

## MEMBERS INTERESTS 2012

A Member with a disclosable pecuniary interest in any matter considered at a meeting must disclose the interest to the meeting at which they are present, except where it has been entered on the Register.

A Member with a non pecuniary or pecuniary interest in any business of the Council must disclose the existence and nature of that interest at commencement of consideration or when the interest becomes apparent.

Where sensitive information relating to an interest is not registered in the register, you must indicate that you have an interest, but need not disclose the sensitive information.

Please tick relevant boxes

Notes

	General		Notes
1.	I have a disclosable pecuniary interest.	<input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 below</i>
2.	I have a non-pecuniary interest.	<input type="checkbox"/>	<i>You may speak and vote</i>
3.	I have a pecuniary interest <b>because</b> it affects my financial position or the financial position of a person or body described in 10.1(1)(i) and (ii) <b>and</b> the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest or it relates to the determining of any approval consent, licence, permission or registration in relation to me or any person or body described in 10.1(1)(i) and (ii) <b>and</b> the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest	<input type="checkbox"/>          <input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i>          <i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i>
4.	I have a disclosable pecuniary interest (Dispensation 16/7/12) or a pecuniary interest but it relates to the functions of my Council in respect of:  (i) Housing where I am a tenant of the Council, and those functions do not relate particularly to my tenancy or lease.  (ii) school meals, or school transport and travelling expenses where I am a parent or guardian of a child in full time education, or are a parent governor of a school, and it does not relate particularly to the school which the child attends.  (iii) Statutory sick pay where I am in receipt or entitled to receipt of such pay.  (iv) An allowance, payment or indemnity given to Members  (v) Any ceremonial honour given to Members  (vi) Setting Council tax or a precept under the LGFA 1992	<input type="checkbox"/>          <input type="checkbox"/>          <input type="checkbox"/>          <input type="checkbox"/>          <input type="checkbox"/>          <input type="checkbox"/>	<i>You may speak and vote</i>          <i>You may speak and vote</i>          <i>You may speak and vote</i>          <i>You may speak and vote</i>          <i>You may speak and vote</i>          <i>You may speak and vote</i>
5.	A Standards Committee dispensation applies.	<input type="checkbox"/>	<i>See the terms of the dispensation</i>
6.	I have a pecuniary interest in the business but I can attend to make representations, answer questions or give evidence as the public are also allowed to attend the meeting for the same purpose	<input type="checkbox"/>	<i>You may speak but must leave the room once you have finished and cannot vote</i>

'disclosable pecuniary interest' (DPI) means an interest of a description specified below which is your interest, your spouse's or civil partner's or the interest of somebody who you are living with as a husband or wife, or as if you were civil partners and you are aware that that other person has the interest.

### Interest

Employment, office, trade, profession or vocation

Sponsorship

### Prescribed description

Any employment, office, trade, profession or vocation carried on for profit or gain.

Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.

	This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

*"body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest; "director" includes a member of the committee of management of an industrial and provident society;*

*"land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income; "M" means a member of a relevant authority;*

*"member" includes a co-opted member; "relevant authority" means the authority of which M is a member;*

*"relevant period" means the period of 12 months ending with the day on which M gives notice to the Monitoring Officer of a DPI; "relevant person" means M or M's spouse or civil partner, a person with whom M is living as husband or wife or a person with whom M is living as if they were civil partners;*

*"securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.*

**'non pecuniary interest'** means interests falling within the following descriptions:

- 10.1(1)(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 (a) exercising functions of a public nature; (b) directed to charitable purposes; or (c) 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 easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income.
- 10.2(2) 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 connected 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 connected 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 10.1(1)(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) of the LGA 2000 overrides any Code provisions to oblige an executive member to attend an overview and scrutiny meeting to answer questions.

**PRESENT:** Ashcroft (Chairman)

Councillors: Mrs Atherley Gibson  
Blane J Hodson  
Baldock Jones  
Bell Moran  
Cheetham O'Toole  
Cropper Pendleton  
Mrs R Evans Pope  
Fillis Savage  
Gagen

Officers: Assistant Director Housing and Regeneration (Mr R Livermore)  
Deputy Borough Treasurer (Mr M Kostrzewski)  
Strategic Housing Manager (Mr S Jones)  
Planning Officer (Mr D Carr)  
Principal Solicitor (Mr L Gardner)  
Principal Overview and Scrutiny Officer (Mrs CA Jackson)

In attendance:

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

**44. APOLOGIES**

There were no apologies for absence.

**45. MEMBERSHIP OF THE COMMITTEE**

In accordance with Council Procedure Rule 2, Members noted the termination of membership of Councillor Kay and the appointment of Councillor Mrs Atherley for this meeting only thereby giving effect to the wishes of the Political Groups.

**46. URGENT BUSINESS**

There are no items of urgent business.

**47. DECLARATIONS OF INTEREST**

Councillors Mrs Atherley, Ashcroft, , Baldock, Blane, Bell, Cheetham, J Hodson, Jones and Pope declared non-pecuniary interests in relation to Item 14 (Medium Term Capital Programme) in relation to Parish Council matters in view of their membership of Parish Councils.

**48. DECLARATIONS OF PARTY WHIP**

There were no declarations of a Party Whip.

**49. MINUTES**

RESOLVED: That the minutes of the meeting held on 29 November 2012 be received as a correct record and signed by the Chairman.

**50. RELEVANT MINUTES OF CABINET**

Consideration was given to the minutes of the Cabinet meeting held on 15 January 2013. Questions and comments were raised in respect of the following items:

Minute 98 (Collective Energy Switching) – delegation re. procedure process in relation to the scheme; opportunity to scrutinise selection; potential benefits; use of collective buying power; overlap of schemes; monitoring of future energy prices.

Minute 99 (Traffic Regulation Orders Pay & Display Parking, Sandy Lane & Yeadon, Skelmersdale) - Traffic Regulation Order (TPO) – Sandy Lane Parade short stay duration and associated charges; parking permits for the scheme.

RESOLVED: That the minutes of the Cabinet be held on 15 January 2013 be noted.

**51. CALL IN ITEM - ITEM REFERRED FROM CORPORATE AND ENVIRONMENTAL OVERVIEW AND SCRUTINY COMMITTEE - COMPLAINTS MONITORING**

Consideration was given the report of the Borough Solicitor which advised that a decision in respect of the above item (Minute 82 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 notice.

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

- Volume of customer interactions handled by the Contact Centre and across the Authority;
- Advantages/disadvantages associated with the recording/logging of verbal complaints; investment in new software to support and the capturing complaints data.

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

**52. ITEM REFERRED BY CABINET - SKELMERSDALE & UP HOLLAND DEMAND RESPONSIVE TRANSPORT SYSTEM**

Consideration was given to the report of the Borough Solicitor which detailed the request by Cabinet to refer the report of the Borough Planner, attached as Appendix 1, to the Committee for consideration, in respect of Skelmersdale & Up Holland Demand Responsive Transport System.

Members discussed the performance of the pilot demand responsive transport system since its introduction and raised questions/comments in relation to:

- The notable increase in passenger numbers using the service.

- The possibility of an expansion of the service to neighbouring areas.
- The costs associated with the scheme and the fare increases.
- The use of Section 106 commuted funds to support the service.
- Long term approach to transport systems in Skelmersdale, including upgrading of the subways to encourage mobility between areas.
- The benefits to those travelling to the firms in the scheme to seek work.

