

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		
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 because it affects my financial position or the financial position of a connected person or, a body described in 10.1(1)(i) and (ii) and 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 a connected person or, a body described in 10.1(1)(i) and (ii) and 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>
5.	A Standards Committee dispensation applies (relevant lines in the budget – Dispensation 20/2/13 – 19/2/17)	<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.

EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

HELD: 17 JULY 2014

Start: 7.30pm

Finish: 8.40pm

PRESENT: Councillor O'Toole (Chairman for the meeting)

Councillors: Mrs Atherley Kay
Ashcroft McKay
S Bailey Moran
Delaney Oliver
Devine Owens
Furey Pendleton
J Hodson Pope
Jones

Officers: Assistant Director Housing and Regeneration (Mr B Livermore)
Assistant Strategic Planning & Implementation Manager
(Ms G Whitfield)
Assistant Solicitor (Mr M Hynes)
Principal Overview and Scrutiny Officer (Mrs C A Jackson)

In attendance: Councillor D Westley (Leader of the Council)

1. APPOINTMENT OF CHAIRMAN

In the absence of the Chairman appointed by the Council and the Vice Chairman vacancy, in accordance with Rule 6(c) of the Overview and Scrutiny Committee Procedure Rule, a Chairman for the meeting, chosen from those members present at the meeting, was appointed.

Two nominations were put forward, Councillors O'Toole and Pendleton. Following the vote it was:

RESOLVED: That Councillor O'Toole be appointed as Chairman for the meeting.

(Note: Councillor Moran was not present during consideration of this item.)

2. APOLOGIES

Apologies for late arrival were submitted by Councillor Moran.

3. MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 2, Members noted the termination of membership of Councillors Bell, Blane, Gagen, Savage and Wilkie and the appointment Councillors Devine, Pope, McKay, Hodson and Delaney, for this meeting only, thereby giving effect of the wishes of the Political Groups.

4. URGENT BUSINESS

There were no items of urgent business.

5. DECLARATIONS OF INTEREST

There were no declarations of interest.

6. DECLARATIONS OF PARTY WHIP

There were no declarations of Party Whip.

7. MINUTES

RESOLVED: That the minutes of the meeting held on 3 April 2014 be received as a correct record and signed by the Chairman of the meeting.

8. RELEVANT MINUTES OF CABINET

Consideration was given to the minutes of the Cabinet held on 16 April and 1 July 2014 respectively.

9. CABINET MINUTES - 16 APRIL 2014

Questions and comments were received in respect of the following items:

Minute 106 (Acquisition of Property on Firbeck Estate, Skelmersdale) – proposed improvements.

RESOLVED: That the minutes of the Cabinet held on 16 April 2014 be noted.

10. CABINET MINUTES - 1 JULY 2014

Questions and comments were raised in respect of the following items:

Minute 9 (Use of 106 Monies in Ormskirk) – consultation process (public / Ward Members); future allocation of monies.

Minute 13 (Adoption of Development Briefs for Housing Sites at Grove Farm, Ormskirk and Firwood Road, Lathom/Skelmersdale) – clarification of process related to the inclusion of the agreed comments of the Planning Committee.

Minute 15 (Council Land at Whitemoss, Skelmersdale) – steps being taken in relation to this matter.

The Leader of the Council (Cllr Westley), who was in attendance, with the permission of the Chairman of the meeting, spoke on the item 'Use of 106 Monies in Ormskirk'.

RESOLVED: That the minutes of the Cabinet meeting held on 1 July 2014 be noted.

11. CALL IN ITEMS

There were no items under this heading.

12. ADOPTION OF DEVELOPMENT BRIEFS FOR HOUSING SITES AT GROVE FARM ORMSKIRK AND FIRSWOOD ROAD LATHOM / SKELMERSDALE

Consideration was given to the report of the Assistant Director Planning, previously considered by the Planning Committee and Cabinet, that sought comments on the final Development Briefs for the allocated housing sites at Grove Farm, Ormskirk and Firswood Road, Lathom / Skelmersdale.

Members raised comments and questions in relation to:

- The detail and emphasis set down in each Development Brief.
- Consultation process.
- Firswood Road – access/egress proposals, structure of the road (bends; hump-back bridge); consultation with, views of LCC (as the Highway Authority); data relating to traffic flow and use; potential number of vehicles per household.

The Assistant Strategic Planning and Implementation Manager attended the meeting and responded to questions.

RESOLVED: That the agreed comments of the Executive Overview and Scrutiny, as set out below, be forwarded to the Assistant Director of Planning.

1. The Committee endorse the agreed comments of the Planning Committee, as set down at Appendix F, of the report, in relation to:

Grove Farm

- (i) That careful consideration be given to buffer zones to protect the amenity and safety of existing properties between new development and Linear Park boundaries.
- (ii) That the affordable housing/elderly unit percentages and crossover split be adhered to as closely as possible, as laid out at Appendix 1 of the Report on page 188, having taken the viability test into account.
- (iii) That the Linear Park be considered as a public asset which will provide a major contribution to public amenity and therefore should be given significant priority within any scheme submitted.
- (iv) That it is considered important that the site is assessed for compliance with habitats regulation assessments in order to ensure maximum ecological protection of habitats and wildlife.

Firswood Road

- (i) That careful consideration be given to buffer zones to protect the amenity and safety of existing properties between new development and Linear Park boundaries.
- (ii) That the eventual position and design layout of the Linear Park be optimised rather than compromised due to final site design layout between different landowners.

- (iii) That the affordable housing/elderly unit percentages and crossover split be adhered to as closely as possible, as laid out at Appendix 1 of the Report on page 205, having taken the viability test into account.
- (iv) That it is considered important the site is assessed for compliance with habitats regulation assessments in order to ensure maximum ecological protection of habitats and wildlife.
- (v) That the agreed road access/egress changes are implemented, although Members expressed concern about traffic flow numbers quoted by the Highways Authority.

2 In addition to the endorsement of the agreed comments, set out above, the Executive Overview and Scrutiny Committee add their strong concerns regarding the access onto Firwood Road and ask that Officers return to Lancashire County Council (as the Highways Authority) to seek further advice.

(Note: The Leader left the meeting during consideration of this item and was not present for the remaining items of business.)

13. OPEN SPACE AND RECREATION PROVISION IN NEW RESIDENTIAL DEVELOPMENT SUPPLEMENTARY PLANNING DOCUMENT

Consideration was given to the report of the Assistant Director Planning, previously considered by the Planning Committee and Cabinet, that gave details of the proposed changes to the Open Space and Recreation Provision in New Residential Developments Supplementary Planning Document.

In discussion comments and questions were raised in relation to:

- On-site public open space (developer’s retention of ownership) – robustness of legal position; maintenance.
- Provision of recreational and leisure facilities for community use.

The Assistant Strategic Planning and Implementation Manager attended the meeting, responded to questions and provided an overview of the ‘Open Space SPD’ that would form part of the planning policy framework against which planning applications are to be assessed.

RESOLVED: That the following, agreed comments, of the Executive Overview and Scrutiny Committee be forwarded to the Assistant Director Planning.

- (i) The Committee endorses the comment of the Planning Committee, as set down at Appendix D and the decision of Cabinet, as set down at Appendix E, of the report.
- (ii) The Committee expresses some concerns on the robustness of the legal procedure.

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Chairman

CABINET

HELD: 16 SEPTEMBER 2014

Start: 7.30pm

Finish: 8.00pm

PRESENT:

Councillor: D Westley (Leader of the Council, in the Chair)

Portfolio

Councillors:	P Greenall	Deputy Leader & Street Scene
	M Forshaw	Planning and Development
	D Griffiths	Town and Village Centres
	Mrs J Houlgrave	Housing and Transformation
	D Sudworth	Health, Leisure and Community Safety
	D Whittington	Resources

In attendance: Councillors Oliver and Pendleton
Councillors

In attendance: Director of Revenues & Benefits, BT Lancashire Services
(Mr J Unsworth)

Officers:

- Managing Director (People and Places) (Mrs G Rowe)
- Managing Director (Transformation) (Ms K Webber)
- Assistant Director Housing & Regeneration (Mr B Livermore)
- Assistant Director Community Services (Mr D Tilleray)
- Assistant Director Planning (Mr J Harrison)
- Borough Treasurer (Mr M Taylor)
- Borough Solicitor (Mr T Broderick)
- Transformation Manager (Mr S Walsh)
- Strategic Planning & Implementation Manager (Mr P Richards)
- Organisational Re-Engineering Manager (Ms K Warmington)
- Principal Member Services Officer (Mrs S Griffiths)

16. APOLOGIES

There were no apologies for absence.

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

There were no items of special urgency.

18. DECLARATIONS OF INTEREST

There were no declarations of interest.

19. MINUTES

RESOLVED That the minutes of the meeting of Cabinet held on 1 July 2014 be approved as a correct record and signed by the Leader.

Note

During reference to minute no. 15 of the above-mentioned meeting (Council land at Whitemoss), Councillor Sudworth declared a pecuniary interest and left the meeting. A company he does part-time work for provides services to Whitemoss, he knows the site owners and is also a member of the Whitemoss Community Fund Advisory Group.

20. HRA BORROWING - PILOT SCHEME - CABINET WORKING GROUP

The Leader introduced the report of the Borough Solicitor which outlined the resolution of Council on 23 July 2014 which sought the establishment of a Cabinet Working Group to investigate the feasibility of incorporating a pilot scheme using offsite manufactured low-carbon homes.

RESOLVED That the resolution of Council on 23 July 2014, detailed in paragraph 4.1 of the report, be noted and it be noted that, for the reasons stated in paragraph 5 of the report, the Leader has asked the Findon/Firbeck Cabinet Working Group to look into this matter as described.

21. MATTERS REQUIRING DECISIONS

Consideration was given to the reports relating to the following matters requiring decisions as contained on pages 309-788 of the book of reports.

22. STRATEGIC ASSET MANAGEMENT PROJECT

Councillor Westley 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 Rufford and Aughton Park Ward.

The report went on to advise on the updated consultation process and sought authorisation to appraise the assets within the remainder of the wards and to dispose of a site located at Gillibrands Industrial Estate, Skelmersdale.

The Assistant Director Housing and Regeneration circulated revised recommendations at the meeting.

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

- 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 Ward Mapping Delivery Plan as set out in Appendix C be adopted and used by officers to map the remainder of the wards in the Borough.
 - C. That the Member consultation process illustrated in Appendix D be noted.
 - D. That the Assistant Director Housing and Regeneration be authorised to dispose of the land between Garnett Place and Greetby Place, Skelmersdale, which is an opportunity site as shown in Appendix E.

23. RISK MANAGEMENT

Councillor Whittington 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
- That the progress made in relation to the management of the risks shown in the Key Risks Register (Appendix A) be noted and endorsed.

24. YEW TREE FARM DRAFT MASTERPLAN

Councillor Forshaw introduced the report of the Assistant Director Planning which provided an update on the progress of the Yew Tree Farm Masterplan Supplementary Planning Document (SPD) and recommended that the “draft” version of the document be approved for public consultation.

The Assistant Director Planning circulated revised recommendations and additional appendices (E & F).

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

- RESOLVED
- A. That the contents of the Yew Tree Farm Options Consultation Feedback Report set out at Appendix A of this report be noted.
 - B. That having had regard to the agreed comments of the Planning Committee (provided at Appendix C to the report) the Yew Tree Farm Draft Masterplan document (Appendix B to the report) be approved for public consultation from 9 October to 21 November 2014, subject to any amendments made by the Assistant Director Planning in consultation with the Portfolio Holder, following consideration of the Draft Masterplan Document by Executive Overview and Scrutiny Committee, as per recommendation C below
 - C. That the Assistant Director Planning, be authorised, in consultation with the Portfolio Holder, to make any necessary amendments to the Yew Tree Farm Draft Masterplan document, in the light of agreed comments from the Executive Overview and Scrutiny Committee, before the document is published for consultation.
 - D. That it be noted that Cabinet also had regard to the Sustainability Appraisal and Habitats Regulations Assessment provided as additional Appendices E and F in reaching their decision at B above, which will also be publicly available for comment as part of the consultation on the Yew Tree Farm Draft Masterplan document.
 - E. That call-in is not appropriate for this item as this report is being submitted to Executive Overview and Scrutiny Committee on 2 October 2014.

25. SKELMERSDALE & UP HOLLAND DEMAND RESPONSIVE TRANSPORT SYSTEM

Councillor Forshaw introduced the report of the Assistant Director Planning which provided an update upon the performance of the pilot demand responsive transport service since the implementation of revised membership criteria in January 2014.

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 success of the pilot scheme be noted and approval granted for the scheme to be continued.

- B. That delegated authority be granted to the Assistant Director Planning, in consultation with the Portfolio Holder for Planning & Development, to review and, if required, amend the terms and conditions of the scheme, including membership criteria and operational management.
- C. That the S106 money from the KRM (Pimbo) development continues to be used to support this service, with any further funding provided by the Walkers S106.

26. ORGANISATIONAL RE-ENGINEERING (LANDLORD SERVICES (VOIDS & ALLOCATIONS, ESTATE MANAGEMENT & RENT AND MONEY ADVICE) MANAGEMENT REPORT

Councillor Mrs. Houlgrave introduced the joint report of the Assistant Director Housing and Regeneration and Transformation Manager which presented the findings and recommendations for savings and service improvements contained within the Organisational Re-Engineering – Landlord Services Management Report and commented on project implementation staffing.

Minute no. 6 of the Landlord Services Committee (Cabinet Working Group) held on 11 September 2014 was circulated at the meeting.

In reaching the decision below, Cabinet considered the comments of Councillor Mrs. Houlgrave, the minute of the Landlord Services Committee (Cabinet Working Group) and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That the recommendations for current/further service improvements contained within the Management Report at Section 5.0 be approved.
 - B. That the Assistant Director of Housing and Regeneration and Transformation Manager be given delegated authority to take action in connection with implementing the recommendations at Section 5.0 contained within the Management Report, subject to additional resource requirements being agreed in the future and to further discussions on project staffing.

27. ANTI SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

Councillor Sudworth introduced the report of the Assistant Director Community Services which proposed an update of the Scheme of Delegation to Chief Officers in order to prepare the Council for the enactment of certain provisions of the Anti-Social Behaviour, Crime and Policing Act 2014 due to come into force on 20 October 2014.

Minute no. 7 of the Landlord Services Committee (Cabinet Working Group) held on 11 September 2014 together with updated recommendations of the Assistant Director Community Services were circulated at the meeting.

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

- RESOLVED
- A. That it be noted that the Leader will delegate authority as set out in Annex 1 to the report and the Scheme of Delegation will be updated accordingly, with effect from 20 October 2014
 - B. That the initial Community Remedy thresholds detailed at paragraph 4.16 of the report be approved.
 - C. That a report be provided to Members in 12 months as detailed in paragraph 5.4 of the report.

28. REGULATION OF INVESTIGATORY POWERS ACT - ANNUAL SETTING OF POLICY AND REVIEW OF USE OF POWERS

The Leader introduced the report of the Borough Solicitor which reviewed the policy for the Regulation of Investigatory Powers Act (RIPA) and the use of covert surveillance and communications data over the last 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 it be noted that for the period from the last annual report to date the Council has not authorised any relevant RIPA activity.
 - B. That the RIPA guide at Appendix 1 to the report be approved.

29. CAPITAL PROGRAMME OUTTURN 2013-2014

Councillor Whittington introduced the report of the Borough Treasurer which provided a summary of the capital outturn position for the 2013/2014 financial year.

Minute no. 8 of the Landlord Services Committee (Cabinet Working Group) held on 11 September 2014 was circulated at the meeting.

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

- RESOLVED
- A. That the final position, including slippage, on the Capital Programme for the 2013/2014 financial year be noted and endorsed.
 - 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 2 October 2014.

30. CAPITAL PROGRAMME MONITORING 2014/2015

Councillor Whittington introduced the report of the Borough Treasurer which provided an overview of the current progress on the Capital Programme.

Minute no. 9 of the Landlord Services Committee (Cabinet Working Group) held on 11 September 2014 was circulated at the meeting.

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

- RESOLVED
- A. That the progress on the Capital Programme as at the end of July 2014 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 2 October 2014.

