	QPI /Annual Suite	DELETE
NI 153 Working age people claiming out of work benefits in worst performing neighbourhoods	External mechanisms to collect data no longer available.	Quarterly	QPI /Annual Suite	DELETE
NI 156 Number of households living in temporary accommodation	The number of households in temporary accommodation has ranged between 1-6 since Q1 2008/09. Work for the prevention of homelessness and the use of temporary accommodation continues.	Quarterly	QPI /Annual Suite	DELETE
WL113 Businesses assisted by partnership working for start up/thrive	Business Link data no longer available.	Quarterly	QPI /Annual Suite	DELETE



AGENDA ITEM: 12

CABINET: 13 MARCH 2012

**EXECUTIVE OVERVIEW AND
SCRUTINY COMMITTEE: 29 MARCH
2012**

Report of: Borough Treasurer

Relevant Managing Director: Managing Director (People and Places)

Relevant Portfolio Holder: Councillors D Westley and A Owens

**Contact for further information: Mr M Taylor (Extn. 5092)
(E-mail: marc.taylor@westlancs.gov.uk)**

SUBJECT: REVENUE BUDGET MONITORING

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

- 1.1 To provide a projection of the financial position on the General and Housing Revenue Accounts to the end of the financial year.

2.0 RECOMMENDATIONS TO CABINET

- 2.1 That the financial position of the Revenue Accounts be considered and noted.
- 2.2 That call in is not appropriate for this item as it is to be submitted to the next meeting of the Executive Overview and Scrutiny Committee.

3.0 RECOMMENDATION TO EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE

- 3.1 That the financial position of the Revenue Accounts be noted.

4.0 BACKGROUND

- 4.1 In February 2011 the Council approved budgets for the Housing and General Revenue Accounts for the 2011-2012 financial year. It is good practice that monitoring reports are produced on a regular basis to ensure that Members are kept informed of the financial position of these accounts. This is the third monitoring report for the year and is based on information available in January 2012.

5.0 GENERAL REVENUE ACCOUNT

- 5.1 The Council has set a revenue budget of £14.277m for the financial year. In total current projections forecast that net expenditure will be around £460,000 below this target, which represents a small variance of around 3.2%.
- 5.2 The projections have been calculated on a prudent basis, and consequently it can be confidently expected that the Council will achieve a surplus by the year end. This will continue our strong track record of managing our financial performance to ensure that the outturn position is in line with the budget.
- 5.3 The Council's Business Plan sets out a four-year process to save money and protect frontline services within a very challenging financial environment. As part of this process, the Budget that was agreed for this year included a target to save £350,000 through the different work streams set out in the Business Plan. Key elements of these work streams included the Major Service Review process and the setting up of a shared services arrangement for the delivery of Revenues, Benefits and IT Services with the County Council and One Connect Ltd.
- 5.4 Good progress has been made in delivering these initiatives and as a consequence the budget target for the year will be exceeded, as savings have been made faster and earlier than originally expected. In particular a half year saving of around £250,000 is projected from the commencement of the shared service arrangement from 1st October, and a further significant saving has been made from the departure of the Chief Executive part way through the year. Most staffing related Major Service Review savings will though be implemented from 1st March.
- 5.5 Employee costs form a significant proportion of the Council's total budget and consequently are very important from a budget management perspective. The budget contains a corporate target for staff efficiency savings of £280,000, and the active management of staffing levels will mean that this target will be exceeded, which is another key element in the overall favourable variance. These savings more than offset additional costs that have been incurred as a result of successful staff appeals against job evaluation scores.
- 5.6 The external income that the Council generates can be one of the most volatile areas of the budget, with income going up and down due to factors outside our direct control. This area is particularly at risk at the moment given the state of the economy. However at the current time income levels are performing close to budget in most areas. Income levels on the Community Related Assets portfolio though have already significantly exceeded the budget target for the year.