RESOLVED: That the report be noted.

### **53. WELFARE REFORM**

Consideration was given to the report of the Assistant Director Housing and Regeneration that gave details of a range of financial initiatives to support tenants through the planned and proposed range of Welfare Reforms.

In the ensuing discussion Members raised questions/comments on:

- The remit/role of the Financial Inclusion Officer, including support/advice to tenants in relation to other related initiatives, benefits and debt management.

RESOLVED: That the report be noted and proposals therein be supported.

### **54. CONSULTATION WLBC HOUSING ALLOCATION POLICY AND TENURE POLICY**

Consideration was given to the report of the Assistant Director Housing and Regeneration which sought the views of the Committee on both of the above consultation documents as part of the overall consultation process. The report gave an overview of the proposed changes to the documents and advised that the consultation period relating to them was due to conclude on 22 February 2013.

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

- Circumstances of tenants affected by the new tenancy arrangements.
- Application of the priority housing allocation Bands.
- Affect of the bedroom tax – notification; household income; family mobility; underoccupancy and down-sizing.
- Meaning/affect in applying the local connection criteria.
- Sheltered Housing and application of local connection criteria.
- Tenancy succession and promotion of mixed, socially mobile communities.

The Strategic Housing Manager attended the meeting and responded to questions referencing details contained in the report. He explained the guidance received from Government in relation to tenancy succession and the qualification criteria and application of “local connection”. He concluded that it was intended that the Policy would be reviewed on a regular basis.

Members discussed the proposed 12 month qualifying period related to the local connection criteria in respect of employment.

RESOLVED: That the report be noted and that the agreed comment, that the Local Connection Criteria related to the 12 month employment qualifying period be removed, be incorporated in the report to Cabinet on 19 March 2013.

**55. BUSINESS PLAN 2013/14 REFRESH**

Consideration was given to the joint report of the Managing Directors that gave details of the Business Plan 2013/14 Refresh (Appendix A – version dated 14 January 2013) as contained on pages 1791 to 1844 of the Book of Reports.

RESOLVED: That the “Business Plan 2013/14 Refresh” (Appendix A – version dated 14 January 2013) go forward to Council on 27 February 2013 for adoption.

**56. DRAFT REVENUE BUDGET 2013-14**

Consideration was given to the report of the Borough Treasurer which provided a summary of the current General Revenue Account position.

In discussion Members made reference to the budget position and the provision of alcohol beverages in the Mayor’s room following full Council meetings.

RESOLVED: That the budget position be noted.

**57. MEDIUM TERM CAPITAL PROGRAMME**

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

Members made comments in relation to:

- The financial approach being taken.
- Sheltered accommodation – provision of lifts.

During the discussion a question was raised in relation to funding schemes and responsibilities related to bus shelter improvements or removal. The Deputy Borough Treasurer who attended the meeting made an undertaking to provide a response to the Member who had raised this.

RESOLVED: That the medium term capital programme be noted.

**58. HOUSING ACCOUNT - REVENUE & CAPITAL PROGRAMME**

Consideration was given to the report by the Assistant Director Housing and Regeneration which provided a summary of the budget position for the Housing Account for the next financial year.

RESOLVED: That the report be noted.

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Chairman





## CABINET

**HELD: 19 MARCH 2013**

Start: 7.30pm

Finish: 8.45pm

## PRESENT

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

Councillors		<u>Portfolio</u>
Mrs Hopley		Landlord Services and Human Resources
A Owens		Deputy Leader & Housing (Finance), Regeneration and Estates
D Sudworth		Health, Leisure and Community Safety
D Westley		Resources and Transformation

In attendance Councillor J Hodson  
Councillors: Councillor Pendleton

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 Solicitor (Mr T Broderick)  
Borough Planner (Mr J Harrison)  
Transformation Manager (Mr S Walsh)  
Strategic Housing Manager (Mr S Jones)  
Principal Member Services Officer (Mrs S Griffiths)

### 104. APOLOGIES

Apologies for absence were submitted on behalf of Councillor Forshaw.

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

There were no items of special urgency.

### 106. DECLARATIONS OF INTEREST

Councillor Westley declared a non-pecuniary interest in agenda item 5(k) "Cycling in West Lancashire – Final Report of the Corporate & Environmental Overview and Scrutiny Committee" as a member of Lancashire County Council.

## **107. MINUTES**

RESOLVED: That the minutes of the meeting of Cabinet held on 15 January 2013 be approved as a correct record and signed by the Leader.

## **108. MATTERS REQUIRING DECISIONS**

Consideration was given to the reports relating to the following matters requiring decisions as contained on pages 2669 – 2978 of the Book of Reports.

## **109. USE OF SECTION 106 MONIES IN DOWNHOLLAND**

Councillor Sudworth introduced the joint report of the Assistant Director Community Services and the Borough Planner which considered proposals regarding the use of Section 106 monies received from housing developers for the enhancement of public open space and recreation provision within Downholland.

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

RESOLVED: That the proposed project to provide enhancements to Haskayne Parish Fields as detailed in Section 6 of the report, be approved and the Section 106 commuted sum of £85,416 generated in Downholland be made available for this project.

## **110. TENANT'S CASH BACK SCHEME**

Councillor Owens introduced the report of the Assistant Director Housing and Regeneration which provided an update on the Government's proposals for tenants involvement in the repair and maintenance of their homes, and advised on the outcome of consultations with the Tenant's Task & Finish Group on the introduction of a cash back scheme for the Council.

Minute no. 46 of the Landlord Services Committee (Cabinet Working Group) held on 13 March 2013 was circulated.

In reaching the decision below, Cabinet considered the minute of the Landlord Services Committee and the details set out in the report before it and accepted the reasons contained therein.

RESOLVED: A. That the report be noted.  
B. That the suggestions made by the Tenant's Task & Finish Group be noted, and that a further report be submitted to Cabinet following the findings of the three pilot schemes referred to in the report.

## **111. TENURE POLICY**

Councillor Mrs. Hopley introduced the report of the Assistant Director Housing and Regeneration which sought approval of the draft Tenure Policy.

Minute no. 43 of the Landlord Services Committee (Cabinet Working Group) held on 13 March 2013 was circulated.

The Assistant Director Housing and Regeneration circulated revised recommendations.

In reaching the decision below, Cabinet considered the minute of the Landlord Services Committee, the revised recommendations and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED:
- A. That, having considered the comments from the consultation exercise at Appendix B, the Tenure Policy attached as Appendix A be approved, subject to the Assistant Director Housing and Regeneration, in consultation with the relevant Portfolio Holder, being authorised to present an updated Tenure Policy to Council on 17 April 2013.
  - B. That implementation of the policy from 1 July 2013 be noted.
  - C. That call-in is not appropriate for this item as this item has been considered by the Executive Overview and Scrutiny Committee on 31 January 2013.

## **112. HOUSING ALLOCATIONS POLICY**

Councillor Mrs. Hopley introduced the report of the Assistant Director Housing and Regeneration which sought consideration of the comments arising from the consultation exercise on the updated Housing Allocations Policy.

Minute no. 44 of the Landlord Services Committee (Cabinet Working Group) held on 13 March 2013 was circulated.

The Assistant Director Housing and Regeneration circulated revised recommendations and Councillor Mrs. Hopley circulated a motion, which was seconded, which was based on the revised recommendations.