31. CORPORATE PERFORMANCE INDICATORS Q1 2014-2015

Councillor Whittington introduced the report of the Transformation Manager which presented performance monitoring data for the quarter ended 30 June 2014.

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

- RESOLVED
- A. That the Council's performance against the indicator set for the quarter ended 30 June 2014 be noted.
 - B. That the targets for the Revenues & Benefits and ICT Services proposed via the shared services contractual process be endorsed.
 - C. That the call-in procedure is not appropriate for this item as the report is being submitted to the next meeting of the Corporate & Environmental Overview & Scrutiny Committee on 23 October 2014

32. UNIVERSAL CREDIT PARTNERSHIP DELIVERY AGREEMENT

Councillor Mrs Houlgrave introduced the joint report of the Assistant Director Housing and Regeneration and Transformation Manager which set out the details on the introduction of Universal Credit in West Lancashire together with the Council's supporting role in this regard.

Minute no. 10 of the Landlord Services Committee (Cabinet Working Group) held on 11 September 2014 was circulated at the meeting.

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

- RESOLVED
- A. That delegated authority be granted to the Transformation Manager to enter into a Delivery Partnership Agreement, and any subsequent agreements, with the Department of Work and Pensions (DWP) and other supporting third party organisations to support residents in West Lancashire who claim Universal Credit, including entering into all necessary documentation and obtaining all necessary consents.
 - B. That call-in is not appropriate for this item as this matter is one where urgent action is required because of the timescales involved.

33. FINANCIAL REGULATIONS

Councillor Whittington introduced the report of the Borough Treasurer which considered the revision and update of the Council's Financial Regulations within the Constitution.

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

- RESOLVED
- That the updated set of Financial Regulations attached at Appendix 1 be endorsed and the document reissued to all staff.

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LEADER



AGENDA ITEM: 9

**EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:
2 October 2014**

**CABINET:
11 November 2014**

Report of: Assistant Director Community Services

Relevant Managing Director: Managing Director (People and Places)

Relevant Portfolio Holder: Councillor David Sudworth

**Contact for further information: Mrs Laura Lea (Extn. 5196)
(E-mail: laura.lea@westlancs.gov.uk)**

SUBJECT: HOUSING RENEWAL ASSISTANCE POLICY REVIEW

Borough wide interest

1.0 PURPOSE OF THE REPORT

1.1 To set out the key features of the current Home Repair Assistance Grant (HRAG) capital scheme contained within the Housing Renewal Assistance Policy and to provide an updated policy for consideration.

2.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE

2.1 That the content of this report be considered and that agreed comments be referred to Cabinet.

3.0 RECOMMENDATIONS TO CABINET

3.1 That the revised Housing Renewal Assistance Policy attached as an Appendix to this report be approved.

3.2 That the Assistant Director Community Services, in consultation with the relevant Portfolio Holder, be given delegated authority to review and make future changes to the policy in light of any legislative or economic changes.

4.0 BACKGROUND

- 4.1 In September 2013, members of the Business Plan Working Group considered a report reviewing both the Disabled Facilities Grant (DFG) and Home Repair Assistance Grant schemes. A decision was made regarding future capital funding for the DFG scheme but Members subsequently deferred a decision on the HRAG scheme, requesting that the report be re-submitted in June 2014.
- 4.2 The HRAG capital scheme involves providing grants to eligible homeowners to assist them in bringing their home up to a decent standard.
- 4.3 The scheme has been in place for many years representing an ongoing capital scheme. The HRAG scheme is entirely funded from capital receipts (currently £100,000 per year).
- 4.4 Given the current difficult financial climate and the limited capital resources that are available it is now an appropriate time to review the £100,000 annual budget requirement for this scheme. It would be possible under accounting regulations to change the financing arrangements so that the scheme is funded from revenue rather than capital; however given that the revenue budget is also under pressure, this could be difficult to achieve in practice.

5.0 THE CURRENT HOME REPAIR ASSISTANCE GRANT CAPITAL SCHEME

- 5.1 The Council has a power, not a statutory duty, to provide Housing Renewal Assistance to private homeowners to assist them in bringing their homes up to a decent standard. Although homeowners are considered to be responsible for maintaining their homes, Central Government recognised that many vulnerable homeowners do not have the finances to do this leaving them living in poor conditions which is why Councils were given the power to provide such assistance.
- 5.2 Using these powers, the Council currently provides Home Repair Assistance Grants (HRAGs). To be eligible for a HRAG, the applicant must be aged over 18, own the property and be resident in the property or have a family member who is resident. The property must also be at least 10 years old and fail the decent home standard. In addition, there must also be a member of the household who is at least 60 years old, in full time education, or disabled and claiming one of the following qualifying benefits:
- Income support
 - Housing benefit
 - Child tax credit
 - Disability living allowance
 - Income based JSA
 - Industrial injuries disablement benefit
 - Guarantee pension credit
 - Working tax credit
 - Attendance allowance
 - War disablement pension

- 5.3 A HRAG can also be awarded (subject to the above eligibility criteria) to top up a disabled facilities grant (DFG). The maximum amount of funding that can be given for a DFG is £30,000. Where the adaptation works exceed £30,000, a HRAG can be considered to meet any cost above this. The grant cannot be applied for where it is to cover the applicants assessed contribution towards the adaptation works.
- 5.4 The current policy states that the maximum grant amount that can be awarded is £2,500, however, the policy allows for VAT, fees and unforeseen work to be added, so it is possible for the amount of grant to exceed the £2,500 maximum, especially where it is being used to top up a DFG.
- 5.5 Further grants can be applied for, providing it is not for the same repair issue. This means that a homeowner could apply for a grant to repair the roof then apply for another grant to replace the windows.
- 5.6 The HRAG is repayable on a sliding scale if the property is sold within 10 years of the work being completed. The repayment terms are as follows:

Year of sale	% repayable
Up to 12 months	100
1-4	75
5-9	50
10+	0

6.0 THE HRAG SCHEME – EXPENDITURE AND FUNDING

- 6.1 Details of HRAG expenditure over the last 3 years is shown below:

Year	Expenditure £000
2013-14	70
2012-13	124
2011-12	149

- 6.2 This pattern of spending is variable in each year but works out at just over £100,000 per year on average, which is broadly in line with the current annual budget.

7.0 AGENCY SERVICE

- 7.1 All applicants applying for assistance are offered the Agency Service. The service deals with the application from beginning to end including drawing up schedules of work, obtaining quotes from contractors, arranging for plans to be drawn up, applying for planning permission or building notices, supervising the contractors on site, signing off works and paying the contractor on completion.
- 7.2 A fee of 10% of the total grant amount is charged for this service (subject to a minimum charge of £100).

8.0 FUTURE DIRECTION

- 8.1 In reviewing the current scheme, it became clear that changes were required to ensure its future viability.
- 8.2 As the scheme is discretionary in nature, closing the scheme was considered. Whilst this would achieve a capital saving it would mean a reduction in the revenue income generated by the Agency Service. This revenue income supports the work of the Private Sector Housing Team.
- 8.3 Under s.3 of the Housing Act 2004, the Council has a duty to keep the condition of private sector housing stock in the borough under review with a view to identifying any action that may need to be taken to make improvements. In order to meet this requirement, the Council carries out a private sector house condition survey every 5 years. The survey covers issues such as fuel poverty, energy efficiency, the presence of category 1 hazards under the Housing Health & Safety Rating System, future demand for disabled adaptations etc. The results of the survey inform future work programmes and the data is also used to attract external funding. The aim is to see an improvement in energy efficiency and standards each time the survey is repeated. Closing the HRAG scheme would leave vulnerable home owners without any access to funding to help them maintain their home to a decent standard. This would have an impact on the results of future surveys.
- 8.4 Adopting the revised policy would ensure the scheme operates fairly and more efficiently and would help maintain the current levels of revenue income generated whilst helping the Council to meet its aim of ensuring residents live in decent homes.
- 8.5 Provision of HRAGs across neighbouring authorities varies. Preston City Council offers a grant of £5,000 which only covers repair work. Chorley Borough Council offers a grant of £3,000 plus VAT whilst South Ribble Borough Council offers a fixed amount of £1,000 towards the cost of any work.
- 8.6 The proposed revised policy is outlined at Appendix 1 to this report. A summary of the changes is attached at Appendix 2.

9.0 CONSULTATION

- 9.1 The draft Housing Renewal Assistance Policy 2015 was listed on the Consultation page of the Council's website. Stakeholders, colleagues in neighbouring authorities and members of the public were encouraged to comment.
- 9.2 The closing date for comments was 5th September 2014. No comments were received.

10.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 10.1 If the HRAG scheme is retained it will link to the Improved Health for All objective of the Sustainable Community Strategy as improving the standard of a vulnerable persons home helps towards an improvement in their overall health and well-being.

11.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 11.1 If the decision is made to withdraw the scheme completely, a capital saving of £100,000 will be achieved. However, there will be a loss of revenue income as there will be no income generated from the Agency Service. This will reduce the overall revenue budget available to support the Private Sector Housing Team.
- 11.2 The withdrawal of the scheme would also mean the loss of 0.2 of a post within the Private Sector Housing Team. Usually the reduction in staffing hours would achieve a revenue saving however such a small reduction in hours will still leave a revenue deficit.
- 11.3 If the scheme is retained with the amended policy being adopted, a reduction in capital spend could be achieved.
- 11.4 If Members wish to change the funding for this scheme from capital receipts to revenue then this would be a feasible option. This would however increase the size of the revenue budget gap for 2015-16 and consequently additional savings over and above those already identified would need to be made.

12.0 RISK ASSESSMENT

- 12.1 The Council is not under any legal duty to offer a HRAG scheme however should the decision be to withdraw the scheme; there is a risk that the number of vulnerable owner occupied households living in non-decent homes will increase.

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

Appendices

1. Housing Renewal Assistance Policy 2015
2. Summary of Changes
3. Equality Impact Assessment



Housing Renewal Assistance Policy 2015

(Final Draft for Consultation)

Consultation Closing Date 5th September 2014

DRAFT

1.0 INTRODUCTION TO THE POLICY

- 1.1 This document outlines West Lancashire Borough Council's policy in relation to the provision of information, advice and support to homeowners, private tenants and private landlords regarding the repair, improvement and adaptation of their property and takes into account current legislation and guidance.
- 1.2 West Lancashire Borough Council will assist private residents in the borough to make informed choices and find their own solutions to enable them to live within thriving communities, in affordable homes which are safe, secure, warm and in good repair. In particular the Council will provide direct assistance with help from our partners to enable vulnerable residents to live in decent homes.
- 1.3 West Lancashire Borough Council takes the view that it is primarily the responsibility of home owners to maintain and improve their own property. However, the Council is committed to improving housing quality across all tenures including owner occupation and private renting. In addition, it is acknowledged that there are some vulnerable homeowners, particularly the elderly, who cannot afford to repair or improve their homes and who may not be able to obtain loans from commercial lenders.
- 1.4 The Assistant Director Community Services has delegated authority to prepare for and operate the administration of grant assistance under this policy, including arrangements for the approval and payment of grants. These procedures will be subject to internal audit scrutiny.

2.0 BACKGROUND

- 2.1 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 gave local authorities the power to provide financial assistance for the purpose of improving living conditions in the area.
- 2.2 The Order states that the Council may not exercise this power unless:
- A Housing Renewal Assistance Policy has been adopted
 - It has given public notice of the adoption of the policy
- 2.3 The Order allows assistance to be provided to any person, in any form either unconditionally or subject to conditions for the purpose of enabling that person to:
- Acquire living accommodation.
 - Adapt or improve living accommodation.
 - Repair living accommodation.
 - Demolish buildings comprising or including living accommodation.
 - Where buildings have been demolished, to construct replacement living accommodation.
- 2.4 The approval of this policy allows the Council to exercise its powers to provide any of the forms of assistance described in 2.3 above.

2.5 In practice, the use of these powers will be dependent upon the amount of the Annual Capital Budget programme approved and allocated for Private Sector Housing.

3.0 KEY OBJECTIVES

- To work with partners to ensure all vulnerable residents have the necessary support systems to live independent lifestyles in safe, secure and warm homes.
- To increase the number of vulnerable residents living in decent homes in West Lancashire.
- To work towards providing an excellent Private Sector Housing Service for all service users making best use of available resources.

4.0 LOCAL CONTEXT

4.1 The Council's drive to improve housing is taking place against the backdrop of demographic changes. According to the 2011 census, the population of West Lancashire grew by 2.1% between 2001 and 2011 rising from 108,400 to 110,700. Projections predict that by 2035 the population will be in the region of 120,900.

4.2 The population of West Lancashire is also ageing. It is projected that by 2035, there will be 10,300 more people aged 60 and over and 7,200 more people aged 75 and over. This is likely to increase demand for support such as disabled adaptations and assistance with home repairs.

4.3 One of the key objectives of the policy is to increase the proportion of people living in decent homes. The Government set a target for local authorities to bring 70% of all homes in their area up to the decent homes standard by 2010.

4.4 The Council's progress against this target was assessed when the Private Sector House Condition Survey 2010 was carried out. The survey showed that 70% of all privately owned properties met the decent homes standard, therefore meeting the Government target.

4.5 Despite meeting the target, the projected increase in the number of households aged over 65, combined with average weekly incomes being lower than the national average and ongoing welfare reforms, work is still required to ensure the number of decent homes does not decrease in future years.

4.6 The evidence base and strategic approach for this policy is taken from the Private House Condition Survey 2010.

5.0 HOW THE POLICY FITS INTO THE COUNCIL'S WIDER ACTIVITIES

5.1 This policy will help achieve the following objectives in the Sustainable Community Strategy for West Lancashire 2007 – 2017:

- To improve health outcomes, promote social wellbeing for communities and reduce health inequalities for everyone (**improved health for all**)
- To provide good quality services that are easily accessible to all (**quality and accessible services**)

5.2 This policy will help support the Council in achieving the following Housing Strategy 2014 – 2019 priorities:

- Encourage well managed and maintained homes across all tenures

6.0 COMMENCEMENT DATE OF THE POLICY

6.1 This policy shall come into effect on 1st April 2015. All applications received on or after this date will be assessed under this policy.

6.2 Any application received prior to the 1st April 2015 will be assessed under the Housing Renewal Assistance Policy 2008 (the previous policy).

7.0 TYPES OF ASSISTANCE

7.1 The following types of assistance are available under this policy:

- Advice & Information
- Home Repair Assistance Grant
- Disabled Facilities Grant
- Handyperson Scheme/Home Improvement Agency

7.2 As the level of resources allocated to provide Housing Renewal Assistance is limited the availability of assistance has to be restricted to the services outlined above.

7.3 In order to provide the services stated above the Assistant Director Community Services shall be given authority to enter into any contract with any external organisation to help provide the service in accordance with the Council's Contract Procedure Rules.

7.4 The power to provide assistance other than that at 7.1 shall be considered on its merits where a request is made. The Assistant Director Community Services shall have delegated authority to consider any such request and approve or reject any application in consultation with the relevant Portfolio Holder.

7.5 The assessment of the condition of any dwelling subject to a request for assistance shall be undertaken by the Council.

7.6 The Assistant Director Community Services shall be given delegated authority to offer an Agency Service to applicants to assist them in preparing and completing a scheme of repair or adaptation works.

8.0 ADVICE & INFORMATION

8.1 There shall be no restriction on the provision of advice and information about housing renewal assistance to any person making a general enquiry subject to any rules applicable under provisions covering data protection or freedom of information. Such advice will be provided free of charge.

9.0 HOME REPAIR ASSISTANCE GRANT (HRAG)

- 9.1 A single grant shall be provided to eligible applicants, to assist them in bringing their home up to the decent homes standard. The grant is not intended to address major repair issues or general property renovation.
- 9.2 A grant can be awarded where the applicant lives in a caravan, mobile home or houseboat, providing they have a residential pitch/mooring and the caravan or boat is the applicant's only home.
- 9.3 The maximum value of grant assistance shall be £2,500 inclusive of VAT, ancillary fees, agency fees, and any unforeseen works.
- 9.4 Where the cost of the eligible work exceeds the maximum grant amount, the applicant will be responsible for meeting the difference. The applicant will be required to prove the additional funds are in place before the grant funding can be approved.
- 9.5 Due to its discretionary nature and limited availability of funds, there may be times when the Council is not able to offer these grants.
- 9.6 The Assistant Director Community Services has delegated authority to review and amend the value of the Home Repair Assistance Grant and the eligibility criteria in consultation with the relevant Portfolio Holder.