- 5.7 Since the economic downturn started there has been a considerable increase in benefits expenditure, which is a demand led service that is not within the direct control of the Council. While the majority of this expenditure is funded by government grant through a complex subsidy system, a small element of these payments must be picked up by the Council, and so the higher level of payments means higher costs for the Council. However this position has stabilised this year and so is not expected to cause any significant additional spending pressures.
- 5.8 There are a number of spending pressures that have been identified in the current year that are expected to persist into the next financial year. This includes additional costs on fuel, and business rates for Council premises. These areas have been reviewed during the budget process for 2012-13 and budget targets adjusted to reflect anticipated future cost levels.
- 5.9 The mid-year monitoring report projected a favourable variance of £320,000, and consequently the latest projection of £460,000 represents an improved financial position. This improved position reflects a number of different factors and in particular better than expected performance on income levels. There was also a financial saving as a result of the industrial action that took place, which was not included in the mid year projections.
- 5.10 The Appendix to this report provides further details on the performance of individual service areas.

6.0 HOUSING REVENUE ACCOUNT

- 6.1 The Council set a gross budget for the Housing Revenue Account (HRA) of £22.273m. While there are a number of spending pressures and savings on the HRA budget, current projections indicate that the bottom line target will be achieved at the year end.
- 6.2 The main HRA income source is rental income. Council house Right to buy sales have continued to remain low and this has helped to stabilise rental income. A change in accounting practice agreed with our External Auditors will also result in increased income for the year.
- 6.3 Additionally, the Council has been successful in achieving a HRA subsidy rebate of £288,000. This funding has been used to increase the investment in the capital programme and to create an Estate Remodelling Reserve for the former New Town at Skelmersdale.
- 6.4 During the second half of the year there has been significant spending on void repairs. This will mean that the budgeted level of spending will be exceeded but has meant that there has been a reduction in the amount of time properties remained void. The Council is now hitting top quartile performance in this area of the business and has reduced re-let times, which in turn will increase future rental income to the HRA.

7.0 RESERVES AND BALANCES

- 7.1 The Council is facing a challenging medium term financial position as are all other local authorities. However the GRA has an adequate level of reserves which will enable it to deal with these challenges effectively, and the District Auditor has assessed that these reserves are at a prudent level. The Council has also recently agreed a new reserves policy at its February meeting.
- 7.2 When the HRA budget for 2011-12 was approved it was agreed that £132,000 would be taken from reserves and balances to support it. The overall level of reserves remains adequate though even after this contribution has been taken into account.

8.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 8.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder. The report has no significant links with the Sustainable Community Strategy.

9.0 RISK ASSESSMENT

- 9.1 The formal reporting of performance on the General and Housing Revenue Accounts is part of the overall budgetary management and control framework that is designed to minimise the financial risks facing the Council.
- 9.2 The projected variances contained in this report reflect current estimates of the likely difference between spending / income and budget for the full financial year. These estimates are based on current data and are subject to change during the remainder of the year as new information becomes available.

Background Documents

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

Equality Impact Assessment

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

Appendices

Appendix 1 – General Revenue Account Projected Outturn Position

APPENDIX 1

GENERAL REVENUE ACCOUNT PROJECTED OUTTURN POSITION

Budget area	Net Budget £000	Variance from Budget £000	Variance %
Community Services	4,666	-140	-3.0%
Corporate Services			
- Borough Solicitor	1,328	-50	-3.8%
- Borough Treasurer	1,307	-45	-3.4%
- Transformation Manager	1,625	-80	-4.9%
Housing and Regeneration	463	-225	See note
Planning Services	1,891	-130	-6.9%
Street Scene	5,824	-215	-3.7%
Central Savings Items	-280	280	See note
Central Budget Items	-2,547	145	5.7%
TOTAL BUDGET REQUIREMENT	14,277	-460	-3.2%

Table Notes

The budget figures for each Service have been updated to include capital accounting adjustments and the allocation of central budget items to services. These are technical accounting adjustments that do not affect the bottom line budget requirement, which has remained unchanged during the year at £14.277m.