In reaching the decision below, Cabinet considered the minute of the Landlord Services Committee, the revised recommendations, the motion circulated by Councillor Mrs. Hopley and the details set out in the report before it and accepted the reasons contained therein.

RESOLVED: A. That, having considered the comments from the consultation exercise at Appendix B, the Housing Allocations Policy attached as Appendix A be approved, subject to the Assistant Director Housing and Regeneration in consultation with the relevant Portfolio Holder being authorised to present an updated Housing Allocations Policy to Council on 17 April 2013, to include the following amendments:-

- i) removal of bullet point 3, paragraph 28 (local connection criteria)
- ii) amendment to paragraph 1, Appendix 3 (lettings criteria) as follows:-

“Sheltered housing is reserved for those over 60 years of age who need the added benefits of a safe and secure environment that supports and sustains their long term health and wellbeing. For those people with some levels of support needs the Council will work with appropriate agencies to achieve independent and sustainable tenancies”

And also add

“In exceptional circumstances applicants under 60, with identified support needs which cannot be met in general needs accommodation, may be considered for Category 1 sheltered housing. This decision will be taken in consultation with the manager responsible for the management of the Councils sheltered housing schemes.”

- iii) references to “Armed Forces” being amended to “British Armed Forces”

B. That the implementation of the policy from 1 July 2013 be noted.

C. That call-in is not appropriate for this item as it has been considered by the Executive Overview and Scrutiny Committee on 31 January 2013.

### **113. REVIEW OF ANTI- MONEY LAUNDERING POLICY**

Councillor Westley introduced the report of the Borough Treasurer which outlined the findings of a review of the Council’s Anti-Money Laundering Policy and Guidance and Procedure Notes.

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

RESOLVED: That the updated Anti-Money Laundering Policy and Guidance and Procedure Notes as set out in Appendix 1 & 2 to the report, be endorsed for agreement.

#### **114. QUARTERLY PERFORMANCE INDICATORS (Q3 2012/13)**

Councillor Westley introduced the report of the Transformation Manager which presented performance monitoring data for the quarter ended 31 December 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 Council's performance against the indicator set for the quarter ended 31 December 2012 be noted.
  - B. That call-in is not appropriate for this item as it has been considered by the Corporate & Environmental Overview and Scrutiny Committee on 21 February 2013.

#### **115. CORPORATE PERFORMANCE MANAGEMENT 2013/14**

Councillor Westley introduced the report of the Transformation Manager which sought approval for the Suite of Performance Indicators for adoption as the Council's Corporate PI Suite for 2013/14.

Referring to target TS1-BV66a, the Assistant Director Housing and Regeneration proposed that the annual target for % rent collected be set at 97%.

In reaching the decision below, Cabinet considered the comments of the Assistant Director Housing and Regeneration, 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 2013/14 (Appendix A) and targets be approved as being the most important in terms of delivering the Council's Corporate Priorities and adopted as the Council's Corporate PI Suite 2013/14, subject to B, below.
  - B. That target TS1-BV66a (rent collected) be amended to 97% for 2013/2014.
  - C. That the Managing Director (Transformation), in consultation with the Portfolio Holder for Resources & Transformation, be authorised to finalise and amend the suite having regard to comments from Executive Overview and Scrutiny Committee made on 4 April 2013, and to amend the finalised suite in year (with the exception of agreed targets) in response to any issues that may arise, for example government policy or collection mechanisms.
  - 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 4 April 2013.

## **116. STRATEGIC ASSET MANAGEMENT PROGRAMME**

Councillor Owens introduced the report of the Assistant Director Housing and Regeneration which updated Members on the progress of the Strategic Asset Management Project and advised on the outcomes of the Derby Ward, proposals relating to the Digmaor Ward, and sought authority for the disposal of assets.

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

- RESOLVED: A. That the contents of the report, including the work undertaken by officers to date, and the progress on the assets previously identified for disposal be noted.
- B. That the Assistant Director Housing and Regeneration be authorised to take the actions recommended in Appendix A and B in relation to the 34 sites in the Derby ward, and the Garage Court to the south of 80 Abbeywood, Digmaor, and be authorised to take any other steps necessary to secure disposal of the sites.
- C. That the sites set out in Appendix C are no longer required for their current uses as set out in that Appendix and that they be appropriated as required for regeneration purposes for the reasons set out in the report.
- D. That the Assistant Director Housing and Regeneration be authorised to take all necessary steps to appropriate the sites referred to in Appendix C and sign the memoranda of appropriation.

## **117. HOUSING OMBUDSMAN SERVICE AND RELATED CHANGES TO THE COUNCIL'S COMPLAINTS PROCEDURE**

Councillor Mrs. Hopley introduced the joint report of the Borough Solicitor and Assistant Director Housing and Regeneration which proposed amendments to the Council's complaints procedures following changes to the Housing Ombudsman Service with effect from 1 April 2013.

Minute no. 45 of the Landlord Services Committee (Cabinet Working Group) held on 13 March 2013 was circulated.

The Borough Solicitor/Assistant Director Housing and Regeneration circulated revised recommendations.

In reaching the decision below, Cabinet considered the minute of the Landlord Services Committee, the revised recommendations and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED: A. That the changes brought about by the Localism Act to the Housing Ombudsman Service be noted.

- B. That the revised Council complaints procedure, set out at appendix 2, be adopted with effect from 1 April 2013.
- C. That the Assistant Director Housing and Regeneration and Transformation Manager in consultation with the Leader and Portfolio Holder for Landlord Services and Human Resources be given authority to amend the Council's complaints procedure set out at appendix 2 in relation to information to be given to Council tenants wishing to refer their complaint to a designated person/Housing Ombudsman Service.
- D. That the Assistant Director Housing and Regeneration in consultation with the Portfolio Holder for Landlord Services and Human Resources be given authority to agree the Council's policy with regard to recognition criteria for tenant panels and to review and update the policy as required.
- E. That the Assistant Director Housing and Regeneration in consultation with the Portfolio Holder for Landlord Services and Human Resources be given authority to determine whether tenant panels requesting recognition should be so recognised.
- F. That the Assistant Director Housing and Regeneration offer guidance and training to members and tenant panel members on their new role as designated persons and that an invitation be extended to Rosie Cooper MP and Lorraine Fulbrook MP to attend training sessions .
- G. That call-in is not appropriate for this item as this matter is one where urgent action is required due to the need to introduce an amended complaints procedure and agree the Council's policy with regard to recognition criteria for tenant panels in advance of 1 April 2013.

#### **118. UNREASONABLY PERSISTENT COMPLAINANTS**

Councillor Grant introduced the report of the Borough Solicitor which sought adoption of a revised "Unreasonably Persistent Complainants and Unreasonable Complaint Behaviour" Policy following recent refreshed Local Government Ombudsman guidance.

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 "Unreasonably Persistent Complaints and Unreasonable Complaint Behaviour" Policy, set out at appendix 2, be adopted.
  - B. That the Borough Solicitor, in consultation with the Leader, be given authority to amend the Policy in the future in light of any further guidance from the Local Government Ombudsman/Housing Ombudsman or subsequent changes in the Council's organisational structure.

## 119. CYCLING IN WEST LANCASHIRE - FINAL REPORT CORPORATE & ENVIRONMENTAL OVERVIEW AND SCRUTINY COMMITTEE

Councillor Grant introduced the report of the Assistant Director Community Services, as Lead Officer, which presented the final report and recommendations of the Corporate and Environmental Overview & Scrutiny Committee following an in-depth review conducted entitled 'Cycling in West Lancashire'.