10.0 ELIGIBILITY FOR A HOME REPAIR ASSISTANCE GRANT

- 10.1 All applicants must own the property and have lived in it as their principal home for at least 3 years prior to the date of the application.
- 10.2 Applicants who live in shared ownership accommodation will be treated as owner occupiers therefore are eligible to apply if they have owned the property and lived in it as their principal home for at least 3 years prior to the date of the application.
- 10.2 Private tenants who have an assured tenancy or some other form of lifetime tenancy with a repairing obligation will also be eligible to apply as long as they have lived in the property as their principal home for at least 3 years prior to the date of the application. The applicant must provide a copy of the tenancy agreement showing the repairing obligation is on the tenant.
- 10.3 In addition to the above, the applicant must be:
- Aged over 18, disabled and claiming either income support (due to being disabled), employment support allowance (must be in the support group), attendance allowance, disability living allowance, personal independence payment or industrial injuries disablement benefit; or
 - Aged over 18 with children under 16 and claiming income support, working tax credit (with an assessed income of less than £15,050), child tax credit (with an assessed income of less than £15,050); or
 - Aged over 60 and claiming guarantee pension credit, income support, attendance allowance, disability living allowance, personal independence payment, war disablement pension or industrial injuries disablement benefit

- The property must be at least 10 years old and fail the decent homes standard
- 10.4 Where there is another person living in the property who is also responsible for the repair and maintenance i.e. joint owner and that person is working, no grant will be issued if the total household income including state benefits is above £15,050 (this figure will be reviewed annually).
- 10.5 Where an application is received for a property which is a listed building or is situated in a conservation area, the works must be carried out with regard to building control and conservation requirements.
- 10.6 Applications will not be considered where:
- A grant has been awarded to either the applicant or the property within the 5 years prior to the date of the application. Successive applications must also relate to different repair issues than those already addressed.
 - The work has already been completed
 - The work requested will not contribute towards the attainment of the decent homes standard
 - The applicant is eligible for other sources of Government funding
 - The work qualifies to be covered by a buildings insurance policy (whether present or not)
 - The property has been assessed as being a house in multiple occupation
 - The property is a non-residential building, hut, tent, van or shed and any non-residential mobile home or houseboat.
 - The grant is being requested to top up other grants such as a DFG

11.0 WORKS ELIGIBLE FOR A HOME REPAIR ASSISTANCE GRANT

- 11.1 A home repair assistance grant can only be approved where the work required will bring the property up to the decent homes standard. Examples of such work include:
- Unsafe/dangerous electrics
 - Unsafe/dangerous gas fittings (excluding gas hobs and cookers)
 - Replacing rotten windows/doors
 - Providing a damp proof course
 - Replacement of gas boiler where the existing system is uneconomical to repair (client must not be able to access other sources of Government funding)
 - Roof repairs

12.0 APPLICATION PROCESS FOR A HOME REPAIR ASSISTANCE GRANT

12.1 Applications must be made using the Council's home repair assistance grant application form. In addition to completing the form, the applicant must provide:

- Proof of the income related benefit they receive
- Any reports they have obtained outlining the defect e.g. electrical report, gas safety certificate (the cost of these cannot be included in the grant)
- Three itemised quotes (if not using the Council's Agency Service)
- Proof of ownership of the property (where this cannot be verified via the Land Registry) or proof they are an assured/lifetime private tenant with a repairing obligation.

13.0 ASSESSMENT PROCESS FOR HOME REPAIR ASSISTANCE GRANTS

13.1 Upon receipt of a completed application, a Private Sector Housing Technical Officer will visit the property to:

- Obtain proof of the income benefit being received (if not provided with the application form)
- Obtain proof of ownership (if not already verified via the Land Registry) or tenancy agreement
- Inspect the property using the Decent Homes Standard as the applicable standard (see Appendix 1)
- Determine whether financial assistance could be obtained from other funding sources e.g. household insurance, Government schemes
- Produce a schedule of work
- Determine the cost of the work required
- Determine the priority the application will have (for use in times where a waiting list is in operation due to a shortage of funding or an increase in demand) (see Appendix 2)

14.0 HOME REPAIR ASSISTANCE GRANT APPROVAL

14.1 The Council will notify the applicant in writing of its decision to approve or refuse the grant application within 10 working days of a completed application being received.

14.2 A completed application is one that has all the required documentation in order for it to reach a decision on whether to approve or refuse the request for grant funding.

14.3 If approved, the documents provided to the applicant will include a copy of the terms and conditions that apply to the grant.

14.4 No work should be started prior to the grant being approved.

14.5 No grant will be approved unless the Council is satisfied that the applicant is aware of any financial commitment they are taking on and the terms and conditions associated with that commitment.

14.6 Applications will be refused if the Council is satisfied that the applicant is unable to meet the terms and conditions applicable to the grant.

15.0 HOME REPAIR ASSISTANCE GRANT PAYMENTS

15.1 The Assistant Director Community Services is given authority to authorise all payments in respect of home repair assistance grants. Payments shall be made in accordance with:

- a) The Council's Agency Service agreement.
- b) The terms and conditions associated with the grant.

15.2 Payment of grant monies will be made directly to the contractor on behalf of the applicant upon satisfactory completion of the work and upon production of a valid invoice, safety certificates, proof of planning/building control consents etc.

16.0 HOME REPAIR ASSISTANCE GRANT CONDITIONS

16.1 Applicants must accept the terms and conditions associated with the grant. The full terms and conditions document can be found at Appendix 3.

17.0 REPAYMENT OF HOME REPAIR ASSISTANCE GRANT

17.1 All home repair assistance grants approved under this policy are repayable in full upon the sale or transfer of ownership of the property.

17.2 A land charge will be placed on the property to alert the Council of any sale or transfer. The charge will only be removed once the grant has been repaid.

17.3 The Assistant Director Community Services has the discretion to waive repayment in cases of extreme hardship. Each case will be assessed on its own merits.

18.0 DISABLED FACILITIES GRANT

18.1 Under the Housing Grants, Construction and Regeneration Act 1996, the Council has a legal duty to provide financial assistance to eligible households to assist them in adapting their home.

18.2 The need for an adaptation is determined by an Occupational Therapist from Lancashire County Council. A DFG application will only be considered when a recommendation is provided to the Council.

18.3 The maximum value of grant is set by Government and is currently £30,000 inclusive of any VAT, ancillary fees, agency fees or unforeseen costs. The Assistant Director Community Services is given delegated authority to change this amount in accordance with any changes in the prescribed amount set by Government.

18.4 DFG applications are subject to a means test unless they are for a child or the applicant is on a qualifying benefit.

18.5 The Council's Disabled Adaptations Policy 2015 provides full details of the scheme.

19.0 HANDYPERSON SERVICE/HOME IMPROVEMENT AGENCY

19.1 Handy person services and Home Improvement Agencies are procured and funded by Lancashire County Council through its Supporting People budget.

19.2 Any eligibility requirements will be set by the individual schemes as they are commissioned.

20.0 AGENCY SERVICE

20.1 The Council offers applicants the opportunity to engage the Council's Agency Service to assist in the preparation and completion of the works. There is a charge for this service.

20.2 For home repair assistance grants, the charge is 10% of the total cost of the works (subject to a minimum charge of £100). VAT will be added at the standard rate.

20.3 For disabled facilities grants, the charge is 12% of the total cost of the works (subject to a minimum charge of £300) VAT will be added at the standard rate.

20.4 Where the applicant wishes to employ his own professional agent to assist in the preparation and completion of the eligible works, those reasonable costs will be considered as eligible for grant funding. The private agent will be able to claim fees at the same rates as the Council's Agency Service. Inclusion of the private agents' fees within the grant will only be approved where an estimate of costs is provided to the Council. Payment will only be made on submission of a valid invoice.

20.5 The Assistant Director Community Services is given delegated authority to review and amend the fee charged by the Agency Service or the amount of fee able to be claimed by private agents. Any change must be made following consultation with the relevant Portfolio Holder.

21.0 ANCILLIARY FEES & UNFORESEEN WORK

21.1 The calculated costs of ancillary fees (e.g. building control/planning fees, structural engineers fees etc) can be included within the home repair assistance grant or disabled facilities grant, provided they have been assessed as reasonable and a valid invoice has been received.

21.2 Where at any time between grant approval and completion of the work, unforeseen works are identified and assessed as eligible for assistance, the Assistant Director Community Services is authorised to approve further grant funding, up to the maximum grant amount, to ensure the satisfactory completion of the work.

21.3 Where the unforeseen work is not able to be included in the grant because the maximum amount has been reached, the applicant will be responsible for funding any additional costs.

22.0 SUCCESSIVE GRANT APPLICATIONS

- 22.1 **Disabled Facilities Grants:** there is no restriction on successive DFG applications providing the eligibility criteria is met.
- 22.2 **Home Repair Assistance Grants:** applicants cannot re-apply for a grant for 5 years after the completion of the works. Future applications cannot be for works already carried out under a grant e.g. if 3 windows were replaced, the same 3 windows cannot be replaced again 5 years later.

23.0 APPEALS

- 23.1 Any person aggrieved by a decision made by the Council to refuse assistance under this policy shall be entitled to make an appeal against that decision to the Council.
- 23.2 Any appeal should be made in writing within 28 days of receiving any written decision from the Council. In the first instance the appeal should be to the Assistant Director Community Services and should state the decision being appealed together with the reasons for the appeal.
- 23.3 The Assistant Director Community Services shall respond to the first appeal in writing within 14 days of receiving the appeal. If the applicant is dissatisfied with the response, he/she shall be entitled to make a further appeal within 28 days of the appeal decision to the Council's Licensing and Appeals Committee. The decision of the Committee shall be given in writing and shall be binding on all parties.
- 23.4 Any decision made under this policy shall not affect the statutory rights of any person in law or in contract.

24.0 POLICY REVIEW AND CHANGE

- 24.1 The Assistant Director Community Services is given authority to make any minor amendments to this policy in consultation with the relevant Portfolio Holder.
- 24.2 Where there is need to make substantial change to this policy for any reason, the Assistant Director Community Services shall produce a report detailing the changes and seeking approval to implement the changes or to approve a new policy for the provision of Housing Renewal Assistance in West Lancashire.

Appendix 1

Decent Homes Standard

A property will meet the decent homes standard if:

a) It meets the current statutory minimum standard for housing

A property will fail this standard if it contains one or more category 1 hazards as defined by the Housing Health & Safety Rating System (HHSRS)

b) It is in a reasonable state of repair

A property will fail this standard if:

- One or more of the key building components* are old and need replacing or major repair; or
- Two or more of the other building components are old and need replacing or major repair

c) It has reasonably modern facilities and services

A property will fail this standard if it lacks three or more of the following:

- A reasonably modern kitchen (20 years old or less)
- A kitchen with adequate space and layout
- A reasonably modern bathroom (30 years old or less)
- An appropriately located bathroom and WC
- Adequate insulation against external noise (where external noise is a problem)
- Adequate size and layout of common areas for blocks of flats

A home lacking two or fewer of the above is still classed as decent therefore it is not necessary to modernise kitchens and bathrooms if the property meets the remaining criteria.

d) It provides a reasonable degree of thermal comfort

A property will fail this standard if it lacks both effective heating and insulation**.

***Building Components**

Building components are the structural parts of a dwelling e.g. wall structure, roof structure, roof covering, chimneys etc.

Key building components are those which, if in a poor condition, could have an immediate impact on the integrity of the building and cause further deterioration in other components.

Key building components include:

- External walls
- Roof structure & covering
- Windows/doors
- Chimneys
- Central heating boilers
- Gas fires
- Storage heaters
- Plumbing
- Electrics

If any of these components are old and need replacing or require immediate major repair, then the dwelling is not in a reasonable state of repair.

A component is defined as 'old' if it is older than its standard lifetime.

****Efficient Heating & Insulation**

Efficient heating & insulation is defined as:

- Gas central heating + cavity wall insulation (if there is a cavity) + 50mm loft insulation (if there is a loft)
- Oil programmable central heating + cavity wall insulation (if there is a cavity) or at least 50mm loft insulation (if there is a loft)
- Electric storage heaters + at least 200mm of loft insulation (if there is a loft) and cavity wall insulation (if there is a cavity)
- Warm air systems
- Underfloor systems
- Programmable LPG/Solid fuel central heating + at least 200mm of loft insulation (if there is a loft) and cavity wall insulation (if there is a cavity)

The primary heating system must have a distribution system sufficient to provide heat to two or more rooms in the home.

No housing grant shall be approved in respect of a dwelling which will not meet the decent homes standard upon completion of the works. The applicable standard for the purpose of this policy shall be the Department for Communities and Local Government document entitled "A Decent Home: Definition and Guidance for Implementation June 2006 – Update", or any document from the Government which updates this guidance.

Appendix 2

Priority System

The priority system will apply to the processing of formal enquiries in times of high demand for housing renewal assistance where resources are insufficient to meet demand. The system will apply as follows:

- Priority 1 Home fails the decent homes standard, where there are one or more Category 1 hazards (under the Housing Health and Safety Rating System) and where there is an imminent risk of injury or illness to the household e.g. electric shock, unsafe / dangerous appliances, unsafe structures or parts, no hot water, no heating.
- Priority 2 Home fails the decent homes standard, has one or more Category 1 hazards, but does not present an imminent risk of illness or injury to the household.
- Priority 3 Home fails the decent homes standard but here are no Category 1 hazards present.

Appendix 3

TERMS AND CONDITIONS APPLICABLE TO THE APPROVAL AND PAYMENT OF A HOME REPAIR ASSISTANCE GRANT

PROPERTY ADDRESS: «FULLADDR»

The approval of any application for a home repair assistance grant is subject to the acceptance of these terms and conditions.

Approval shall be refused if the Council is satisfied that the applicant is unable to meet the terms and conditions.

The terms and conditions should be signed by the grant applicant. The grant applicant is defined as the person who signs the Home Repair Assistance Grant application as the owner of the property (or the tenant where the tenant has the repairing obligation).

The grant condition period starts on the certified date of completion and ends when the property is sold or ownership is transferred for the first time following completion of the works.

The applicant must read the following grant conditions/statements and tick each box to show that they have been read and understood.

	Tick
1. MAXIMUM AMOUNT OF GRANT	
I understand that the maximum level of grant allowed is £2,500 inclusive of any VAT, fees and ancilliary costs.	
I understand that if the total cost of the repair works including VAT, fees and ancilliary costs exceeds £2,500, I will be responsible for ensuring I have the funds in place to meet any additional cost before the grant is approved.	
2. OCCUPATION CONDITIONS	
I understand that I must continue to live in the property as my principle home following completion of the work. I understand that if I breach this condition, the Council may demand repayment of the grant depending on the circumstances.	
3. INSURANCE CONDITIONS	
I understand that I must maintain adequate buildings and contents insurance for as long as I own the property.	

4. REPAIR CONDITION	
I understand that I must keep the property in good order following completion of the works.	
5. CONTRACTORS	Tick
I understand that I can only use a contractor that has been vetted and approved by the Council and who has provided an estimate for the work using a schedule of works drawn up by the Council (unless the Council has agreed to a different contractor being used).	
I understand that if I or a relative of mine wishes to carry out the adaptation work, the grant will only be approved for the cost of materials. I will be responsible for any labour costs unless sub-contractors have been used for some elements of the work.	
I understand that where my preferred contractor has quoted a price in excess of the reasonable price set by the Council, the amount of grant shall be limited to the price set by the Council and I will be responsible for paying any excess cost to the contractor.	
6. COMMENCEMENT OF WORK	
I understand that I cannot start any of the works until the grant has been approved. Any works completed before approval may not be covered by the grant.	
7. COMPLETION OF WORK	
I understand that the work must be completed within 12 months of the grant being approved (unless extended by the Council) and that failure to do so may result in the Council demanding repayment of any grant monies already paid.	
8. PAYMENT OF GRANT	
I understand the grant will be paid to the approved contractor on satisfactory completion and submission of an acceptable invoice and any relevant certificates.	
I understand that the works must be completed within 12 months of the grant approval date (unless the Council has agreed to extend this deadline).	
I understand that the work must be carried out by one of the contractors who submitted an estimate (unless the Council has agreed to a different contractor being used).	
I understand that the works must be carried out in accordance with the schedule of work provided by the Council.	