Housing and Regeneration has a relatively small net budget requirement because it contains Property Services which is a support service that recharges most of its costs to other services, and also the Community Related Assets portfolio, which generates a significant amount of external income.

General

It should be recognised that some areas of the budget are within the Council's control, for example the filling of vacant posts to achieve salary savings. However other areas such as external income can be volatile where we are exposed to market forces. In addition some service areas are demand led where it can be difficult to directly control expenditure.

Community Services – Favourable variance £140,000

There is projected to be a significant favourable variance for the Service with the largest single contributory factor being managed savings on staffing.

Licencing income is currently in excess of the budget and a favourable variance is anticipated at the year end.

Car park income is currently below target with an anticipated minor adverse variance by the year end. This follows a similar pattern to previous years whereby an increase in the level of charges results in some initial resistance. As the year progresses this

resistance tends to reduce. The number of Bank Holidays early in the year has also had an adverse effect. Income from fines is anticipated to be in excess of budget and should more than compensate for the shortfall in income from car park charges. The additional income from fines reflects the increased level of enforcement now in operation.

Income from regular stallholders on the Ormskirk Market is currently below budget, however income from casual stallholders is slightly higher. As in previous years, the possibility of inclement weather during the winter months may well adversely affect future income levels, but to date this has not been a major factor.

It is anticipated that the decision by DCT Leisure Ltd to terminate their agreement at the Golf Centre, with effect from 31/12/11, will result in both a loss of income and the incurring of additional costs during the remaining 3 months of this financial year.

Within Private Sector Housing an overall balanced budget position should be achieved after allowing for additional expenditure on the Home Loans scheme, which is an issue that has been previously reported to Members. Income performance on the Lifeline Scheme is significantly in excess of the budget target and reflects a recent expansion of activity. This financial position is being considered in more detail as part of the process of drawing up a business plan for this service area.

Borough Solicitor – Favourable variance £50,000

Income from Local Searches is currently performing slightly below the budget target as a result of a combination of market factors and a Government decision to revoke the fee for personal searches of the Local Land Charges Register. However there are a number of savings that are being made on other budget headings which should ensure that the service has an overall favourable variance, including a saving on Election costs.

Borough Treasurer – Favourable variance £45,000

Staffing and other budgets are being effectively controlled which should result in a favourable variance being delivered over the course of the year. This includes savings through reduced external audit fees and lower pension costs.

Transformation Manager – Favourable variance £80,000

There are a number of issues giving rise to the overall favourable variance. One of the main areas relates to savings on staffing costs resulting from the active management of staffing levels. There are also a range of savings on other budgets, including a higher than anticipated recovery of legal costs.

Housing and Regeneration – Favourable variance £225,000

The active management of staffing levels and non staffing budgets has generated a significant favourable variance within the Service, and income targets have also been exceeded.

Within Property Services, repairs and maintenance costs are being effectively controlled. However there are a number of adverse variances on utility costs, particularly in relation to water bills.

The difficult economic climate is proving challenging, however the Commercial Assets portfolio is proving resilient with income levels exceeding budget targets. There are

though a number of empty units and as a result the empty rates liability is above budget levels.

The Investment Centre account will produce a significant loss this financial year, estimated at around £145,000. However as this is a ring fenced account it will not have a direct impact on the GRA budget position. As previously agreed by Cabinet, consultants are now reviewing all of the Council's commercial assets, including the Investment Centre, and the results of this work will be reported in due course.

Planning Services – Favourable variance £130,000

As a result of some major planning applications, the projected adverse variance on development control income looks to have been averted and the new charges for pre-application fees continue to be above the target. Income on building control, however, is below budget and is predicting an adverse variance. In overall terms though, income is performing in line with the same point last year.

The projected adverse variance on income is being more than offset by significant managed savings on staffing and supplies and services that will enable the Service to achieve an overall favourable variance.