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 final report on "Cycling in West Lancashire", attached at Appendix A to the report, be approved and the Committee be thanked for its work.
- B. That following recommendations contained in the final report be endorsed:
- (1) That Lancashire County Council (LCC), as the Highway Authority, give due consideration to the following:
    - (i) Take account of cyclists safety on the highways, particularly at junctions when re-surfacing and upgrading road markings.
    - (ii) When considering highways changes, consider making the following adjustments:
      - (a) Cycle priority signals at traffic lights.
      - (b) Cycle priority through traffic.
      - (c) Cycle junction improvements.
    - (iii) When reviewing the cycling network in the Borough and, prior to any future exercise, seek the views of Ward Councillors in respect of proposed cycle routes or maintenance of existing routes.
    - (iv) When examining widening access within the Borough through its proposed cycle hire initiative also look at the possibility to extend this to the hire of electric powered cycles.
    - (v) When considering the Travel Plans for West Lancashire College, Skelmersdale, give due consideration to any cycling options coming through the Skelmersdale Vision Project.
    - (vi) That during future consideration of the Lancashire Local Transport Plan and associated documents, the potential to extend cycle recreation and other routes, particularly eastward, be considered.
    - (vii) For a pilot period, consider an amendment to the Traffic Order that currently prohibits cyclists from cycling in the pedestrian area of Ormskirk Town Centre in order to permit cyclists to cycle in that area.
  - (2) That Council (subject to resource availability) work with our partners to:



- (i) encourage the potential to recycle otherwise discarded bicycles through established mechanisms.
  - (ii) through Members links with schools in their Wards, encourage the continuation of initiatives adopted within their School Travel Plans.
  - (iii) through established mechanisms with Edge Hill University and other education establishments, encourage the use of cycles as an alternative mode of transport and safe cycling through opportunities available to undertake cycling proficiency courses.
- (3) That the final report of the Corporate and Environmental Overview and Scrutiny Committees review 'Cycling in West Lancashire' be circulated to external contributors to the review, scrutiny at Lancashire County Council and published on the Council and Centre for Public Scrutiny (CfPS) web-sites.
- (4) That the Corporate and Environmental Overview and Scrutiny Committee:
- (i) consider the results, when available, of the Travel Survey being undertaken by Edge Hill University.
  - (ii) review its recommendations in December 2013.
- C. That the final report and recommendations (approved, subject to resources) be submitted to Council for approval on 17 April 2013.
- D. That call in is not appropriate for this item as it has previously been considered by the Corporate and Environmental Overview and Scrutiny Committee.

## **120. CAPITAL PROGRAMME MONITORING**

Councillor Westley introduced the report of the Borough Treasurer which updated Members on the current position in respect of the 2012/2013 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 2012/2013 Capital Programme be noted.
- B. That call-in is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 4 April 2013.

## **121. REVENUE BUDGET MONITORING**

Councillor Westley introduced the report of the Borough Treasurer which provided a projection of 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 noted including the position on reserves and balances.
- B. That call-in is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 4 April 2013.

## **122. 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 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 amendment to the Risk Management Policy set out in section 4 be approved.
- B. That the progress made in relation to the management of the risks shown in the Key Risks Register (Appendix A) be noted and endorsed.

## **123. GREENSHOOTS PROJECT: REMODELLING OF 18 - 24 GORSEY LANE, GORSEY PLACE BUSINESS PARK, SKELMERSDALE**

Councillor Owens introduced the report of the Assistant Director Housing and Regeneration which advised of the options for the remodelling of 18-24 Gorsey Place, Skelmersdale.

The Assistant Director Housing and Regeneration circulated revised recommendations.

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

- RESOLVED: A. That the Assistant Director Housing and Regeneration, be authorised to carry out the remodelling of 18 – 24 Gorsey Place in

accordance with the option discussed under paragraphs 4.3 and 4.7.1 of the report.

- B. That the Assistant Director Housing and Regeneration be authorised, in consultation with the relevant Portfolio Holder to take all necessary steps, enter into all appropriate documentation and to obtain all necessary consents to facilitate the scheme referred to in 2.1 above.

## **124. TENANT DOWNSIZING SCHEME**

Councillor Mrs. Hopley introduced the report of the Assistant Director Housing and Regeneration which proposed the relaunch of the Transfer Incentive Scheme in a revised format as the Tenant Downsizing Scheme.

Minute no. 47 of the Landlord Services Committee (Cabinet Working Group) held on 13 March 2013 was circulated.

In reaching the decision below Cabinet considered the minute of the Landlord Services Committee and details set out in the report and accepted the reasons contained therein.

- RESOLVED:
- A. That the Tenant Downsizing Scheme be approved.
  - B. That the Assistant Director Housing and Regeneration be authorised, in consultation with the Landlord Services and Human Resources Portfolio Holder, to make minor alterations to the Scheme in order to make it appropriate and relevant.
  - C. That call-in is not appropriate for this item as the Scheme will be brought into effect on 1 April 2013.

.....  
LEADER





**AGENDA ITEM: 9**

**CABINET: 19 March 2013**

**EXECUTIVE OVERVIEW &  
SCRUTINY COMMITTEE:  
4 April 2013**

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**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](mailto:alison.grimes@westlancs.gov.uk))**

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**SUBJECT: CORPORATE PERFORMANCE MANAGEMENT 2013/14**

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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 2013/14.

**2.0 RECOMMENDATIONS TO CABINET**

2.1 That the draft Suite of Performance Indicators 2013/14 (Appendix A) and targets be approved as being the most important in terms of delivering the Council's Corporate Priorities and adopted as the Council's Corporate PI Suite 2013/14.

2.2 That the Managing Director (Transformation), in consultation with the Portfolio Holder for Resources & Transformation, be authorised to finalise and amend the suite having regard to comments from Executive Overview and Scrutiny Committee made on 4 April 2013, and to amend the finalised suite in year (with the exception of agreed targets) in response to any issues that may arise, for example government policy or collection mechanisms.

2.3 That call-in is not appropriate for this item as it is being considered at the next meeting of Executive Overview & Scrutiny Committee on 4 April 2013.

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

3.1 That the Committee consider the draft Suite of Performance Indicators 2013/14 (Appendix A) and comment as appropriate.

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## **4.0 BACKGROUND**

- 4.1 The corporate suite of performance indicators is reported to demonstrate performance against the priorities agreed by members through the Business Plan. 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.
- 4.2 Following revisions to the corporate priorities as detailed in the *Business Plan 2013/14 Refresh*, a review of the 2012/13 suite of performance indicators was undertaken. The proposed suite is attached as Appendix A. There is one suggested deletion for 2013/14 (see Appendix B) and no additions.
- 4.3 It is recommended that targets for performance in 2013-14 are set to be challenging but realistic. In most cases this means that targets are as for 2012-13, but where circumstances suggest that targets need to vary from 2012/13 an explanation for the proposed change is provided in the table. Targets for services provided by One Connect Limited are subject to contractual arrangements.
- 4.4 There are 49 proposed performance indicators within the suite. 31 of these form the 'key performance indicators' which will be reported to Members on a quarterly basis as indicated in the Appendix, with the remainder reported annually.
- 4.5 The quarterly reports will provide data grouped as strategic information (directly relevant to the corporate priorities) and performance within the service areas. The full suite outturn will be reported with the Annual Business Plan Report.