9. RECALCULATING OR WITHOLDING PAYMENT OF GRANT	Tick
<p>I understand that the Council is entitled to recalculate, refuse or withhold payment of the grant in the following circumstances:</p> <ul style="list-style-type: none"> - the grant approval was based upon inaccurate/incomplete information - the works were started before the grant was approved - the applicant ceases to be eligible after the grant has been approved but before the work has been completed - the works are not satisfactorily completed within the period set by the Council (works must be completed within 12 months of approval) - the final cost of the works is less than estimated - additional eligible works are identified following approval which are necessary to be undertaken to achieve the decent homes standard. - the works were not carried out by one of the contractors who submitted an estimate (unless authorisation was given by the Council) - additional works were carried out that were not authorised by the Council - the occupant ceases to occupy or ceases to intend to occupy the property - the applicant dies 	
10. REPAYMENT OF GRANT	
I understand that the grant must be paid back in full if the property is disposed of by sale or transfer of ownership (unless the Council decides to waive this condition).	
I understand that a local charge will be placed on the property to alert the Council of any sale or transfer.	
I understand that I must notify the Council if I intend to dispose of the property.	
11. DISPUTES	Tick
I understand that as the applicant, I am the employer of the contractor. The Council will act as my agent and will assist me to resolve any disputes with the contractor but is not liable for any defects or ongoing maintenance relating to the work.	

I understand that I must inform the Council that a dispute exists and that any further payments to the contractor will be withheld until the dispute is resolved	
I understand that if the dispute cannot be resolved, any further action including court action must be taken by me directly against the contractor	
I understand that if the Council is satisfied that there is no reasonable justification to withhold payment, monies will be released to the contractor without my consent	

DECLARATION

I confirm that I have carefully read, understood and accepted the terms and conditions associated with the approval and payment of a disabled facilities grant.

Signature (grant applicant) _____

Print Name _____

Date _____

Please contact «OFFICERDESC» (Telephone«OFFICERTEL») when you have signed this form to arrange collection. If you have any queries, please discuss them with «OFFICERDESC».

PLEASE SIGN BOTH COPIES OF THIS DOCUMENT

KEEP ONE COPY FOR YOUR RECORDS

RETURN ONE COPY TO THE COUNCIL

Proposed changes to the Home Repair Assistance Grant Scheme (HRAG)

1. Maximum grant amount

Current Policy:

The current policy states that the maximum grant amount is £2,500, excluding VAT, professional fees and any unforeseen costs. Allowing VAT, fees & unforeseen costs to be added in this way, means that the actual grant amount given can be above £2,500, especially in cases where the grant is being used to top up a disabled facilities grant (DFG).

Proposed New Policy:

The purpose of the HRAG should be to contribute towards bringing a home to a decent standard, not to fully fund the works.

The proposal is to cap the maximum grant amount at £2,500 inclusive of VAT, fees and unforeseen works.

If the cost of the repair works exceeds £2,500, the applicant will be responsible for paying any difference and will have to show the funds are in place before the grant is approved.

There is a risk in capping the grant amount in this way. Unforeseen works could arise once building work has started which could take the total cost above £2,500. In these circumstances, there would be no additional funding from the Council. The homeowner would be responsible for the additional cost.

If the homeowner is not able to do so, the contractor would be asked to complete the work already started and make good. The contractor would be paid for the proportion of work completed

A charge would still be placed on the property to ensure recovery of the money should the property be sold.

2. Eligibility criteria

Current Policy:

Under the current policy, the following eligibility criteria applies:

- The grant applicant must be at least 18 years old, have an owners' interest in the property and either be resident or have a member of the family resident within it (those in shared ownership properties and private tenants can apply as long as they have a repairing obligation)

- There must also be a member of the household who on the date of the application is at least 60 years old OR is in full time school education OR is disabled
- A member of the household must be in receipt of at least one of the qualifying benefits below:
 - Income Support
 - Income based Jobseekers Allowance
 - Guarantee Pension Credit
 - Working Tax Credit
 - Child Tax Credit
 - Attendance Allowance
 - Disability Living Allowance
 - War Disablement Pension
 - Industrial Injuries Disablement Benefit
 - Housing Benefit
 - Council Tax Support
- The dwelling subject to the request for assistance must be at least 10 years old and fail the decent homes standard.

Proposed New Policy:

It is proposed to change the eligibility criteria to the following:

- The applicant must be an owner occupier and have lived in the property for at least 3 years prior to the date of the application (those in shared ownership properties or tenants with a repairing obligation will still be able to apply providing they have lived in the property for at least 3 years)

The requirement to be an owner occupier has been retained but the grant will now only be given to owners that actually occupy the property. Previously, an applicant had to be an owner but did not actually have to live in the property as long as they had a close family member living there who met the other eligibility criteria.

In addition to the above, the applicant must be:

- Aged over 18, disabled and claiming either income support (due to being disabled), employment support allowance (must be in the support group), attendance allowance, disability living allowance, personal independence payment or industrial injuries disablement benefit; or
- Aged over 18 with children under 16 and claiming income support, working tax credit (with an assessed income of less than £15,050), child tax credit (with an assessed income of less than £15,050); or

- Aged over 60 and claiming guarantee pension credit, income support, attendance allowance, disability living allowance, personal independence payment, war disablement pension or industrial injuries disablement benefit

Where there is another person living in the property who is also responsible for the repair and maintenance i.e. joint owner and that person is working, no grant will be issued if the total household income including state benefits is above £15,050 (this figure will be reviewed annually).

The amended criteria will restrict eligibility to those who are over 60 and on a qualifying benefit, those under 60 without dependents but who are disabled and on a qualifying benefit and those under 60 with children under 16 who are on a qualifying benefit. These have been identified as the households who would be most vulnerable to living in poor accommodation.

There has also been an income threshold applied to those claiming working tax credit and child tax credit. Such households with an assessed income of less than £15,050 for tax credit purposes are considered to be vulnerable therefore this income threshold has been applied. Anyone claiming tax credits with an assessed income of over £15,050 will not be classed as vulnerable and therefore not eligible to apply. These figures are set by Government and will be reviewed annually.

- The property must be at least 10 years old and fail the decent homes standard

3. Successive Applications

Current Policy:

The current policy prevents applicants applying for another grant for the same work within 10 years from the date the previous works were completed. The 10 year period is the current grant repayment period.

This means that applicants could submit an application for funding roof repairs one year and for replacement windows the next.

Proposed New Policy:

It is recommended that grant applications are limited to one every 5 years.

Future applications after the 5 year period should also be refused if it is for the same work previously carried out. Applicants are expected to maintain any repair works carried out therefore should not require further grants for the same issue.

4. **Topping up a disabled facilities grant**

Current Policy:

Disabled facilities grants are provided to assist residents in adapting their homes. The maximum amount that can be claimed is £30,000.

The current housing renewal assistance policy allows the grant to be used to top up a DFG where the adaptation works will cost more than the £30,000 grant amount allowed.

Allowing this has led to some HRAGs being granted in excess of £2,500, due to the ability to add unforeseen works, fees and VAT.

Proposed New Policy:

It is recommended that the HRAG no longer be used to top up a DFG.

Applicants are able to apply for top up funding via Lancashire County Council therefore this should be the route pursued.

5. **Grant Repayment**

Current Policy:

Repayment of the grant is currently required if the property is sold within 10 years of the work being completed. Repayment is on a sliding scale:

Year 1	100%
Years 1-4	75%
Years 5-9	50%
Years 10+	0

Proposed New Policy:

It is proposed to make the grant fully repayable on first sale or transfer of ownership, irrespective of when that sale or transfer takes place.

The Assistant Director Community Services will retain the discretion to waive repayment in extreme hardship cases.

6. **Grant Agency Fees**

Current Policy:

The Council offers a Grant Agency Service to applicants to assist them in completing the works by preparing schedules of work, obtaining quotes etc.

Where an applicant elects to use this service, the following fees apply:

Disabled Facilities Grant:

10% of the total cost of the works subject to a minimum charge of £250. VAT is also added at the standard rate.

Home Repair Assistance Grant:

10% of the total cost of the work subject to a minimum charge of £100. VAT is added at the standard rate.

This fee can be included in the grant.

The income generated supports the revenue costs of the Private Sector Housing Technical Officers in providing the service.

Proposed New Policy:

The % fee charged has not been reviewed for a number of years. With revenue costs increasing, it is necessary to address this.

It is recommended that the fee for home repair assistance grants stays at 10% of the cost of the works, plus VAT with a minimum charge of £100. This fee accurately reflects the amount of technical expertise needed to provide assistance at this level.

It is recommended that the fee charged for technical expertise on disabled facilities grants be increased to 12% of the total cost of the works, plus VAT, subject to a minimum charge of £300.

7. Private Agents

Current Policy:

Where an applicant wishes to use their own professional agent, the current policy allows fees of up to 12% of the total cost of the work (plus VAT) to be included in the grant.

Proposed New Policy:

It is proposed to bring the fee amount allowed for professional agents in line with that charged by the Council's Agency Service i.e. 10% plus VAT for HRAGs and 12% plus VAT for DFGs.

<p>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></p>	<p>Withdrawing the scheme would have an impact on the groups of people listed as there would be no financial support for them to improve their living conditions if they fall below a set standard.</p> <p>Reviewing the scheme would only have an impact on the groups listed if the cost of the works required to bring the property to a decent standard exceeds the maximum grant amount allowed and the client is not able to meet any additional cost.</p>
<p>2. What sources of information have you used to come to this decision?</p>	<p>Internal recording systems which record the ages of applicants and average grant amount awarded.</p> <p>Government guidance on what constitutes a vulnerable household.</p>
<p>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)?</p>	<p>A public consultation has taken place with no comments received.</p>
<p>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></p>	<p>The recommendations in this report do not hamper our ability to meet such duties as the grant is not statutory.</p>
<p>5. What actions will you take to address any issues raised in your answers above</p>	<p>None at this time.</p>



AGENDA ITEM: 10

**EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:
2 October 2014**

**CABINET:
11 November 2014**

Report of: Assistant Director Community Services

Relevant Managing Director: Managing Director (People and Places)

Relevant Portfolio Holder: Councillor David Sudworth

**Contact for further information: Mrs Laura Lea (Extn. 5196)
(E-mail: laura.lea@westlancs.gov.uk)**

SUBJECT: REVIEW OF THE DISABLED ADAPTATIONS POLICY

Borough wide interest

1.0 PURPOSE OF THE REPORT

1.1 To review the current Disabled Adaptations Policy to ensure that it remains compatible with legislative and economic changes.

2.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE

2.1 That the content of this report be considered and that agreed comments be referred to Cabinet.

3.0 RECOMMENDATIONS TO CABINET

3.1 That the Disabled Adaptations Policy 2015 attached as an Appendix to the report be approved.

3.2 That the Assistant Director Community Services, in consultation with the relevant Portfolio Holder, be given delegated authority to review and make future changes to the policy in light of any legislative or economic changes.

4.0 BACKGROUND

- 4.1 The Council has a statutory duty under the Housing Grants, Construction and Regeneration Act 1996, to provide disabled facilities grants (DFGs) to eligible disabled residents to help them pay for major adaptations to their home. Grants are available to private tenants, homeowners and housing association tenants. Adaptations for disabled WLBC tenants are funded entirely by the Housing and Regeneration Department out of the Housing Revenue Account.
- 4.2 The main source of funding for DFGs comes from a government grant which is capital in nature. In addition to this, the Council has also elected to provide additional funding from capital receipts in order to meet demand. In 2014/15 the government grant allocation for the Council has been set at £454,299. The Council will contribute £100,000. In 2015/16 the government grant will be £543,000 with the Council's contribution being £100,000.
- 4.3 The Council receives approximately 170 DFG applications per year with on average 110 going through to completion.

5.0 CURRENT POSITION

- 5.1 The current Disabled Adaptations Policy was introduced in 2006 therefore a review at this time is needed to ensure the provision of DFGs remains efficient and cost effective.

6.0 FUTURE FOR DFG FUNDING

- 6.1 In April 2013, the Government announced that it would be introducing a £3.8 billion pooled budget for health and social care services called the Better Care Fund. The aim of the fund is to deliver better outcomes and greater efficiencies through more integrated services for older and disabled people. Within the pooled budget, £200 million was set aside for local authorities.
- 6.2 Lancashire County Council (LCC) is responsible for the fund and had to agree a plan between all the districts and the NHS to be signed off by the Health and Wellbeing Board.
- 6.3 The Department for Communities and Local Government, has transferred responsibility for the Disabled Facilities Grant allocation to the Department for Health. From April 2016, this allocation will be paid to upper tier authorities as part of the Better Care Fund. Individual Council allocations have been set for 2014/15 and 2015/16 and these will be paid directly to the Council.
- 6.4 LCC has advised that each district will be allocated a minimum DFG allocation each year using the same formula that calculates the current amounts. This should mean that each district is awarded an amount similar to current levels. Through the Better Care Fund, LCC will have the ability to top up this allocation. It has not yet been decided if or how this will happen.

- 6.5 As a result of this change, LCC are currently working with districts to understand the DFG process at district level in order to see if the process can be made more efficient.

7.0 CONSULTATION PROCESS

- 7.1 The draft Disabled Adaptations Policy 2015 was listed on the Consultation page of the Council's website. Stakeholders including Lancashire County Council, Citizens Advice Bureau, Help Direct, Disability West Lancs, West Lancs CVS, Access Matters along with colleagues in neighbouring local authorities, were informed of the consultation and encouraged to comment.

- 7.2 The closing date for comments was 5th September 2014. The Citizens Advice Bureau, Disability West Lancs, Lancashire County Council and one member of the public provided comments. A summary of the responses can be found at Appendix 3 to this report.

8.0 PROPOSALS

- 8.1 The proposed revised policy is outlined at Appendix 1 to this report.
- 8.2 A summary of the recommended changes can be found at Appendix 2 to this report.

9.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 9.1 The proposal will help minimise isolation for vulnerable disabled people by enabling them to remain in their homes for longer. The proposal links to the Improved Health for All and Young and Older People Key Objectives of the Sustainable Community Strategy. It also links to the cross cutting themes of Sustainability, Social Inclusion, Equality and Diversity.

10.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 10.1 There are no significant adverse financial or resource implications arising from the report.
- 10.2 Adopting the new increased Agency Fee charge will have a positive impact as this will increase the amount of revenue income generated by the service.

11.0 RISK ASSESSMENT

- 11.1 The actions referred to in this report are covered by the scheme of delegation to officers and any necessary changes have been made in the relevant operational risk registers.

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 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 at Appendix 4 to this report, the results of which have been taken into account in the Recommendations contained within this report.

Appendices

1. Disabled Adaptations Policy 2015
2. Summary of Changes
3. Consultation Responses
4. Equality Impact Assessment



WEST LANCASHIRE BOROUGH COUNCIL

Disabled Adaptations Policy 2015

(Final Draft for Consultation)

Consultation Closing Date 8th August 2014

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Appendix 1 Works Eligible for a DFG

1.0 Introduction

- 1.1 West Lancashire Borough Council (the Council) has a statutory duty to provide disabled facilities grants (DFGs) to qualifying applicants to assist them in adapting their home. A suitable, well adapted home can be the defining factor in enabling a disabled person to live well and independently.
- 1.2 The purpose of an adaptation is to modify the home environment in order to restore or enable independent living, privacy, confidence and dignity for individuals and their families. The focus is on enabling a disabled person to use their home more effectively.
- 1.3 The Council also has a duty to provide adaptations to tenants living in its own housing although it is not obliged by law to require its own tenants to follow the same process as private sector applicants. However, in the interest of fairness and equity, the Council has decided that the initial assessment process and requirement to undertake a means test will be applied to Council tenants wishing to have their home adapted. Section 37 specifically covers the parts of this policy that applies to Council tenants.
- 1.4 In Lancashire, there is a two-tier local government structure. Lancashire County Council is the social services authority (responsible for social services functions) while West Lancashire Borough Council is the housing authority (responsible for housing services). Both authorities have a role to play in the adaptation process which will be explained in more detail later in the policy.