Street Scene – Favourable variance £215,000

New working practices introduced over the last year have resulted in operational efficiencies and as such employee overtime and agency costs have much reduced. There are still cost pressures that remain in some areas, namely fuel, which has previously been reported, and some additional hire costs associated with the transport vehicle hire with maintenance tender exercise currently being concluded.

Action has been formulated in implementing the significant Major Service Review savings the Service identified for this and the next financial year, and good progress is being made.

Central Savings and Budget Items

This heading covers a range of corporate budgets including savings targets, treasury management, and capital charges. Central savings targets for staff and other efficiency improvements are all held in this area. The actual savings that are made in relation to these items are contained within Services. Consequently savings made elsewhere will help to offset the adverse variances on these budget items.



AGENDA ITEM: 13

CABINET: 13 March 2012

**EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:
29 March 2012**

Report of: Borough Treasurer

Relevant Managing Director: Managing Director (People and Places)

Relevant Portfolio Holders: Councillor D Westley

**Contact for further information: Mrs K Samosa (Ext. 5038)
(E-mail: karen.samosa@westlancls.gov.uk)**

SUBJECT: CAPITAL MONITORING 2011/2012

Wards Affected: Borough wide

1.0 PURPOSE OF THE REPORT

- 1.1 To update Members on the current position in respect of the 2011/2012 Capital Programme.

2.0 RECOMMENDATIONS TO CABINET

- 2.1 That the current position in respect of the 2011/2012 Capital Programme be noted.
- 2.2 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.

3.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

- 3.1 That Members note the current position in respect of the 2011/2012 Capital Programme.

4.0 BACKGROUND

- 4.1 The Capital Programme is set on a three-year rolling basis that is updated regularly when Members are advised of progress against it. The revised programme of £12.341m for 2011/2012 was presented to Members in November/December 2011. Council subsequently approved the new Medium

Term Programme on 29th February 2012, but due to the timing of the reports, this has not been incorporated into this report. Cabinet will be updated verbally at their meeting of the impact of this on the 2011/2012 Programme.

5.0 CAPITAL EXPENDITURE

- 5.1 Generally, capital schemes are profiled with relatively low spending compared to budget in the early part of the financial year with increased spending as the year progresses. This reflects the fact that many new schemes have considerable lead in times, for example, because of the need to undertake the tendering process and award contracts at the start of the scheme. Some schemes are dependant on external partner funding and schemes can only begin once their funding details have been finalised. Other schemes include contract retentions or contingencies that will only be spent some time after completion of the contract. Most schemes then progress and spend in line with their approval by the year-end.
- 5.2 This pattern has been repeated in the current year with £5.823m (47%) of expenditure having been incurred by the end of January. This compares to recent programmes as indicated in Table 1:

Table 1: Capital Expenditure against Budgets			
Year	Expenditure £m	Budget £m	% Spend against Budget
2011/2012	5.823	12.341	47%
2010/2011	5.084	11.013	46%
2009/2010	5.106	12.413	41%

- 5.3 There is also currently around £0.473 of other committed expenditure due to take place over the coming months. Taking this into account would show an increase in the percentage spend against the revised programme to 51%. This compares to 53% at the same point last year.
- 5.4 Appendix B provides comments from the Heads of Service on the progress of schemes against the Programme. Housing Public and Private Sector schemes represent 55% of the overall programme and consequently progress in these areas will largely determine the overall spending position at the year end.

6.0 CAPITAL RESOURCES

- 6.1 Sufficient resources have been identified to fund the Capital Programme as shown in Appendix A.
- 6.2 A proportion of the resources to fund capital expenditure are based on government allocations that have been confirmed. Other resources come from external funding and schemes that are heavily dependent on this source are not able to start until after the funding has been confirmed. A further source of funding is capital receipts.
- 6.3 Capital receipts are the main area of the capital resources budget that is subject to variation. They are the useable proceeds from the sale of Council assets (mainly houses under Right to Buy (RTB) legislation) that are available to fund capital

expenditure. They can vary significantly depending on the number and value of assets sold.