## **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 together with the monitoring of progress against the Business Plan helps the authority to ensure it is achieving its priorities and reduces the risk of not doing so.

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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 a direct impact on members of the public, employees, elected members and/or stakeholders. Therefore no equality impact assessment is required.

## **Appendices**

Appendix A – 2013/14 Draft Corporate Performance Indicator Suite

Appendix B – Proposed for deletion





APPENDIX A: CORPORATE PERFORMANCE INDICATOR SUITE 2012-15

PI Code & Short Name	Reported	2011/12 Outturn	2012/13 Annual Target	2013/14 Annual Target	2014/15 Annual Target	Latest Notes	Change to 2012/13	Responsible Service
<b>Corporate Priorities</b>								
<b>Balancing the budget and providing the best possible services within the resources available</b>								
WL117 Planned net spend per head	Annual	/	Data only	Data only	Data only	Information based on Revenue Return Estimates		Corporate Services: Treasurer
WL118 Income from fees & charges	Annual	/	7.057m	tbc	tbc	Information from Budget decision	tbc	Corporate Services: Treasurer
OCL-BV9 % of Council Tax collected	OPI /Annual	98.06%	98.06%	tbc	tbc	OCL contractual PI. Target set via contract process.	tbc	Corporate Services: Transformation
OCL-BV10 % of Non-domestic Rates Collected	OPI /Annual	97.67%	97.77%	tbc	tbc	OCL contractual PI. Target set via contract process.	tbc	Corporate Services: Transformation
CIT03 % satisfied with how WLBC runs things	Annual	67.00%	67.00%	67.00%	67%			Corporate Services: Transformation
CIT08 % residents agreeing that WLBC provides value for money	Annual	42%	42%	42%	42%			Corporate Services: Transformation
TS1-BV66a % Rent collected (excluding arrears brought forward)	OPI /Annual	98.42%	98.41%	96.4% tbc	TBC. Targets reviewed annually by tenants.	Target is provisional and can be revised following survey of 1200 tenants affected by reduction in HB under Welfare Reform from April 2013. The target for 2014/15 will be reviewed in the light of Universal Credit Implementation	Y	Housing & Regeneration: Housing
<b>Focussing upon sustainable regeneration and growth within the Borough</b>								
NI 154 Net additional homes provided	Annual	250	80	260	260	Targets based on the emerging West Lancashire Local Plan (which sets the housing requirements for West Lancashire for 2012-2027). If adopted in its current form, the housing requirement for West Lancashire for 2012-2017 will be 260 dwellings per annum, rising thereafter.	Y	Planning Services
NI 159 Supply of ready to develop housing sites	Annual	80.00%	80.00%	105%	105%	Targets based on the emerging Local Plan (which sets the housing requirements for West Lancashire for 2012-2027). It is a National Policy requirement that there be a five-year-plus-5% supply of housing land once the new Local Plan is adopted. Hence for 2013/14 onwards, the supply of ready-to-develop housing sites target is 105%.	Y	Planning Services
NI 155 Number of affordable homes delivered (gross)	Annual	36	60	30	50	Affordable housing development requires at minimum 18-24 month lead in times for developments to come to fruition. The targets provided for 13/14 and 14/15 are based upon possible affordable housing contributions from Section 106 sites and 100% affordable housing schemes. The outturn for 12/13 will exceed the target of 60.	Y	Housing & Regeneration: Regeneration
NI 152 Working age people on out of work benefits	Annual	12%	12.00%	Data only	Data only	A useful indicator to understand the percentage of working people on out of work benefits, however outturn is beyond the control of the Council, therefore data only.	Y	Housing & Regeneration: Regeneration

PI Code & Short Name	Reported	2011/12 Outturn	2012/13 Annual Target	2013/14 Annual Target	2014/15 Annual Target	Latest Notes	Change to 2012/13	Responsible Service
<b>Caring for our Borough by delivering the small improvements that can make a big difference</b>								
NI 195a Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Litter	QPI /Annual	1.61%	1.61%	1.61%	1.61%			Street Scene
NI 195b Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Detritus	QPI /Annual	7.33%	7.33%	7.33%	7.33%			Street Scene
NI 195c Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Graffiti	QPI /Annual	1.11%	1.11%	1.11%	1.11%			Street Scene
NI 195d Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Fly-posting	QPI /Annual	0.00%	0.00%	0.00%	0.00%			Street Scene
WL01 No. bins missed per 100,000 collections	QPI /Annual	81.64	81.64	70	70	Reducing target whilst taking into account change of rounds and bedding in period.	Y	Street Scene
WL06 Average time taken to remove fly tips (days)	QPI /Annual	1.09	1.09	1.09	1.09			Street Scene
CIT01 % feel West Lancs is safe & secure to live	Annual	76%	76%	70%	70%	Although there has been an increase in CCTV, reports of reductions in police officers etc, will impact on how people respond to this question.	Y	Street Scene
CIT02 % satisfied with cleanliness of streets	Annual	67.00%	67.00%	67.00%	67.00%			Street Scene
CIT05 % satisfied with local area as a place to live	Annual	89%	89%	89%	89%			Corporate Services: Transformation
CIT04 Local authority tenants' satisfaction with landlord services - NI160	Annual (Bi-ennial survey)	not carried out	89.00%	not carried out	89.00%	Biennial survey so no target for 2013/14. Tenants will review target for 2014/15 next year		Housing & Regeneration: Housing
HS14-NI158 % non-decent council homes	Annual	0.90%	1.00%	0.50%	0.50%	Target for 2014/15 will be reviewed by tenants next year	Y	Housing & Regeneration: Housing
<b>Services</b>								
<b>Street Scene</b>								
CIT12 % of people satisfied with household collections for domestic waste	Annual	79%	79%	79%	79%			Street Scene
CIT13 % of people satisfied with household collections for recyclable materials	Annual	77%	77%	77%	77%			Street Scene
NI 191 Residual household waste per household (Kg)	QPI /Annual	493.91	493.91	493.91	493.91			Street Scene
NI 192 Percentage of household waste sent for reuse, recycling and composting	QPI /Annual	47.58%	47.58%	47.58%	47.58%			Street Scene