2.0 Purpose & Scope of the Policy

- 2.1 The purpose of this policy is to assist officers in delivering an adaptations programme and to ensure the fair, equitable and consistent treatment for all disabled persons who require the Council's assistance in adapting their home.
- 2.2 This policy shall be applied to applications for a DFG from home owners, private tenants, tenants' of registered providers (housing associations) and owners of qualifying houseboats or park homes. Council tenants are dealt with at section 37.
- 2.3 The policy applies to major adaptation work (as a guide, works valued at more than £1,000, excluding stairlifts).
- 2.4 Regulation 2 of the Community Care (Delayed Discharges etc) Act (Qualifying Services) (England) Regulations 2003 provides that any community care equipment (including grab rails, bath chairs etc) or minor adaptations costing £1,000 or less should be provided free of charge by the social services authority. Therefore, any such works or equipment costing £1,000 or less (excluding stairlifts) will be dealt with and funded directly by LCC.

- 2.5 Where an adaptation is required to a house owned by a registered provider the Council shall determine whether provision has been made in their Business Plan for the adaptation of dwellings for disabled occupants and encourage them to make financial support available for such adaptations. A contribution of 50% of the cost of the works (excluding fees) will be requested.
- 2.6 DFGs are predominantly awarded to convert existing dwellings but can also be available for adaptations to the common parts of buildings containing one or more flats.
- 2.7 Where a property is being newly built or converted from a building that is not currently a dwelling e.g. commercial building, former agricultural building etc, much of the works can be incorporated into the build without incurring additional costs therefore grant assistance will be limited. Officers will view the submitted plans and will determine if any of the planned adaptation works can be funded via a DFG.

3.0 Ensuring Equality of Service

- 3.1 The Council seeks to ensure that direct and indirect discrimination on the grounds of age, race, disability, sex, pregnancy and maternity, sexual orientation, religion or belief and gender re-assignment are eliminated by abiding to the Equality Act 2010.
- 3.2 The Council will endeavour to ensure that:
- Complaints about racial harassment or any form of discrimination are dealt with properly, promptly and fairly
 - Its policies and procedures do not result in discrimination in terms of access to grant funding or the services our clients receive from us
 - Staff understand and operate according to the principles of fairness and equality
 - Groups representing people of protected characteristics are consulted about its grant assistance policies as appropriate
 - It promotes good relations and equality of opportunity between members of different groups within the community

4.0 Exceptional Circumstances

- 4.1 The Council accepts that there may be circumstances that warrant exceptions to this policy. The Assistant Director Community Services is therefore authorised to assess individual cases and where appropriate and reasonable to do so, decide that an exception be made to the normal policy.

4.2 The Assistant Director Community Services is also authorised to amend the policy following any legislative changes, in consultation with the relevant Portfolio Holder.

5.0 Legal Framework

5.1 The principal legal provisions covering DFGs are contained in the Housing Grants, Construction and Regeneration Act 1996 (the Act) and associated regulations.

5.2 The key legal provisions are:

- DFGs are mandatory grants and are available to disabled people when works to adapt their home are judged to be *necessary and appropriate* to meet their needs and where it is *reasonable and practicable* to carry them out having regard to the age and condition of the dwelling (s.24 of the Act).
- DFGs are subject to a means test (except where the grant is for a disabled child or the applicant is in receipt of certain state benefits) known as the test of resources. The disabled persons income and savings along with their partners' income and savings have to be assessed to determine the actual amount of grant available to them.
- Subject to all the eligibility criteria being met and a completed application being made, the Council must approve or refuse an application *as soon as reasonably practicable* but no later than 6 months from the application date (s.34 of the Act).
- The maximum amount of grant available per application is set by statute and is currently £30,000.
- DFGs are recoverable if the property that has been adapted is sold or ownership is transferred within 10 years of the works being completed, provided the Council is satisfied that it is reasonable in all the circumstances to require the repayment (see section 27 for further information).
- In the event of the applicants' death before works are complete, the Council has the discretion to authorise a grant to cover any fees incurred, works already carried out or *other relevant works*.

5.3 The NHS and Community Care Act 1990, provides the context for the assessment of and response to potential needs including the adaptation of properties. The Act establishes a requirement that a needs assessment must be carried out where it appears to the social services authority that a person may be in need of such services.

- 5.4 The Fair Access to Care Services: Guidance on Eligibility Criteria for Adult Social Care, describes how the needs assessment should be carried out.
- 5.5 The Carers (Recognition and Services) Act 1995 places a duty on the social services authority to carry out a carers assessment if requested, to identify the ability of the carer to provide care to the disabled person.
- 5.6 The Carers and Disabled Children Act 2000 provides powers for the social services authority to provide any services it sees fit to help the carer look after the disabled child.
- 5.7 The Chronically Sick and Disabled Persons Act 1970, places a duty on social services to:
- Identify the numbers of disabled people in their area and publish the help available to them
 - Arrange practical assistance in the home and any works of adaptation or the provision of additional facilities to secure greater safety, comfort or convenience

6.0 Means Test (Test of Resources)

- 6.1 Applications for DFG funding are subject to a means test known as the test of resources. However, the following applications are excluded from the test:
- A grant application on behalf of a disabled child aged under 16;
 - A grant application for a disabled young person aged under 20, for whom child benefit is still paid and who is not working or claiming benefits in his/her own right;
 - A grant application where the disabled person is in receipt of certain state benefits known as 'passporting' benefits. The list of 'passporting' benefits is determined by central government and is subject to change.
- 6.2 Where a means test is required, the income, assets and savings of the 'relevant person' are taken into account. Outgoings are not included. A relevant person is any person who;
- Is the disabled occupant; or
 - Is the spouse or partner of the disabled occupant

- 6.3 In most cases, the person applying for a DFG will be the disabled person and therefore the 'relevant person' for the purposes of the means test. However, it is possible for the grant applicant to be someone other than the disabled person as the applicant has to be either the owner or tenant of the property to be adapted.
- 6.4 Where the applicant is not the disabled person, it is the disabled person's income and savings that are taken into account, not the applicants.
- 6.5 Where the disabled person does not qualify for a grant due to their assessed contribution exceeding the cost of the work, they may choose to proceed on a nil grant basis as the amount of any previous contribution will be deducted from any future contribution should another DFG be required.

7.0 Maximum Amount of Grant

- 7.1 The maximum amount of grant that can be awarded is £30,000 (inclusive of any VAT, unforeseen work, fees and charges). This amount is set by central government and is subject to change.
- 7.2 Where the eligible adaptation works will cost more than £30,000 or the applicant has been assessed as having a contribution to pay, any shortfall in funding must be covered by the applicant either themselves or through other sources of funding for example through LCC, charities, family, high street lender. The Council will not approve a grant application until the additional funding required is in place.

8.0 Disability Caused by Accident (Insurance Claims)

- 8.1 Where adaptation works are required for a person who has been left disabled following an incident such as an accident at work, on the road, medical negligence etc and the disabled person may be able to make a claim for damages, they shall normally be required to pursue such a claim.
- 8.2 It will be a condition of the DFG that a claim is made in appropriate cases, to cover the cost of the adaptation works. Applicants should be advised of this at the earliest stage in the process.
- 8.3 Officers shall obtain details of the cause of any disability and write to the disabled person's legal representatives or insurers to advise that the Council will require any claim for damages to include the cost of the adaptation works.
- 8.4 Submission of insurance claims must not, however, delay the processing of the adaptation scheme. Claims may take several years and shall be monitored every 6 months by the officer writing to the disabled person's legal representatives/insurers to request information on the progress of the claim.

9.0 Determination of Amount of Grant Payable in respect of Landlord Applications

9.1 Where a landlord applies for a DFG in respect of adaptation works to a dwelling that is or is intended to be let to a disabled person, the amount of grant awarded shall be determined after taking into account the extent to which the landlord is able to charge a higher rent because of the works. Officers can seek advice from rent officers and by considering average rents for the area for non adapted properties.

10.0 Eligibility Criteria

10.1 Eligibility for a DFG is set out in the Act. The following criteria must be met:

- The applicant must be aged 18 or over on the date of the application and have an owners or tenant's interest in the property;
- The relevant person must be disabled and the disability or condition must not be temporary;
- The disabled person has been assessed by Lancashire County Council's Occupational Therapy Service (assessment of need) and adaptation works have been recommended;
- The property to be adapted must be the disabled persons' main or only residence (if the disabled person currently lives elsewhere, they must intend to occupy the property as their main or only residence once it has been adapted);
- The adaptation works must, in the opinion of the Council, be necessary and appropriate to meet the needs of the disabled person;
- The adaptation works must, in the opinion of the Council, be reasonable and practicable, having regard to the age and condition of the dwelling;
- The adaptations must fulfil one or more of those purposes set out in s.23 (1) of the Act, i.e. those works which would be eligible for a mandatory DFG;
- The dwelling or building to be adapted must be free of category 1 hazards (as defined by the Housing Health and Safety Rating System);
- The property must not be overcrowded;
- The adaptation scheme must not contain any works which may be undertaken for the purposes of s.23 (2) of the Act i.e. those works that would be eligible for a discretionary DFG to make a dwelling suitable for the accommodation, welfare or employment of a disabled person.

11.0 The Applicant

- 11.1 The person applying for the grant is called the 'applicant'. The applicant must be the person who is either the owner or tenant of the property to be adapted. In many cases, the disabled person will be the owner or tenant and will therefore be the applicant. However, this may not be the case for example, the disabled person may live with family members therefore they are not an owner or tenant.
- 11.2 Where the disabled person is not the owner or tenant of the property to be adapted, the owner or tenant will be the person who applies for the grant. However, the means test will only be carried out on the disabled person's income and savings.

12.0 Meaning of Disabled

- 12.1 For the purposes of a DFG, the applicant must have been assessed as being disabled within the meaning of s.100 of the Housing Grants, Construction & Regeneration Act 1996 and the disability must not be temporary.
- 12.2 S.100 of the Act states; a person is disabled if:
- their sight, hearing or speech is substantially impaired;
 - they have a mental disorder or impairment of any kind;
 - they are physically substantially disabled by injury or impairment present since birth or otherwise.
- 12.3 A person under the age of 18 is considered to be disabled if he/she is registered on a register of disabled children under the Children Act 1989.

13.0 Assessment of Need

- 13.1 LCC has a duty to carry out an assessment of the needs of disabled people within Lancashire. This assessment is done prior to an application for DFG funding. Assessments will be carried out by LCC's Occupational Therapy Service.
- 13.2 The Council will only consider an application for a DFG upon receipt of a referral from LCC.
- 13.3 Upon receiving a request to assess a person's needs, LCC shall, if adaptations are considered necessary, arrange for an OT assessment to be carried out. Following the assessment the OT shall send written notification of the assessment the Council. The notification will be treated as a request for a DFG.

- 13.4 The OT will prioritise each case using the Fair Access to Care Services (FACS) guidelines. Cases will be classed as either high or standard priority.
- 13.5 During periods of high demand for DFG funding, cases classed as high priority will be dealt with first by the Council.
- 13.6 The OT is expected to specify the least expensive adaptations that will meet the disabled persons' needs. Where more expensive adaptations are recommended, the OT will be asked to provide detailed reasoning for the decision.
- 13.7 Where the OT requests a joint visit with a Private Sector Housing Technical Officer, this will be facilitated to help advise on how best to adapt the property to meet the disabled persons needs.
- 13.8 The officer should at the time of the joint visit, undertake a detailed survey of the property, discuss with the disabled person and/or their carers, their circumstances and note their views and wishes. The officer must not make suggestions for alternative or additional work to the client. If the officer feels other work is appropriate this must be discussed with the OT separately.
- 13.9 In cases of doubt as to whether a scheme will be assisted in whole or part, it is recommended that officers should not make any commitments at the time of the joint visit but refer the matter for consideration by senior officers.
- 14.0 Main or only residence**
- 14.1 The property to be adapted must be the disabled persons' main or only residence. Where that is not currently the case, the disabled person must intend to occupy it as their main or only residence during the grant condition period once it has been adapted.
- 14.2 Where the applicant is proposing to purchase a dwelling that will require adaptations, the DFG can only be approved once the property is actually owned by the applicant. The applicant will be encouraged to liaise with the Council and OT service so that advice can be given on the likely suitability of the property to meet the disabled persons needs, whether it can be adapted, the likely cost of the adaptations, any contribution and the expected timescale for carrying out the required works.
- 14.3 Proof of residency must be obtained and an owners or tenant's certificate must be provided.

- **Owners' Certificate:** Where the applicant is an owner occupier, any DFG application must be accompanied by an owner's certificate which certifies that the applicant has or proposes to acquire a qualifying owner's interest and intends that the disabled person will live in the property as his or her only main residence throughout the grant condition period.
- **Tenants' Certificate:** Where the applicant is a tenant, a tenant's certificate must be provided which certifies that the application is a tenant's application and the tenant, if he is the disabled person, intends to live in the property as his only main residence throughout the grant condition period (health and other circumstances permitting). An owner's certificate must also be provided by the owner of the property.
- **Houseboat or Park Home Owners - Occupiers' Certificate:** Where the applicant resides in a qualifying houseboat or park home, an occupier's certificate must be provided. The occupier's certificate certifies that the application is an occupier's application and that the applicant (or disabled person) intends to live in the houseboat or park home as his only or main residence throughout the grant condition period (health and other circumstances permitting).

In addition to an occupier's certificate, a consent certificate is required from each person (other than the applicant) who at the time of the application is entitled to possession of the premises at which the houseboat is moored or the park home is pitched or is entitled to dispose of the qualifying houseboat or park home. The consent certificate certifies that the relevant person consents to the work being carried out.

- 14.4 Where the DFG is for a disabled child whose parents have separated, only one property will be classed as the child's main residence for the purposes of a DFG, irrespective of whether the parents have joint custody. The main residence will usually be determined by which parent receives child benefit.
- 14.5 A DFG will not normally be granted for a child in foster care unless it is intended that the child will be cared for at the property for the length of the grant condition period. However, each application will be considered on a case by case basis.

15.0 Necessary and Appropriate

- 15.1 The adaptation works requested must be necessary and appropriate to meet the needs of the disabled person. In deciding whether any works are necessary and appropriate, officers shall take into account:
- the recommendations of the OT;
 - whether the proposed works are the most cost effective option;

- whether aids and equipment have been considered or tried;
 - whether the proposed works have been unduly influenced by the desires of the disabled person or their family members e.g. recommending a ground floor extension because the disabled person has rejected the installation of a stairlift/through floor lift.
- 15.2 Where the disabled person wishes to alter or enhance the works recommended e.g. wishes to have an extension rather than a stairlift, provided the OT approves the altered scheme, the client may proceed with the new scheme. The amount of DFG awarded will be for the cost of the initial scheme with the client being responsible for any additional costs in implementing their preferred scheme.
- 15.3 In any cases of doubt as to whether the works are necessary and appropriate, the case should be referred to the Homelessness & Private Sector Housing Manager who will decide whether the scheme may proceed.
- 15.4 If it is considered that the scheme should not proceed, a case conference should be arranged with the OT to try and resolve the issue and agree an acceptable scheme. Failure to agree on necessary works should be avoided.
- 15.5 The final decision as to whether the works are necessary and appropriate rests with West Lancashire Borough Council.
- 16.0 Reasonable & Practicable**
- 16.1 The Council has a duty to satisfy itself that any proposed adaptations are reasonable and that it is practicable to undertake those works.
- 16.2 Although it may be agreed that the works are necessary and appropriate to meet the needs of the disabled person, it may not be reasonable or practicable to undertake those works.
- 16.3 In cases where it is not possible to adapt a property to an appropriate standard or where the cost of the work is considered excessive, the Council will take the view that the work is not reasonable and practicable. Where this is the case, the applicant will be asked to consider whether moving to more suitable accommodation would be a better option.
- 16.4 Where the applicant wishes to move to Council accommodation, they will be provided with a report outlining why the current home cannot be adapted to assist them with their housing application.
- 16.5 In any cases of doubt as to whether the works are necessary and appropriate, the matter should be referred to the Homelessness & Private Sector Housing Manager who will decide whether the scheme may proceed.