- 6.4 The Mid Year Review report identified that 6 RTB sales had been achieved against the target of 16 for the year and no plots of land. To the end of January a further 3 RTB sales have been achieved along with one small land sale. The useable receipts generated are analysed in Table 2.

Table 2: Usable Capital Receipts against Budgets			
Year	Estimate £'000	Actual £'000	% Received against Budget
Right to Buy Sales	175	91	52%
Land Sales	50	1	2%
Total	225	92	41%

- 6.5 The estimate for the year is based on historical averages as the actual pattern of sales is volatile. Consequently, while the actual receipts generated are significantly below the estimate at the current time, this position could change if there are a small number of high value sales in the remainder of the year.
- 6.6 There are potential RTB sales in the pipeline and potential small land sales are on the horizon with plots having recently been advertised for sale. It is, therefore, possible that the budget may be achieved although the timing of sales is uncertain. This income position is monitored closely and income variations will be managed over a medium term timescale.

7.0 SUSTAINABILITY AND COMMUNITY STRATEGY LINKS

- 7.1 The Capital Programme includes schemes that the Council plans to implement to enhance service delivery and assets. Individual project plans address sustainability and Community Strategy issues and links to Corporate Priorities. The Capital Programme also achieves the objectives of the Prudential Code for Capital Finance in Local Authorities by ensuring capital investment plans are affordable, prudent, and sustainable. This report provides an updated position and progress against project plans.

8.0 RISK ASSESSMENT

- 8.1 Capital assets shape the way services are delivered for the long term and, as a result, create financial commitments. The formal reporting of performance against the Capital Programme is part of the overall budgetary management and control framework that is designed to minimise the financial risks facing the Council. Schemes within the Programme that are reliant on external contributions or decisions are not started until funding is secured and other resources that are subject to fluctuation are monitored closely to ensure availability. The capital receipts position is scrutinized on a regular basis and managed over the medium term to mitigate the risk of unfunded capital expenditure.

Background Documents:

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

Equality Impact Assessment

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

Appendices:

- A Capital Programme Expenditure and Resources Budget
- B Heads of Service Comments

2011/2012 CAPITAL PROGRAMME
EXPENDITURE AND RESOURCES BUDGET
as at END OF JANUARY

Service	Budget Approval	Actual		Variance	
	£'000	£'000	%	£'000	%
EXPENDITURE					
Community Services					
Private Sector Housing	1,465	784	54%	681	46%
Other Community Services	2,535	591	23%	1,944	77%
Planning	22	9	41%	13	59%
Housing and Regeneration					
Public Sector Housing	6,838	3,510	51%	3,328	49%
Property Management	1,250	892	71%	358	29%
Regeneration	38	5	13%	33	87%
Corporate Services	194	31	16%	162	84%
	12,341	5,823	47%	6,518	53%
RESOURCES					
Capital Grants	2,784				
MRA	4,434				
GRA	505				
HRA	929				
Capital Receipts	2,860				
Internal Borrowing	830				
	12,341				

CAPITAL PROGRAMME 2011/2012
HEADS OF SERVICE COMMENTS
AT END OF JANUARY

Community Services - Private Sector Housing

Expenditure on the Clearance Programme and the Renovation Grant budget is progressing and will largely be spent by the year end.

The Disabled Facilities Grant budget has also mainly been committed for the year.

Other Community Services

Works are complete on Allotments and at Aughton Street where the final invoices are awaited. Expenditure continues on the Leisure Trust contract and is in line with the agreed budget. It is also the intention to complete the Environmental Health Computer System before the end of the financial year.

Works are ongoing on Flood Alleviation Schemes. Contractors will be on site in the coming weeks and some expenditure is anticipated before the end of the year. However, it is anticipated that there will be significant slippage on these schemes.

Contaminated Land works are also progressing but Government advice is awaited. Approvals will, therefore, need to be slipped into 2012/2013.