PI Code & Short Name	Reported	2011/12 Outturn	2012/13 Annual Target	2013/14 Annual Target	2014/15 Annual Target	Latest Notes	Change to 2012/13	Responsible Service
<b>Community Services</b>								
WL18 Use of leisure and cultural facilities (swims and visits)	QPI/Annual	1,182,039	1,182,039	1,095,000	1,095,000	Reduction due to the closure of Skelmersdale Sport Centre.	Y	Community Services
CIT06 % satisfied with sports/leisure facilities	Annual	46.00%	46.00%	46.00%	46.00%			Community Services
CIT07 % satisfied with parks and open spaces	Annual	65.00%	65.00%	65.00%	65.00%			Community Services
WL08a Number of Crime Incidents	QPI/Annual	6,076	6,076	6,076	6,076			Community Services
<b>Planning</b>								
NI 157a Processing of planning applications: Major applications	QPI/Annual	40.00%	65.00%	65.00%	65.00%			Planning Services
NI 157b Processing of planning applications: Minor applications	QPI/Annual	81.15%	75.00%	75.00%	75.00%			Planning Services
NI 157c Processing of planning applications: Other applications	QPI/Annual	94.88%	85.00%	85.00%	85.00%			Planning Services
WL24 % Building regulations applications determined within 5 weeks	QPI/Annual	77.71%	70.00%	70.00%	70%			Planning Services
<b>Housing</b>								
HS1-WL111 % Housing repairs completed in timescale	QPI/Annual	86.84%	95.00%	95.50%	TBC. Targets reviewed annually by tenants.	Improvement of 0.50%. Integration of new appointments system may need bedding in with all contractors. This target has been approved by tenants.	Y	Housing & Regeneration: Housing
HS13-WL114 % LA properties with CP12 outstanding [Lower is Better]	QPI/Annual	0.07%	0%	0%	TBC. Targets reviewed annually by tenants.	Legal requirement for all eligible properties to have CP12 certificate each year. This target has been approved by tenants.		Housing & Regeneration: Housing
TS24b-BV212 SP Average time taken to re-let local authority housing (days) - SUPPORTED NEEDS	QPI/Annual	N/A	45	45	TBC. Targets reviewed annually by tenants.	Based on current performance. This target has been approved by tenants.		Housing & Regeneration: Housing
TS24a-BV212 GN Average time taken to re-let local authority housing (days) - GENERAL NEEDS	QPI/Annual	N/A	17.5	22	TBC. Targets reviewed annually by tenants.	Target increased for 2013/14, as a number of voids are currently on hold, if some of these were to be released once budget issues resolved it will have a negative impact on performance. The impact of welfare reform has also been factored in, as the likely decrease in demand for larger properties will effect relet performance. Over the last 12 months 14% of HomeFinder adverts have been made available to applicants who would under-occupy. This target has been approved by tenants.	Y	Housing & Regeneration: Housing

PI Code & Short Name	Reported	2011/12 Outturn	2012/13 Annual Target	2013/14 Annual Target	2014/15 Annual Target	Latest Notes	Change to 2012/13	Responsible Service
<b>Transformation</b>								
WL90 % of Contact Centre calls answered	QPI/Annual	90.60%	90.60%	90.60%	90.60%			Corporate Services: Transformation
WL108 Average waiting time for callers to the contact centre (seconds)	QPI/Annual	26.25	26.25	26.25	26.25			Corporate Services: Transformation
WL19b(ii) % Direct Dial calls answered within 10 seconds	QPI/Annual	82.21	82.21	82.21	82.21			Corporate Services: Transformation
CIT14 % of residents satisfied with how the council keeps them informed	Annual	47%	47%	47%	47%			Corporate Services: Transformation
BV12 Working Days Lost Due to Sickness Absence	QPI/Annual	8.4	8.08	8.08	8.08			Corporate Services: Transformation
BV8 % invoices paid on time	QPI/Annual	98.24%	98.24%	98.24%	98.24%	Largely dependent on processes/actions of WLBC staff. OCL monitors, but non-contractual. WLBC determines target.		Corporate Services: Transformation
<b>OCL</b>								
OCL-ICT1 Severe Business Disruption (Priority 1)	QPI/Annual	100.00%	99.00%	tbc	tbc	OCL contractual PI. Target set via contract process.	tbc	Corporate Services: Transformation
OCL-ICT2 Minor Business Disruption (P3)	QPI/Annual	96.73%	95%	tbc	tbc	OCL contractual PI. Target set via contract process.	tbc	Corporate Services: Transformation
OCL-B2 Overpayment Recovery of Housing Benefit overpayments (payments received)	QPI/Annual	£186,936.00	£170,000.00	tbc	tbc	OCL contractual PI. Target set via contract process.	tbc	Corporate Services: Transformation
OCL-R1 Sundry Debtors (cash collected and write offs)	QPI/Annual	7,582,641	5,768,616	tbc	tbc	OCL contractual PI. Target set via contract process.	tbc	Corporate Services: Transformation
OCL-NI181 Time taken to process benefits	QPI/Annual	8.77	12 days	tbc	tbc	OCL contractual PI. Target set via contract process.	tbc	Corporate Services: Transformation

Reporting PIs dependent on collection mechanisms remaining.

#### APPENDIX B: TO DELETE FROM THE CORPORATE SUITE

PI Code & Short Name	Reported	Note	Change to 2012/13	Responsible Service
NI 151 Overall Employment rate (working-age)	QPI /Annual	Although work supports this indicator through economic regeneration activity, the Council has limited influence and the outturn is therefore largely beyond the control of the Council. Data remains available via the Office for National Statistics on <a href="http://www.nomisweb.co.uk">www.nomisweb.co.uk</a>	To delete	Housing & Regeneration: Regeneration



**AGENDA ITEM: 10**

**CABINET: 19 March 2013**

**EXECUTIVE OVERVIEW &  
SCRUTINY COMMITTEE:  
04 April 2013**

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**Report of: Borough Treasurer**

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

**Relevant Portfolio Holders: Councillor D Westley and Councillor A Owens**

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

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**SUBJECT: CAPITAL PROGRAMME MONITORING**

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Wards affected: Borough wide

**1.0 PURPOSE OF REPORT**

1.1 To update Members on the current position in respect of the 2012/2013 Capital Programme.

**2.0 RECOMMENDATIONS TO CABINET**

- 2.1 That the current position in respect of the 2012/2013 Capital Programme be noted.
- 2.2 That Call In is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 4<sup>th</sup> April 2013.

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

3.1 That Members note the current position in respect of the 2012/2013 Capital Programme.

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**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 £13.362m for 2012/2013 was agreed by Members in December 2012. Council subsequently approved the new Medium Term Programme for 2013/2014 to

2015/2016 on 27th February 2013, but due to the timing of this report, any changes have not been incorporated into this report.

## 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 a tendering process and award contracts at the start of the scheme. Some schemes are dependent 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 £8.078m (60%) of expenditure having been incurred by the end of January. This compares favourably to recent programmes as indicated in Table 1:

Year	Expenditure £m	Budget £m	% Spend against Budget
2012/2013	8.078	13.362	60%
2011/2012	5.823	12.341	47%
2010/2011	5.084	11.013	46%

- 5.3 The current expenditure is significantly higher than at the same point in previous years. This is due in the main to the Flood Alleviation Schemes which have been largely completed this year along with the Housing Public Sector Windows and Door Replacement Programme.
- 5.4 Appendix A shows a breakdown by Service of expenditure and approvals whilst Appendix B provides comments from the Heads of Services on the progress of schemes against the Programme. Housing Public Sector schemes represent 68% 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 1 plot of land sold. Since then, sales have increased significantly. At the end of January a further 13 RTB sales have been achieved along with 2 further land sales. The useable receipts generated are analysed in Table 2:

Year	Estimate £'000	Actual £'000	% Received against Budget
Right to Buy Sales	175	250	142%
Land Sales	50	105	210%
Total	225	355	158%

- 6.5 The estimate for the year is based on historical averages as the actual pattern of sales is volatile. The Government changed the rules relating to Right to Buy sales earlier in the year by increasing the discount cap to £75,000 (from £26,000). Although this has meant that the average receipt from each sale has reduced, it has led to an increase in sales following a slow start. Officers are also progressing land sales in line with the Asset Management Strategy with further sales in the offing.
- 6.6 The upturn in capital receipts being generated is a positive sign after a number of years. This is partly due to the changes in Right to Buy discounts but also reflects the opportunities being created by the Strategic Asset Management Plan process.