- 16.6 If it is considered that the scheme should not proceed, or that it should be amended, a case conference should be arranged with the OT to resolve the issue and agree an acceptable scheme. Every effort must be made to assist a disabled person with the circumstances of each case being considered individually. Failure to agree on necessary works should be avoided.
- 16.7 Any scheme of adaptations must be reasonable taking into account the cost and practicability of carrying out the works. Where a scheme involves substantial structural alterations or extensions, officers should consider re-housing the applicants as an alternative where more suitable accommodation is available.
- 16.8 Public funds will not normally be provided to adapt a dwelling above a reasonable minimum standard. Disabled persons and their carers should be advised that if their desires/aspirations exceed what is considered to be reasonable, then they will be required to fund any additional costs themselves.
- 16.9 The final decision as to whether the works are reasonable and practicable rests with the Council.
- 16.10 Factors to be considered in deciding if the works are reasonable and practicable include:

- The condition of the property

A property should be free from category 1 hazards before adaptation works are undertaken. The owner of the property will be responsible for carrying out any work to remove such hazards. However, where the health of the disabled person would be adversely affected by undertaking such works; the works are relatively minor in nature or the adaptation works are urgent, it may not be reasonable put such adaptation works on hold.

Where repair or remedial works are required before adaptation works can be carried out, the owner of the property will be responsible for completing and funding these works. The Council will not approve a DFG until the works have been satisfactorily completed.

Where repair or remedial works are discovered whilst the adaptation works are underway and failing to address these will prevent the adaptation works from being completed, the reasonable cost of such works can be included in the DFG as 'unforeseen works'.

- The location of the property.

It may not be reasonable or practicable to adapt a dwelling where the location makes this difficult. For example:

- there is a very steep access drive/path which cannot be re-graded;
- the approach is an unmade track or road;
- the dwelling fronts a highway or pavement which cannot be obstructed by ramps/lifts;
- permission cannot be obtained for adaptations to common entrance pathways/staircases;
- the dwelling is a houseboat/park home with poor means of access

- The age of the property

The age of the property may be a factor due to a poor layout, narrow corridors/stairs etc. A property may also be listed which may restrict the works that can be carried out.

- Planning or Building Regulation constraints;

Where the adaptation works involve constructing an extension or substantial structural alterations, it will be important to ensure that planning requirements or building regulations are complied with. This will include ensuring appropriate design of the scheme.

- Impact on existing facilities

Adaptations should not result in unacceptable changes to the amenities or facilities enjoyed by other occupants of the dwelling e.g. the effect of widening hallways should not reduce living or sleeping space below the minimum standard. Any alterations to layout should not result in the dwelling becoming overcrowded.

- Physical constraints due to the size or layout of the property

It may not be reasonable or practicable to alter a very small dwelling to facilitate full wheelchair use. It will not normally be acceptable to adapt a property if it would result in the property failing the HHSRS or minimum room sizes, especially if it does not fail it without the adaptations.

- Overcrowding

It would not normally be reasonable to adapt a property that is already overcrowded. Adaptations are not to be undertaken to relieve an overcrowding problem e.g. constructing a bedroom extension for a disabled person who already has access to such facilities simply to reduce overcrowding for the remainder of the occupants.

It would be acceptable to require other occupants to share facilities to allow a disabled person access to a room provided that by doing so the other occupants would not exceed the occupancy limit for the room.

Extensions to create additional bedroom space should not normally be undertaken where a dwelling has adequate rooms for sleeping to accommodate all the occupants and the disabled person can access a suitable bedroom.

17.0 Decision Making Criteria

17.1 Once the Council has determined that the proposed adaptation works are *necessary and appropriate* and *reasonable and practicable*, the following expectations and presumptions are taken into account:

- The recommended adaptation works should properly and fully meet the assessed needs of the disabled person
- The adaptation works recommended by the OT are the least expensive appropriate to meet the disabled persons needs. Where more than one type of adaptation would be suitable and the more expensive has been specified, the OT should be requested to justify the request and identify any special circumstances that have been taken into consideration.
- Whether alternative schemes involving mobile aids or equipment have been considered or tried.
- Whether the adaptation works recommended have been unduly influenced by the desires or aspirations of the disabled person or their carers e.g. proposing a ground floor extension where the disabled person could use a stairlift but is unwilling to do so.
- Wherever practicable and realistic, the change of use of existing rooms or the re-ordering of rooms will be the preferred solution and will take precedence over both the construction of extensions and the installation of items such as through floor lifts.
- The DFG will only fund one facility to a dwelling e.g. only one bathroom will be adapted, only one specialist toilet will be provided etc.

17.2 Where the applicant wishes to alter the works drawn up, incorporate the works into a larger renovation or enhance the specification of the fixtures and fittings, they are free to do so. A grant equal to the cost of the work originally specified will be given with any additional cost funded by the applicant.

- 17.3 Where the applicant requests works that differ from those specified by the OT in their referral, agreement must be obtained from the OT that the alternative works are appropriate to meet the needs of the disabled person before the works are commenced.

18.0 Works Eligible for a DFG

- 18.1 The adaptation works recommended must be eligible for a mandatory DFG in accordance with s.23(1) of the Act.

- 18.2 Examples of the type of work that can be funded can be found at Appendix 1.

19.0 Extensions

- 19.1 The construction of extensions to provide accommodation for a disabled person is normally the most expensive form of adaptation work, therefore, officers must be completely satisfied that such works are wholly necessary and reasonable.

- 19.2 Extensions will not normally be provided simply to enlarge a dwelling. The extension works must be required to allow a disabled person access to a sleeping room and/or bathroom or to allow a disabled person to safely use kitchen facilities.

- 19.3 Extensions may not be provided to accommodate occupants other than a disabled person, unless the extension releases existing space in the dwelling for the use of the disabled person and is a more cost-effective solution.

- 19.4 Where a recommendation is received from the OT for the construction of an extension, officers must fully investigate the potential for an alternative scheme of adaptation to be undertaken.

- 19.5 In the majority of cases extensions are proposed because the disabled person cannot access a sleeping room and bathroom on the first floor. In such cases it must normally be proven that the disabled person is unable to use a stairlift or through-floor lift because of their condition, or that it is not practical to install a lift and, where necessary, alter the first floor layout.

- 19.6 If the only reason for not installing a lift is the presence of children in the household this is not considered to be a reasonable justification to construct an extension.

- 19.7 Dependant upon the level of occupancy of the dwelling it may be appropriate to convert existing rooms on the ground floor for sleeping or bathing purposes and this must be considered especially where there are unused rooms.

19.8 If an extension is proposed for a bedroom because there is no room available which is suitable for the use of the disabled person for sleeping purposes, consideration must be given to other occupants in the house moving to another sleeping room or sharing a sleeping room with other occupants, where appropriate, to release an adequate room for use by the disabled person.

20.0 Room Sizes

20.1 Where it is agreed that an extension be constructed to accommodate a disabled person, decisions on the appropriate size of the room(s) should be made with reference to the Occupational Therapist Guide to Room Sizes. The actual size of rooms may, however, exceed the minimum sizes in the guide to reflect the individual needs of the disabled occupant.

20.2 If the disabled person has a partner with whom they normally share a bedroom then a bedroom extension should be large enough to accommodate both persons.

20.3 As the needs of disabled persons differ significantly it is not possible to define a limit to the size of a bedroom or bathroom extension which may be provided. The essential principal, however, is that the rooms should not exceed an area of size sufficient to meet the basic sleeping/bathing needs of the disabled person.

20.4 Within a bedroom space may be allowed for:

- A bed (or beds if a couple share a room);
- Wardrobe;
- Drawer Unit;
- The safe manoeuvring of a wheelchair or walking frame;
- Equipment necessary to assist in getting into or out of bed;
- Access for carers to assist a disabled person in getting into and out of bed.

20.5 Where the OT recommends an extension to accommodate a disabled person's needs which are not eligible for assistance, e.g. for their welfare or employment, the additional ineligible space may be included in the adaptation scheme, subject to the additional costs being funded by the disabled person.

21.0 Agency Service

- 21.1 The Council offers an Agency Service to assist applicants in arranging and managing the adaptation project on behalf of the applicant. The Council is allowed to include an agency fee for this service within the grant. The current fee charged is 12% (plus VAT) of the total eligible cost of the works subject to a minimum charge of £300.
- 21.2 If during the course of the grant process the applicant decides they no longer wish to proceed with the grant application, the applicant will be responsible for paying back any reasonable costs incurred by the Council in:
- The preparation of plans and their submission for Building Regulations or Planning Approval
 - Obtaining specialist advice relating to the carrying out of the relevant works
- 21.3 The Agency Service will:
- obtain quotes from contractors selected from the Council's approved contractor list or Lancashire County Council's Safe Trader Scheme;
 - apply for building regulation or planning permission approval as required;
 - instruct an architect where required;
 - supervise the contractor;
 - authorise payment to the contractor on satisfactory completion of the work.
- 21.4 Where the applicant chooses to employ the Council's Agency Service and the work is for a bathroom adaptation or installation of a ramp, the work will be undertaken in accordance with the Council's Contracts for Adaptations & Ramps for the Disabled 2013-2016 using one of the two contractors employed under the contract.
- 21.5 The Assistant Director Community Services is given delegated authority to review from time to time and amend, if considered appropriate, the fee charged for use of the Council's Agency Service in conjunction with the relevant Portfolio Holders.
- 21.6 As grant funding is issued to the applicant, the contractual relationship in relation to carrying out the work is between the applicant and the contractor. The Council does not have any legal liability or responsibility in this regard.

21.7 Where a dispute arises between the applicant and the contractor over the quality of the work carried out, the Council will work with both parties to negotiate a resolution to the issue. Where an agreement cannot be reached, the only recourse available to both parties is through the courts.

22.0 Private Agents

22.1 The applicant has the option of employing their own agent to assist in the completion of the works.

22.2 Where the applicant chooses to employ their own private agent to directly assist in the preparation and completion of the scheme of works, the fee charged can be included in the grant.

22.3 The maximum amount that can be claimed is 12% (plus VAT) of the total eligible cost of the works.

22.4 The Agent must provide an estimate of costs to be agreed by the Council and payment will only be made on receipt of a valid invoice.

22.5 Where the applicant elects not to proceed with the grant application, any costs incurred by the agent will not be eligible for grant funding and must be recovered directly from the applicant.

22.6 The Assistant Director Community Services has delegated authority to review from time to time and amend, if considered appropriate, the fee amount allowed for the use of a private agent, in conjunction with the relevant Portfolio Holders.

23.0 Applicant Supervision

23.1 Where the applicant chooses to act as their own agent, they may select a contractor from the Council's list of approved contractors, Lancashire County Council's Safe Trader Scheme or they may source their own.

23.2 Where an applicant wishes to use a contractor not on either list, the Council must vet and approve the contractor prior to the application being approved.

23.3 No agent's fees will be payable where the applicant acts for themselves.

24.0 DFG process in West Lancashire

Stage 1 Occupational Therapist Assessment

Residents in the borough wishing to be considered for adaptations to their home, must request an assessment of their needs from Lancashire County Council (LCC) before a DFG application can be made.

Stage 2 Occupational Therapist Referral

If major adaptation works are required, the OT will provide the Council with a recommendation outlining the adaptation works that have been identified and a request to consider the client for a DFG to assist in paying for the work to be completed.

The referral will include copies of any quotes for specialist equipment already obtained by the OT.

Stage 3 Means Test (Test of Resources)

Upon receipt of an OT recommendation, the client will be provided with a form to complete an initial provisional means test. This will determine prior to any further work being carried out, whether they would qualify for a full grant or whether they would have a contribution to pay.

Stage 4 Establishing Ownership of the Property

The Council has access to the Land Registry to confirm ownership of the property. Where there are no records held, the client will be advised during the survey visit that they will be required to provide a copy of the deeds to the property.

Stage 5 Survey, Completion of Application Form & Terms and Conditions

A survey of the property will be carried out and a schedule of work based on the recommended adaptations will be drawn up.

Applications for DFG assistance must be made in writing using the forms provided by the Council. The DFG application form will be completed during this visit and proof of ownership will be requested if it could not be obtained from the Land Registry.

The grant terms and conditions will also be provided to the client for them to read and sign to state they understand them.

The client will also be offered the Council's Agency Service to assist with the next steps in the process.

Stage 6 Engaging an Architect or other Professionals

If an architect, structural engineer or other professional is required, the client must engage their services (unless they have elected to use the Council's Agency Service).

The Council must approve the estimated fees if they are to be included in the grant.

Stage 7 Obtaining Quotes

At least two competitive quotes must be obtained using the schedule of work drawn up by the Council. The client will be responsible for obtaining these quotes (unless they have elected to use the Council's Agency Service)

Where quotes have been provided by contractors not on the Council's approved list or Lancashire County Council's Safe Trader Scheme, the Council must vet the contractor to ensure they are competent and suitably insured.

Quotes provided by a relative of the applicant, will only be approved for the cost of materials, the applicant will be responsible for the cost of labour except for where sub-contractors must be used.

Quotes are evaluated to ensure they cover only the identified works and represent value for money. Once the quotes are accepted, the amount of grant offered will be based on the lower of the prices submitted. The applicant may choose to appoint one of the alternative contractors but must fund any difference in cost themselves.

Stage 8 Grant Approval

A DFG application is considered to have been made when:

- An OT referral has been received;
- A test of resources assessment has been carried out;
- A DFG application form has been completed;
- An owners/tenants/occupiers certificate has been received;
- Proof of ownership has been confirmed
- A schedule has been drawn up, appropriate permissions have been granted and prices have been obtained

- The works have been assessed as being reasonable and practicable and necessary and appropriate.

The Council has 6 months to approve a grant application once it has been made however approval times are much quicker than this.

Upon approval the applicant will be provided with the following information in writing:

- A copy of the schedule of work that is eligible for grant funding;
- The estimated amount of expenses that will be incurred;
- The estimated amount of costs that will be incurred in relation to ancillary services and charges;
- The amount of grant that will be paid.

Note: documents showing how the expenses and other costs and charges have been calculated will be provided.

Applicants **must not** instruct the contractor to start work before receiving the formal grant approval document.

If after approval, the Council is satisfied that owing to circumstances beyond the control of the applicant the works could not or cannot be carried out on the basis of the expenses calculated, the cost of the work has increased or additional works are required that could not have been reasonably foreseen at the time the application was made (unforeseen works), the Council may re-determine the estimated expense and the amount of the grant.

Stage 9 Completion of Work

The work must be completed within 12 months from the date the grant was approved.

The Council has the discretion to extend this timescale where there have been delays due to unforeseen works or other issues.

Officers must satisfy themselves that the works have been undertaken in a proper and workmanlike manner and confirm with the OT that the works satisfactorily meet the assessed needs of the service user prior to the grant monies being released.

The disabled person and/or their carers shall be consulted on whether they consider the works to be satisfactory and written confirmation of their satisfaction must be obtained before the balance of the grant monies is released to the contractor.

Where specialist equipment is installed, e.g. stairlift, through-floor lift etc, officers should ensure that the disabled person and/or their carers have been fully instructed in its safe use by the installers or OT as appropriate. If it appears that a disabled person has not been adequately instructed then the OT shall be notified immediately.

If it appears that any adaptation works are not wholly satisfactory in meeting the needs of the disabled person or that the disabled person appears unable to use the adapted facilities, the OT should be notified immediately.

Officers must not give any advice or instructions on the safe use of equipment, but refer any such requests to the OT.

Stage 10 Payment of Grant

The Council can make interim payments to the contractor as work progresses but no more than 90% will be paid before full completion.

Upon completion of the work, a technical officer will visit to ensure all works have been completed satisfactorily and will ask the applicant to sign a satisfaction survey confirming they are happy with the work.

Once a valid invoice and any certificates/guarantees have been received, the grant money will be released to the contractor.

Stage 11 Delayed payment of grant

Where a grant is approved, the Council can set terms that no monies will be released before a date specified in the notification of the decision.

That date shall not be more than 12-months after the date of the application.

25.0 Maintenance & Repair

25.1 A DFG can only be used to adapt a dwelling; it cannot be used for the on-going maintenance or repair of the adaptation works.