It is anticipated that of preparatory works will be started on the CCTV suite relocation before 31st March.

Works are complete at Banks Park, Tanfields Play Area, Richmond Park, Hesketh Bank Village Hall, Manor Road Play Area, Mossy Lea Play Area and Outdoor Gyms. Works are substantially complete at Stanley Coronation Park and on Halsall Lane Play Equipment. As there are no specific plans at Coronation Park the unused approvals will be used to fund overspends at Richmond Park (CCTV). Other minor overspends on parks will be funded from within Playground Improvements.

Vehicles and equipment have been acquired at Beacon Park Golf Course as a result of the termination of the DCT contract. This will be funded from reserves in the short term but it is expected that this money will be recovered when a new long term agreement is put in place.

CAPITAL PROGRAMME 2011/2012
HEADS OF SERVICE COMMENTS
AT END OF JANUARY

<p>Corporate Services</p>
<p>Funding on the ICT Infrastructure Programme is used for an on-going, previously agreed plan to keep the ICT infrastructure up to date ensuring security, speed and integrity and to fund part of the JVC Model. Any unspent approvals will be slipped into the next financial year.</p> <p>Work is progressing on the Electronic Document Management implementation within Environmental Health and Housing Private Sector. There is likely to be a budget shortfall on this which will be funded from unallocated funding within the ICT Development Programme. Any unspent budgets will be slipped into 2012/2013 to complete the previously agreed Programme.</p> <p>The progress made on delivering Parish Capital Schemes rests with individual Parishes. The majority of these schemes will be completed this year but there are a small number of large value projects where only limited progress has been made to date.</p>
<p>Property Management</p>
<p>The refurbishment at Derby Street is virtually complete and it is expected to generate an underspend.</p> <p>Other projects in the programme are progressing and no overall overspends on the programme as a whole are expected. Not all projects, however, will be completed by the 31st March 2012. This is because some of these projects are awaiting planning permission, structural surveys, or quotations, etc. before commencement.</p>

CAPITAL PROGRAMME 2011/2012
HEADS OF SERVICE COMMENTS
AT END OF JANUARY

Public Sector Housing

Expenditure on Elmstead Regeneration is complete and the grant funding is awaited. Tenders are being prepared prior to tenant consultation for the Bin Store Scheme.

The Housing Public Sector Programme comprises many schemes within the various budget heads. Funding for the schemes is primarily HRA/MRA which are both ring-fenced for Housing expenditure and unspent approvals will be slipped into the new financial year.

Overall, it is anticipated that there will be slippage in the region of £1.2m due to a delay in appointing a replacement contractor (Structural Works), revised option appraisal on Oakgate Close Heating (Energy Efficiency Works), late start due to tenant consultation (Environmental Improvements), late identification of individual schemes (Fixtures and Fittings), and an unspent contingency (Newly Arising Decent Homes).

There could also be a net underspend of around £0.5m on schemes due to reduced adaptation referrals from LCC, late identification of preferred Structural Work areas, minor underspends on individual projects, and additional void works and gas boiler replacements identified. This underspend will also be slipped into the new year.

The remaining programme will be delivered within budget allowing for some retention at the end of the year.

Regeneration

The development phase of the Skelmersdale Town Centre Project is continuing although progress has been slower than anticipated due to the economic climate. Although consultants have been appointed, expenditure may slip into the next financial year.

Expenditure on the Estates ICT System relates to potential shared service arrangements which are subject to on-going discussions. It is unlikely that this budget will be spent in 2011/2012 and will need to be slipped into 2012/2013.

CAPITAL PROGRAMME 2011/2012
HEADS OF SERVICE COMMENTS
AT END OF JANUARY

Planning
<p>All of the Planning schemes are demand led and Conservation Area Enhancement approvals are fully committed for the year. The overspend on the Free Tree Scheme is to be funded by a small Revenue contribution from within the Heritage Budget. No expenditure has been incurred to date on Buildings at Risk and unused approvals are to be slipped into the next financial year.</p>