## **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



**2012/2013 CAPITAL PROGRAMME**  
**EXPENDITURE AND RESOURCES BUDGET**  
**AS AT JANUARY 2013**

Service	Budget Approval	Actual		Variance	
	£'000	£'000	%	£'000	%
<b>EXPENDITURE</b>					
Housing and Regeneration					
Public Sector Housing	9,058	5,436	60%	3,622	40%
Housing Strategy	150	0	0%	150	100%
Property Management	392	199	51%	193	49%
Community Services					
Private Sector Housing	882	516	58%	366	42%
Other Community Services	2,548	1,843	72%	705	28%
Planning	60	36	60%	24	40%
Corporate Services	273	49	18%	224	82%
	<b>13,362</b>	<b>8,078</b>	<b>60%</b>	<b>5,285</b>	<b>40%</b>
<b>RESOURCES</b>					
Capital Grants	2,051				
HRA Financing	9,059				
GRA	307				
Capital Receipts	1,945				
	<b>13,362</b>				



**CAPITAL PROGRAMME 2012/2013**  
**HEADS OF SERVICE COMMENTS**  
**AS AT JANUARY**

**Public Sector Housing**

The Windows and Doors Programme is on target for completion this financial year.

Current levels of Occupational Therapy Disabled Adaptations referrals have unexpectedly risen and may incur a slight overspend. However, this will be offset by managed underspends elsewhere within the Fixtures and Fittings budget.

The vast majority of the Energy Efficiency heating contracts will be completed within year. The Oakgate Close Biomass and Holland Moor/Little Digmaor Boiler contracts, however, will slightly overrun and will complete mid-April.

The Binstores scheme has been delayed due to planning permission issues and will now complete within the new financial year.

There has been a late start on site on Environmental Improvements due to delays encountered with external architects/tenants proposing preferred schemes for investment.

All General Sheltered Upgrade schemes are expected to complete within the year. Refurbishment of Bath Springs Court and Oakgate Close are, however, likely to overspend in the region of £100,000. This will be offset by managed savings within the Communal Area Improvements Budget.

Professional Fees are on-going as the Capital Programme develops and are expected to outturn in the region of 80% of their approval. Any balance will be slipped.

The Structural Works approval is a demand driven programme. The Appley Bridge External Rendering Contract has been delayed due to adverse weather and will now complete in the new financial year.

Communal Area Improvements is demand led and the current underspend will be used to offset projected overspends within the Sheltered Upgrades budget.

The Capital Repairs Contingency will be used for enhancement works to voids and response enhancements and is only identified as the Programme progresses.

**CAPITAL PROGRAMME 2012/2013**  
**HEADS OF SERVICE COMMENTS**  
**AS AT JANUARY**

<b>Housing Strategy</b>
<p>An Affordable Housing Development Project which will support the development of up to 32 affordable homes in the borough is being explored. The scheme has the potential to generate New Homes Bonus income of up to £245,000. Current timescales are 2013/14 and it is likely that this budget will be slipped into the new financial year.</p>
<b>Property Management</b>
<p>Corporate Property has a number of larger schemes, such as Home Care Link Relocation, to implement. Most projects are progressing well and should be completed by the 31st March 2013. However, there is expected to be slippage of around £80,000 due to the delay in demolishing Westec House (which is now expected to commence in early April) and delays in a number of smaller projects.</p>
<b>Corporate Services</b>
<p>Progress made on delivering Parish Capital Schemes rests with individual Parishes and is not within the direct control of the Borough Council.</p> <p>The ICT Infrastructure budget will be utilised to fund the costs associated with the transfer of ICT related equipment due to the demolition of Westec House along with agreed contract payments to Lancashire County Council/One Connect Ltd.</p> <p>The on-going Organisational Re-Engineering exercises in Housing and Environmental Health will mean that all related funding on the Electronic Document Management System will be spent by the end of the Financial Year.</p> <p>The Capital Development Programme is set up to fund various projects, including, Web Improvements, Wireless Network, and set up costs for the Managed Payroll System, which are progressing.</p>

**CAPITAL PROGRAMME 2012/2013**  
**HEADS OF SERVICE COMMENTS**  
**AS AT JANUARY**

**Community Services - Private Sector Housing**

Approvals for Renovation Grants and Disabled Facilities Grants are likely to be fully committed by the end of the year.

Sale completion for the Clearance Programme Lime Court scheme has been agreed for September 2013 and approvals will be slipped.

A Service Level Agreement is currently being drawn up for the Empty Homes Initiative which was due to go live in February. The Council's partner will then subsequently draw down funding as the scheme progresses into the new financial year.

**Other Community Services**

The Leisure Trust funding is part of an on-going agreement and will be spent as planned. Funding on the Environmental Health Computer system is due to be spent in the near future.

Building works for the CCTV Suite Relocation and camera replacements and upgrades are progressing well.

The Play Area Improvements Budget is an ongoing Capital Programme and two potential schemes that are under discussions with residents will need to be slipped into the new financial year. New schemes using recently approved section 106 monies will be completed after the financial year end and will need to be slipped apart from Pickles Drive which is complete.

Flood Alleviation schemes at Calico Brook and Dock Brook are complete apart from remedial works and retentions that will slip into the new financial year.

Works are progressing on the Wigan Road Site and are scheduled for completion before the end of the financial year.

**CAPITAL PROGRAMME 2012/2013**  
**HEADS OF SERVICE COMMENTS**  
**AS AT JANUARY**

**Planning**

The remaining approval for the Skelmersdale Town Centre/Skelmersdale Vision Project is a contingency for environmental improvements following the acquisition of land and will be slipped into the new financial year.

The remaining Planning schemes are demand led. The Free Tree Scheme has ended for the current year and the remaining approvals will be slipped into next year. The Conservation Area Enhancement grants are progressing and any unused approvals will be slipped along with the Buildings at Risk unused approvals.



## **AGENDA ITEM: 11**

**CABINET: 19<sup>th</sup> March 2013**

**EXECUTIVE OVERVIEW AND  
SCRUTINY: 4<sup>th</sup> April 2013**

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**Report of: Borough Treasurer**

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

**Relevant Portfolio Holders: Councillors D Westley & A Owens**

**Contact for further information: Marc Taylor (Extn. 5092)  
(E-mail: [Marc.Taylor@westlancs.gov.uk](mailto:Marc.Taylor@westlancs.gov.uk))**

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**SUBJECT: REVENUE BUDGET MONITORING**

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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 noted including the position on reserves and balances.

2.2 That call in is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 4<sup>th</sup> April 2013.

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

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

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## **4.0 BACKGROUND**

- 4.1 In February 2012 the Council approved budgets for the Housing and General Revenue Accounts for the 2012-2013 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 2013.

## **5.0 GENERAL REVENUE ACCOUNT**

- 5.1 The Council has set a revenue budget of £13.588m for the financial year. The mid-year monitoring report projected an overall favourable variance of £540,000 or 4.0% on the budget. At its meeting in December, Council then agreed to use £328,000 of this favourable variance to fund capital schemes for Sandy Lane in Skelmersdale and Moor Street in Ormskirk. Consequently the balance of the projected variance remaining was then £212,000.
- 5.2 The latest third quarter monitoring figures show an improvement of £108,000 on this position, and forecast an updated favourable variance of £320,000 or 2.4% of the budget. The Appendix to this report provides further details on the performance of individual service areas.
- 5.3 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.
- 5.4 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 £1.9m through Major Service Reviews and Shared Service Initiatives. Excellent progress has been made in delivering these schemes and as a consequence this budget target will be achieved. This includes achieving a £500,000 saving on Revenues, Benefits and IT Services through a shared service arrangement with Lancashire County Council and One Connect Ltd.
- 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 should be achieved by the year end.
- 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, while under pressure, are performing close to budget in most areas.