25.2 The Council is not responsible for financing any servicing, repairs or maintenance after the expiry of any applicable warranty period. This will become the responsibility of the applicants.

- 25.3 Where an extended warranty has been negotiated on certain specialist equipment e.g. stairlifts, vertical lifts, specialist toilets etc by LCC, the cost of this must be met by the applicant, the cost cannot be included in the grant.
- 25.4 Any items which carry a warranty will be covered by that warranty and the contractor will provide the applicant with the relevant details.
- 25.5 Any contractor introduced to the applicant under the Agency Service will offer a separate workmanship guarantee, the length of which will be advised at the outset.
- 25.6 Where the applicant has had a stairlift, through floor lift or other specialist equipment fitted and has signed a deed of transfer of that item to LCC, the maintenance and removal of that equipment will be the responsibility of LCC.
- 25.7 Warranty costs for equipment supplied and paid for directly by LCC outside of the DFG process, will not be included in the grant.

26.0 Refusal of Grant

- 26.1 If the grant application is refused, the applicant will be informed of the reasons why in writing and offered an opportunity to appeal.

27.0 Grant Conditions

- 27.1 DFGs are subject to conditions as set out in the Housing Grants, Construction & Regeneration Act 1996 and are as follows:

- Carrying out the works

Under s.37 of the Act, it is a condition of payment that the eligible works are carried out within 12-months from the date of approval or where payments has been delayed, before the notified date.

The Council can extend this time in circumstances where it is clear that the eligible works cannot or could not be completed without carrying out any unforeseen work.

The Council may demand repayment of any interim payments made where without reasonable excuse, the works were not completed within 12 months of approval or any extended period as agreed.

- Commencement of Works before Approval

An application for a DFG will not be approved if the work has started before the application has been approved.

Where work has started but has not been completed, the application may be approved if the Council is satisfied that there were good reasons for the work beginning before approval.

If the Council approves an application where works have already started but have not been completed, it may, with the consent of the applicant, treat the application as varied so that the works approved do not include any that have been completed prior to approval.

A grant cannot be approved if the relevant works have already been fully completed before the application is approved.

- Conditions as to contractors employed

Under s.38 of the Act, it is a condition of the grant that unless the Council directs otherwise, the eligible works must be carried out by a contractor that has provided an estimate for the work using the schedule of works drawn up by the Council.

The Council has procured a schedule of rates and engaged the services of two contractors under the Contracts for Adaptations & Ramps for the Disabled 2013-2016. Where the applicant employs the Council's Agency Service, the work will be carried out under the terms of that contract.

Where the applicant does not wish to use the Council's Agency Service and does not wish to approach any of the contractors on the Council's approved contractor list, they may appoint their own contractor. The Council will vet the contractor to ensure he is suitably qualified and experienced to carry out the work. Where the Council is not satisfied, the grant application may be refused.

Where either the applicant or a relative of the applicant wishes to carry out the actual adaptation work, the grant will only be approved for the cost of materials. The applicant will be responsible for the cost of labour unless sub-contractors have been used for some elements of the work.

Where the applicant has appointed their own contractor and the price for the work is in excess of the price set by the Council using the standard schedule of rates, the amount of grant will be limited to the price set by the Council. Any excess cost must be paid for by the applicant.

▪ Payment of Grant

The Council will issue payment direct to the contractor.

The payment of a grant is conditional upon:

- The eligible works being carried out to the satisfaction of the Council;
- The Council being provided with an acceptable invoice for any works, services or charges;
- Any safety certificates or building control certificates being received
- Payment can be made;
- in full after the eligible works have been completed, or
- by instalments as the works progress

Where a grant is to be paid by instalments, the amount paid cannot exceed 90% of the total amount of the grant.

Where an amount of grant is payable but the works have not been completed to the satisfaction of the applicant, the Council may at the applicant's request and if they consider it appropriate to do so, withhold payment from the contractor.

▪ Residence condition

It is a condition of the grant that the disabled occupant will live in the adapted property as their only or main residence throughout the grant condition period.

The grant period is currently 5 years and starts on the 'certified date'. The certified date is the date the Council decides the eligible works are complete to the satisfaction of both the Council and the applicant.

▪ Reclamation of Equipment

Where an application for assistance includes the provision of a stairlift, through-floor lift, step-lift or other specialist equipment, it shall be a requirement of providing assistance that such equipment will be reclaimed by LCC when it is no longer required by the disabled person.

A contract shall be signed by the applicant with LCC for this purpose. Should the applicant refuse to sign then he/she will be fully responsible for the maintenance and disposal of the equipment (maintenance and future removal costs cannot be covered by the grant).

▪ Repayment of grant on sale or transfer of property (owner occupiers only)

In accordance with the Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008, a condition is attached enabling the Council to recover a proportion of the grant if the property is sold or ownership is transferred within 10 years of the work being completed.

Repayment will be required in the following circumstances:

- (a) where the grant amount exceeds £5,000; and
- (b) the applicant has a qualifying owners interest in the property on which the relevant works were carried out; and
- (c) the applicant disposes of the property, whether by sale, assignment, transfer or other means, within 10 years of the certified date of completion of the works

In order to alert the Council to a potential sale or transfer of ownership, a local land charge will be place on the property where that DFG was for more than £5,000). The charge will remain on the property for 10 years and will be binding on any person who is the owner of the property.

Should the property be sold within the 10 year period, the Council will demand repayment as follows:

Grant Amount	Amount Repayable
Up to £5,000	£0
£6,000	£1,000
£8,000	£3,000
£10,000	£5,000
£15,000 +	£10,000

The partial recovery of grant funding will allow the Council to recycle some funding back into the budget for future DFGs.

It should be noted that the repayment mechanism only applies to owner occupiers.

28.0 Withdrawal of application prior to approval where costs have been incurred

28.1 Where the applicant, prior to the grant being approved, decides not to pursue the application, he/she shall reimburse the Council any costs incurred in:

- the preparation of plans and their submission for Building Regulations or Planning Approval
- obtaining specialist advice relating to the carrying out of the grant works e.g. structural surveyor fees

28.2 The Homelessness & Private Sector Housing Manager has the discretion to waive repayment of any fees in exceptional hardship cases.

28.3 Where the applicant has used a private agent and that agent has incurred the costs, the agent shall recover any monies directly from the applicant, not the Council.

29.0 Change of circumstances after approval

29.1 Where the application has been approved but before the works have been completed (certified date);

- The works cease to be necessary or appropriate to meet the disabled person's needs, or
- The disabled person ceases to occupy the dwelling, or
- The disabled person ceases to have the intention to occupy the dwelling, or
- The disabled person dies

29.2 The Council can decide that:

- No grant shall be paid (including any further payments if instalments have already been paid);
- The relevant works should be completed and the grant or an appropriate proportion of it paid, or
- That the application should be re-determined in light of the new circumstances.

29.3 When making this decision, the Council will have regard to all the circumstances of the case.

29.4 If the Council decides that no grant will be paid or that no further instalments will be paid, it can demand that any instalment that has already been paid, be repaid together with any interest from the date it was paid until the date it is repaid.

30.0 Ceasing to be eligible after approval but before payment is made

30.1 Where an application has been approved but before the works have completed (certified date), the applicant ceases to be eligible for a grant, no grant shall be paid (including any further instalments if some have already been paid).

30.2 The Council can demand repayment of any instalments that have already been paid. This can include an amount of interest.

30.3 Where the application was a joint application, this section will not apply unless both applicants cease to be eligible.

30.4 In the case of an owner's application, a person ceases to be eligible;

- If he/she ceases to have an owner's interest, or
- If he/she ceases to have an intention as specified in the owner's certificate which accompanied the application

30.5 In the case of a tenants' application, a person ceases to be eligible;

- If he ceases to be a qualifying tenant of the dwelling, or
- If the application was accompanied by an owner's certificate, the landlord ceases to have the intention specified in the certificate

31.0 Recalculating, withholding or repayment of grant after approval

31.1 S.42 of the act covers the actions the Council can take where the original application has been assessed on inaccurate or incomplete information.

31.2 The section applies to grants that have been approved and;

- The amount of grant was determined under s.30 or 31 on the basis of inaccurate or incomplete information and exceeds that to which the applicant was entitled;
- The Council determines that the eligible works were started before the application was approved;
- The eligible works are not completed to the satisfaction of the Council within the 12-month period (or the period specified);

- The Council decided that the cost of completing the eligible work including the any additional costs or fees is or is likely to be lower than the estimated expense; or
- The Council decides that works were carried out in contravention of s.38 (conditions as to contractors employed).

31.3 Where any of the above applies, the Council may:

- Refuse to pay the grant or any further instalments, or
- Make a reduction in the grant; and
- Demand repayment of any grant already paid.

31.4 If following approval it is clear that the works cannot be carried out on the basis originally referred to or there is additional work that could not have been foreseen at the start, the Council can re-determine the cost of the grant based on the additional costs, providing the total cost does not exceed the maximum amount.

31.5 The amount of grant can also be reduced if the cost of the work on completion is less than the original estimate.

31.6 Where the works in question have not been completed to the satisfaction of the applicant or the Council, payment may be withheld until such works have been completed in a satisfactory manner.

32.0 Repayment where the applicant is not entitled to a grant

32.1 S.35 of the Act covers the circumstances where an application has been approved but it later emerges that the applicant was not eligible at the time of approval.

32.2 Where this section applies, no grant or further instalments of grant shall be paid.

32.3 In the case of an owner's application, an applicant is not entitled to a grant;

- If he/she does not have a qualifying owner's interest, or
- If he/she does not have the intention specified in the owner's certificate which accompanied the application.

32.4 In the case of a tenant's application, an applicant is not entitled to a grant;

- If he/she is not a qualifying tenant of the dwelling, or
- If the application was accompanied by an owner's certificate and the landlord does not have the intention specified in the certificate.

33.0 Repayment Conditions in cases where compensation is paid

33.1 Where an application has been approved, a condition can be imposed requiring the applicant to take reasonable steps to pursue any relevant claim and to repay the grant, so far as appropriate, out of the proceeds of such a claim.

33.2 Such claims would be;

- An insurance or legal claim against another person in respect of damage to the premises which the grant relates, or
- A legal claim for damages in which the cost of the works to premises to which the grant relates is part of the claim.

33.3 A claim is a relevant claim to the extent that works made good the damage or the cost of which is claimed are works to which the grant relates.

33.4 Where this condition is breached, the applicant shall repay the amount of grant relating to such works.

33.5 The Council can choose not to make such a demand or demand a lesser amount.

34.0 Death of Applicant

34.1 Where the applicant (or disabled person) dies after liability has been incurred for any preliminary or ancillary services or charges, the Council may pay grant in respect of some or all of those matters.

34.2 Where the applicant dies after the works have begun but before the certified date the Council may pay grant in respect of some or all of the works already carried out and other relevant works covered by the application.

35.0 Dispute Resolution

35.1 When a DFG is approved, the applicant becomes the employer of the builder therefore the legal and contractual relationship for the work being carried out is between the applicant and the builder.

- 35.2 The Council is not legally responsible for any of the work carried out and cannot take action against the builder if any of the work carried out is unsatisfactory although the Council will try and negotiate between the applicant and builder in order to reach a way forward.
- 35.3 Where a dispute over the quality of the work or materials that have been used arises before the work has been completed, the applicant should notify the Council immediately and an officer will arrange to inspect the work.
- 35.4 Where the work or materials are not satisfactory, the officer will advise the builder to make good any problems before the work can be signed off and any payments made.
- 35.5 Where the work has been completed and the client or Council are not satisfied, final payment will be withheld until any problems have been rectified.
- 35.6 Where the Council is unable to sign off the work and no agreement can be reached between the client and builder, any remaining grant money will be paid to the applicant and can be used to employ another builder to rectify the work.
- 35.7 Any further dispute regarding outstanding payment, the quality of work or claims for compensation, will be between the applicant and builder.
- 36.0 Appeals**
- 36.1 Any person who is not happy with a decision made by the Council is entitled to appeal. Any appeal should be made in writing within 28 days of receiving the decision. The appeal is to the Assistant Director Community Services and should state the decision that is being appealed and the reasons for the appeal. The Assistant Director Community Services will respond in writing within 14 days of receiving the appeal.
- 36.2 If the applicant is dissatisfied with the decision of the Assistant Director Community Services, he/she shall be entitled to make a further appeal within 28 days of the reply to the Council's Licensing and Appeals Committee.
- 36.3 The applicant will be entitled to put their case to the Committee in writing or in person. The applicant may also nominate a person to represent them at the appeal. The applicant should provide sufficient information concerning the appeal.
- 36.4 The decision of the Committee shall be given in writing and shall be binding on all parties.

37.0 Council Tenants

- 37.1 West Lancashire Borough Council has retained its housing stock and has chosen to directly fund adaptations for its tenants through its own capital programme.
- 37.2 To ensure equity across all tenures, applications for adaptations received from Council tenants will be dealt with in the same way as those from home owners, private tenants and housing association tenants up to the point of grant approval.
- 37.3 The parts of this policy that apply to Council tenants are:
- Section 6.0 Means Testing
 - Section 13.0 Assessment of Need
 - Section 17.0 Decision making criteria
- 37.4 The Council will discuss alternative housing options i.e. moving to a property that has already been adapted prior to adapting the current property.
- 37.5 Tenants are not responsible for carrying out any remedial or repair works prior to adaptations being installed.
- 37.6 The Housing Department will be responsible for maintenance of the adaptation works for the life of the tenancy (except for specialist equipment that has been signed over to LCC).
- 37.7 Tenants will not be able to request an alternative or enhanced scheme. The adaptation works carried out will be the ones recommended by the OT unless the Technical Officer has identified a more appropriate cost effective solution.
- 37.8 Where a property has already been adapted for a disabled tenant and the tenant requests a transfer to another property, the new property will not be adapted (unless there are exceptional circumstances for the move).

Appendix 1

Works Eligible for a DFG

Facilitating access

Under this category, a grant may be given for works to remove or help overcome any obstacles which prevent the disabled person from moving freely into and around the dwelling, accessing the garden and enjoying the use of the dwelling and the facilities or amenities within it.

Works may include:

- Ramped access to main entrance door for wheelchair use or step lift equipment;
- Widened entrance door for wheelchair use;
- Alterations to secondary entrance door/patio to provide access to rear garden/yard
- Works which will **not** normally be eligible for assistance include:
 - Construction or resurfacing of a driveway, provision of a garage or storage facility for car, electric scooter or wheelchair etc;
 - Works outside the curtilage of the dwelling where permission cannot be obtained from others e.g. ramp on public footway;
 - Works to provide access to a garden area e.g. steps/ramp down or up from patio to lawn etc (facilitating access from the house to outside will be provided);
 - Works to provide access to garage/shed/outbuildings etc;
 - Resurfacing/re-grading of public footpaths or common passageways to the entrance of the dwelling e.g. cobbled rear passage to yard of terraced house.

Making the dwelling safe

Under this category, a grant may be given for certain adaptations to the dwelling or building to make it safe for the disabled person and other persons residing with them.

Works eligible for assistance may include:

- Works to provide means of escape from fire for the disabled person (usually to flats);

- Provision of guards or cladding etc; to prevent persons with behavioural problems harming themselves;
- Specialised glazing or shades to windows to protect occupants with a medical condition which make them sensitive to sunlight;
- Works which are not normally eligible for assistance include:
- Works solely designed to remove category 1 hazards under the Housing Health and Safety Rating System.

Facilitating access to a room usable for sleeping

Under this category, a grant may be given for the provision of a room usable for sleeping where the adaptation of an existing room in the dwelling or access to that room is unsuitable in the particular circumstances.

Where the disabled person shares a bedroom with a spouse/partner, a grant may be given to provide a room of sufficient size so that the normal sleeping arrangements can be maintained.

Works eligible for assistance may include:

- Provision and installation of stairlift or through-floor lift equipment and structural alterations required to allow the installation, where access is required to a bedroom or room suitable for sleeping which is above ground floor level.;
- Conversion of a ground floor room into a bedroom; widening doorways for wheelchair access;
- Construction of bedroom extension;
- Strengthened ceiling in preparation for ceiling track hoist (hoist equipment to be supplied by LCC).
- Work which will **not** normally be eligible for assistance include:
- Provision of space within a bedroom for sensory equipment, social, recreational, study or working purposes.