- 5.7 There are a number of services where income is currently performing below the budget target including Building Control, Car Parks, and Treasury Management. However these variances are not significant in the context of the Council's overall financial position. There are also a number of areas where income is performing well above the budget target including the Commercial Property Portfolio and Planning application fees. Consequently in overall terms external income levels are currently satisfactory.
- 5.8 The Major Service Review report agreed by Council in October 2012 contained just under £300,000 of budget streamlining or tightening savings that have been incorporated into the budget for 2013-14. These proposals are based on budgets that will under spend in the current year and can be removed next year with minimal service implications. Consequently a significant element of the current year's favourable budget variance has already been taken into account in setting next year's budget.
- 5.9 A number of spending and income pressures have been identified in the current year, which are expected to persist into the next financial year. These areas have been reviewed during the budget process for 2013-14, and budget targets adjusted to reflect anticipated future cost and income levels.

## **6.0 HOUSING REVENUE ACCOUNT (HRA)**

- 6.1 The introduction of the new HRA self financing system this year has led to a significant increase in activity and a restructuring of budgets, including the delivery of a capital programme that is almost double its previous size. As a consequence there is scope for greater variation from budget and the financial position is being closely monitored to control this situation. Given these challenges, the latest financial position is positive as it identifies that the overall budget target will be achieved. Within this overall position there are a number of spending pressures, however these are being offset by savings in other areas.
- 6.2 There will be an overspend on interest costs this year as a result of interest rates rising between when the draft budgets were drawn up (in November/December 2011) and when the borrowing for self financing took place at the end of March 2012. The Council was still however able to borrow at very favourable rates, and took out a package of loans at a fixed average interest rate of 3.47% with a duration of between 15 and 50 years.
- 6.3 There will be an adverse variance on response repairs and void repairs this year, which repeats the previous year's pattern. Spending in these areas is largely demand led which can make it difficult to control expenditure and budgets for 2013/14 have been adjusted accordingly. However spending on disabled adaptations, which is also demand led, will be significantly below budget in the current year.
- 6.4 The HRA budget sets a target to generate £23.932m of income from rents, fees and charges. Income performance in the year to date has been positive and this target will be exceeded at the year end.

6.5 The active management of staffing levels will ensure that there is a significant favourable budget variance on employee costs this year. Similarly the management of supplies and services and premises costs will also deliver a considerable saving against budget.

6.6 When all of these factors are put together, current projections show that the HRA should achieve its bottom line budget target.

## **7.0 RESERVES AND BALANCES**

7.1 The Council is facing a difficult medium term financial position as are all other local authorities. This area has recently been reviewed when the Council agreed its reserves policy as part of the Budget Setting report for 2013/14. Consequently the GRA continues to have an adequate level of reserves in place which should enable it to deal with its financial challenges effectively.

## **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.

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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**

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	4,712	-125	-2.7%
Corporate Services			
- Borough Solicitor	1,255	-80	-6.4%
- Borough Treasurer	1,210	-110	-9.1%
- Transformation Manager	1,566	-105	-6.7%
Housing and Regeneration	358	-225	See note
Planning Services	1,709	-150	-8.8%
Street Scene	5,039	-195	-3.9%
Central Budget Items	-1,057	284	See note
Non Service Items	-1,204	58	4.8%
Contributions to capital agreed in mid year review		328	Para 5.1
<b>TOTAL BUDGET REQUIREMENT</b>	<b>13,588</b>	<b>-320</b>	<b>-2.4%</b>

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 £13.588m.

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 £125,000

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

Car park income is below target with an anticipated adverse variance at the year end. The shortfall is mainly as a result of less income being generated at the Derby Street site than was originally anticipated. Income from fines is anticipated to be in excess of budget and this will offset some of the shortfall from car park charges. Income from

regular stallholders on Ormskirk Market has also been below the budget target. However there are a range of savings on supplies and services expenditure, which is within the direct control of the Council, that help to make up the overall favourable budget position.

#### Borough Solicitor – Favourable variance £80,000

Income from Local Searches is currently performing in line with the budget target. There has been a substantial amount of Legal Costs recovered mainly in respect of an ex-gratia payment from the Planning Inspectorate. There are also a number of minor savings being made on a range of budget headings, which when combined will ensure that the service has an overall favourable variance.

#### Borough Treasurer – Favourable variance £110,000

A significant saving on external audit fees is anticipated this year as a result of the new contract with Grant Thornton, and there will also be a large saving on historic pension costs. Both of these factors have been reflected in next year's budgets. Elsewhere staffing and other budgets are being effectively controlled which should result in an overall favourable variance being delivered over the course of the year.

#### Transformation Manager – Favourable variance £105,000

The new shared service arrangement with the County Council and One Connect Limited for Revenues, Benefits and IT Services is performing on budget, which means that the anticipated savings of £500,000 per annum are being delivered. The new shared service arrangement with Wigan Council for payroll services will also deliver additional savings this year.

There is a favourable budget variance on salary costs across the Service resulting from the active management of staffing levels. There are also a range of minor savings on other budget headings that have contributed to the overall positive financial performance.

#### Housing and Regeneration – Favourable variance £225,000

Income levels for the Commercial Assets Portfolio are holding up well despite the poor economic climate and will outturn above budgetary targets. Empty rates liability is also being managed in line with target expenditure budgets.

Within the Investment centre ring fenced account, a range of initiatives have been implemented to address the financial deficit. Financial performance has improved in the second half of the year with an increase in conference bookings. This will result in an improved outturn position and builds on the cost control measures that have already been introduced.

Property costs have been closely monitored in conjunction with service managers to ensure their effective management. Overall Property Services is expected to deliver a favourable budget variance as a result of a combination of factors including repairs and maintenance and utility savings.

When all of these factors are put together and combined with a number of staff savings, the overall position is that a favourable variance will be achieved.

#### Planning Services – Favourable variance £150,000

There is a significant adverse variance on Building Control income, as a result of the state of the economy and due to factors that are outside the Council's control. Although this position is mitigated by survey works carried out for a Housing contract, this will be less than anticipated in the current year as some of the works will now take place after April. Pre-application income, however, is running well above its budget target as is Development Control income. Taken together it is expected that there will be an overall small favourable variance on income.

There are also managed savings on staffing and supplies and services, and this means that the Service will achieve an overall favourable variance.

#### Street Scene – Favourable variance £195,000

The service has been closely monitoring the large scale MSR savings of around £800,000 that have been implemented this year, and whilst this has been a large task, it has been achieved successfully.

Due to the delayed implementation of the transport contract, new vehicles have not been introduced as quickly as planned. This has meant that some operational changes have not been implemented, resulting in an increase in agency and overtime costs, but funding for these items was agreed by Council in July 2012. Trade refuse waste disposal costs have increased and this will produce an adverse variance this year. However this issue will be addressed through the pricing structure that will be implemented next year.

Overall it is estimated that the service will under spend in the region of £195,000. The largest single reason for the favourable variance is budget streamlining savings that have already been incorporated into next year's budget.

#### Central Budget and Non Service 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.