Facilitating access to bathing facilities

Under this category, a grant may be given for the provision of or access to, a WC and or bathing facilities.

Works which may be eligible for assistance include:

- Widening doors to existing bathroom to suit wheelchair user;
- Provision and installation of stairlift or through-floor lift where existing bathroom is above ground floor level including structural alterations where required;
- Provision of a bathroom where the current one cannot be accessed or adapted to suit the disabled person;
- Adaptation of the existing bathroom to suit the disabled person e.g. replacing bath with level access shower (over bath showers will not be provided unless there is a specific medical need for this);
- Provision of a specialist bath (this will only be considered where there is a clear clinical need and the cost of the bath is reasonable)
- Replacement of shower with a bath (this will only be considered where the disabled person is unable to shower and where the shower was not provided through a DFG);
- Provision of bath and shower where there are 2 or more disabled occupants with differing needs (subject to space);
- Provision of bathroom extension where the current one cannot be accessed by the disabled person;
- Strengthening of ceiling joists to accommodate ceiling track hoist (track and hoist to be provided by LCC)
- Provision of fixed seat/grab rails;
- Non-slip/sloping floor to create shower facility.

Note: Shower facility must be level access wherever possible. A low-level tray will only be considered where the existing floor will not accommodate a level access tray.

Where a wet room is being created, a thermostatically controlled shower will be provided along with shower curtain or carer screens. The immediate shower area will be tiled with plain white tiles (client can request additional tiling and specification of tile at their own expense). Appropriate non-slip vinyl flooring will also be provided (again this can be upgraded at clients' expense).

Works which are not normally eligible for assistance include:

- Tiling outside of immediate shower area;
- Replacement of floor coverings where no other work is being recommended;

- Retention of bath/shower for non-disabled occupants when providing a facility for a disabled occupant if this increases costs;
- Provision of non-fixed bathing or shower seat;
- Provision of an additional bathing facility on ground floor if existing facility is accessible or would be if a lift was provided.
- Facilitating Access to a WC

Works eligible for assistance may include:

- Widening doors to existing WC to suit wheelchair user;
- Provision and installation of stairlift or through floor lift where WC is above ground floor level, including structural alterations where required;
- Provision of a WC where one does not exist;
- Strengthening of ceiling joists to accommodate ceiling track hoist (track and hoist to be provided by LCC);
- Repositioning WC to facilitate access by wheelchair user;
- Raised/lowered WC pan;
- Provision of ground floor WC where upper floor cannot be accessed;
- Extension for a WC;
- Works which are not normally eligible for assistance include:
- Provision of an external WC

Note: A wash-hand basin should normally be provided within the same room as a WC. Where this is not possible, the wash-hand basin should be in an adjoining room e.g. ante space or bedroom.

Facilitating Access to Wash-hand Basin

A wash-hand basin will normally be provided in the same room as the WC.

Works to provide access may include:

- Relocation of wash-hand basin to facilitate use by wheelchair user;
- Replacement of wash-hand basin with more suitable type e.g. replace vanity unit with wall fixed wash-hand basin;

- Replacement of taps with lever taps in association with above.

Works not normally eligible for assistance include:

- An extension solely for a wash-hand basin;
- The replacement of taps on their own if no other works involved and tap turners would be adequate.

Facilitating the Preparation and Cooking of Food

Under this category, a grant may be given to re-arrange or enlarge a kitchen to improve the manoeuvrability of a wheelchair and to provide specially modified or designed storage units, work top area etc.

The extent of adaptation work in a kitchen should be related to the extent of cooking and food preparation normally undertaken by the disabled person. No works will be undertaken where the disabled person is not responsible for preparing or cooking any food.

Works which may be eligible for assistance include:

- Rearrangement of kitchen fittings/appliances to facilitate their use;
- Enlargement of the kitchen if it is too small to allow its safe use by a wheelchair user;
- Adapted work-top/storage unit for wheelchair user;
- Adapted doorway for wheelchair user;
- Widened doorway for wheelchair user
- Works not normally eligible for assistance include:
 - Provision of additional kitchen units/fittings/appliances

Power, Light and Heat

Under this category, a grant may be given to provide or improve the existing heating system in the dwelling to meet the disabled person's needs.

Provision is also made for the adaption of lighting and power to make them suitable for use by the disabled person.

Works which may be eligible for assistance include:

- Relocating power points to make them accessible;

- Adaptation of heating/lighting controls to make them accessible;
- Replacement of solid fuel fire with other heating appliance in living/sleeping rooms normally used by a disabled occupant;
- Improvement of inadequate heating in living/sleeping rooms normally used by disabled occupant;

Works not normally eligible for assistance include:

- Works to rooms not normally used by disabled occupant;
- Provision of central heating to a whole property.
- Facilitating access and movement to permit the care of other persons

Under this category, a grant may be given for works to enable a disabled occupant better access and movement around the dwelling in order to care for another person who normally resides there whether or not they are related to the disabled person. The dependent being cared for need not be disabled.

Works could include:

- Provision and installation of stairlift or through-floor lift equipment (including any structural alterations required) to allow the disabled person access above ground floor (where they currently live on the ground floor) to provide care to others;
- Widening doorways to the bedrooms of those being cared for by the disabled wheelchair user;
- Works not normally eligible for assistance include:
- Any works necessary to relocate persons being cared for by the disabled occupant into other rooms e.g. moving a child from the first floor bedroom to a ground floor room or extension.

Access to principal family room

Under this category, a grant may be given for works to enable a disabled occupant better access the main family room.

Works eligible for assistance may include:

- Widened doorway for wheelchair access;
- Provision and installation of stairlift/through-floor lift equipment and structural alterations required to allow installation, if the principal living room is on an upper floor;

- Widened doorway in entrance hall to access principal family room for wheelchair use;

Works which are not normally eligible for assistance include:

- Widening or improving access to other living rooms/study etc which are not the principal family room or dining room;
- Alterations or extensions to create a family room;

DRAFT

Appendix 2 Summary of Changes

Section 2.0 Adaptations to properties owned by Registered Providers (Housing Associations)

The Housing Grants, Construction & Regeneration Act 1996 states that anyone can apply for a DFG regardless of tenure. However, good practice suggests that registered providers should build the provision of adaptations into their business plan.

Current Policy:

The current policy states that where a tenant of a registered provider requests a DFG to adapt their home, the Council shall determine whether the provider has made provision in its business plan for the adaptation of its properties. If not, the Council should encourage the provider to make such financial support available.

Revised Policy:

The revised policy states at 2.5, that the provider will be asked to make a 50% contribution towards the cost of the works (excluding fees).

The Council has requested this contribution over the last 12 months and the majority of providers have agreed. This has reduced the amount of grant funding provided to tenants of registered providers, allowing more grants to be issued overall.

Recommendation:

It is recommended that the suggested amendment be accepted.

Section 21.0 Agency Service

The Council offers an Agency Service to assist applicants in arranging for the works to be carried out. In addition to the general administration tasks, the Technical Officer will; survey the property, produce a schedule of works, arrange for plans to be drawn up as required, tender for the work, carry out regular inspections as the work progresses and on completion.

The Council is allowed to charge a fee for this service and the income generated assists in supporting the costs of the Private Sector Housing Team.

Current Policy:

The agency fee is currently set at 10% of the total cost of the works plus VAT (subject to a minimum charge of £250).

Revised Policy:

The revised policy at 21.1 suggests increasing the fee to 12% of the total cost of the works plus VAT (subject to a minimum charge of £300).

The table below shows the amount of increased income a fee of 12% would have attracted over the last 3 financial years:

Year	10%	12%	Difference
11/12	£71,323.34	£85,588.01	+£14,264.67
12/13	£56,581.20	£67,897.44	+£11,316.24
13/14	£50,619.19	£60,743.03	+£10,123.84

The benefit of increasing the fee is that it will generate additional revenue income to help support the staffing costs associated with administering a DFG scheme.

An increase will also bring the fee in line with that allowed where the applicant chooses to engage a private agent.

The negative effect of the increase will be that it will increase the grant amount awarded to the applicant as the fees are allowed to be recovered through the grant. This will reduce the amount of capital available thus reducing the number of grants available. It also increases the likelihood of the applicant having to repay some of the grant if the property is sold within 10 years as any amount over £5,000 is recoverable. An increased agency fee may take more grants over the £5,000 threshold.

Section 22.0 Private Agents

Current Policy:

Applicants are free to use a private agent to manage the works and the cost of this can be included in the grant. The current policy allows a private agent to claim up to 12% (plus VAT) of the total cost of the works.

Revised Policy:

The revised policy at 22.3 leaves the maximum amount at 12%, in line with the increased fee recommended to be charged by the Council's Agency Service.

Recommendation:

Should the decision be to leave the Council's agency fee at 10%, it is recommended that the fee allowed for private agents is reduced from 12% to 10% to ensure equity.

Section 29.0 Withdrawal of application prior to approval where costs have been incurred

The Housing Grants, Construction & Regeneration Act 1996 allows grant monies to be recovered in certain circumstances once the grant has been approved but is silent on recovering any costs incurred if the applicant withdraws their application prior to approval.

An example of this would be where a grant application involves major works such as structural alterations or an extension. Fees including architects and structural engineers fees are routinely incurred as the cost of the proposed works cannot be known unless plans have been drawn and passed.

Current Policy:

The current policy is silent on the issue of recovering fees where the applicant withdraws the application, however, where the applicant has elected to use the Council's Agency Service, the agreement signed states that where the applicant decides not to pursue their application they shall reimburse the Council for any costs incurred in preparing plans for building regulations or planning approval and obtaining specialist advice.

Although in the agreement, this clause has not been acted upon in previous years.

Revised Policy:

At section 29.0, the new policy provides for these fees to be recovered from all applicants irrespective of whether they use the Council's Agency Service.

Where the applicant has elected to use a private agent and that agent has incurred the costs, the agent shall recover the monies directly from the applicant, not the Council.

Recommendation:

It is recommended that the Council recovers any fees incurred prior to the grant approval where the applicant decides not to proceed with the grant application.

The number of clients withdrawing their application where costs have been incurred is small but if architects fees have been incurred, this can be a loss to the Council of up to £1,500.

Section 30 & 31 Change of circumstances after approval

Where the grant application has been approved; but before the works have been completed;

- a) the works cease to meet the disabled persons needs,
- b) the disabled person ceased to occupy the dwelling, or ceases to intend to occupy the dwelling
- c) the disabled person dies
- d) Where grant funding has been approved but before the works have been completed, the applicant ceased to be eligible
- e) Where the disability was caused by an accident and compensation has been paid
- f) Where the grant issued was over £5,000 and the property is sold within 10 years of the works being completed (a maximum of £10,000 can be recovered)

The Council can decide that:

- no grant shall be paid (including any further payments if some payments have already been made); or
- the relevant works should be completed and the grant or an appropriate proportion of it paid; or
- the application should be re-determined in light of the new circumstances

Current Policy:

Under the current policy, for circumstances a and b above, the Council would release grant funding for the work completed to date but would not recover the amount from the applicant.

For circumstance c, the Council would complete the work and recover the cost from the estate.

For circumstance d, the Council would recover any grant monies already paid.

For circumstance e, the Council would look to recover any grant monies from the compensation paid to the applicant.

Revised Policy:

It is recommended in all cases that any grant funding issued is recovered where the works are unable to be completed due to one of the circumstances above. The discretion to waive repayment in exceptional cases will remain.

Appendix 3

Consultation Comments on the draft Disabled Adaptations Policy 2015

Lancashire West Citizens Advice Bureau:

Re section 6:

It may also be useful to set out, in a little more detail, how the means test is applied.

By way of introduction to the topic, our own information provides:

The financial resources of the relevant person are calculated by working out her/his average weekly income, including tariff income from capital. If the relevant person has a partner, their resources are assessed jointly. Where the relevant person's financial resources exceed the applicable amount, a staggered taper is applied to the excess amount to work out the sum by which the grant is to be reduced.

[AdviserNet 11.8.22.5 para 51]

Re section 12.2:

It may be useful to add that:

In addition to these definitions, someone aged 18 or over is considered disabled for the purpose of entitlement to a disabled facilities grant if s/he is:-

- *registered as disabled under the National Assistance Act 1948; or*
- *a person for whom welfare arrangements have been made, or could be made, in the opinion of social services, under the National Assistance Act 1948.*

[AdviserNet 11.8.22.5 para 10]

Once again, this excerpt is taken from our own information systems.

Re section 35:

Your dispute resolution section is both welcome and reasonable.

Matthew Astley and Guy Simpson
Lancashire West CAB
21.08.2014

Disability Advice West Lancashire:

Our Charity deals with a great many disabled who from no fault of their own are having to turn to DWP to apply for financial aid. A large amount are being denied this support. It would be beneficial to both you and the community if these grants are made more accessible to the sick and disabled. I know that there are financial restrictions being enforced that are draconian but the community in order to prosper and grow needs this support.

Lancashire County Council Occupational Therapy Service:

- 1.2 Suggested the phrase 'able to remain at home' is included in the paragraph.
- 2.4 Change 'should be provided free of charge' to 'maybe provided free of charge'.
- 5.4 FACS is not used to assess a disabled person so reference to it should be removed.
- 10.1 Bullet point 3, needs to refer to children as well and add 'based on current OT criteria document'.
- 13.1 Para should also refer to disabled children.
- 13.4 Remove reference to FACS, insert following prioritisation guidelines.
- 13.6 Stated OT's always recommend most cost effective option and where something exceptional is needed, will provide info as to why.
- 13.7 Change to 'best practice to carry out joint visits, encouraged at early stages.
- 18.0 Making the dwelling safe: take out bullet point 1

Facilitating access to bathing facilities: remove reference to provision of a specialist bath
- 20.2 Amend to where possible/reasonable.
- 20.4 Access to both sides of the bed is a priority.
- 24.0 Stage 2 – Add in reference to joint visit.
- 25.1 Suggested we change wording and remove the word cannot.
 - Suggested we check DFG application forms for any reference to war injured or those claiming compensation for injury leading to disability

<p>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></p>	<p>The recommendations in this report would not disadvantage or have a negative effect on any of the groups listed. Feedback from the consultation exercise has not revealed any potential areas concern that need to be addressed.</p>
<p>2. What sources of information have you used to come to this decision?</p>	<p>A consultation exercise has been carried out involving stakeholders and the general public. The feedback from this plus data held internally has informed this decision.</p>
<p>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)?</p>	<p>Stakeholders and the general public were invited to comment on the draft policy. The document was placed on the consultation pages of the Council's website and stakeholders were notified. A press release was also issued to alert members of the public.</p>
<p>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></p>	<p>The recommendations in this report do not hamper our ability to meet such duties.</p>
<p>5. What actions will you take to address any issues raised in your answers above</p>	<p>None at this time</p>



AGENDA ITEM: 11

**PLANNING COMMITTEE:
4 September 2014**

**CABINET:
16 September 2014**

**EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:
2 October 2014**

Report of: Assistant Director Planning

Relevant Managing Director: Managing Director (Transformation)

Relevant Portfolio Holder: Councillor M Forshaw

Contact for further information: Miss Gillian Whitfield
(e-mail: gillian.whitfield@westlancs.gov.uk)

SUBJECT: YEW TREE FARM DRAFT MASTERPLAN

Wards affected: Borough-wide

1.0 PURPOSE OF THE REPORT

1.1 To update Members on the progress of the Yew Tree Farm Masterplan Supplementary Planning Document (SPD) and to recommend the “Draft” version of the document for a period of public consultation from 9 October – 21 November 2014.

2.0 RECOMMENDATIONS TO PLANNING COMMITTEE

2.1 That the content of this report, the Yew Tree Farm Options Consultation Report and the Yew Tree Farm Draft Masterplan document be considered and that agreed comments be referred to Cabinet.

3.0 RECOMMENDATIONS TO CABINET

3.1 That Cabinet consider the contents of the Yew Tree Farm Options Consultation Feedback Report set out at Appendix A of this report.

- 3.2 That Cabinet approve the Yew Tree Farm Draft Masterplan document (Appendix B to this report) for public consultation from 9 October to 21 November 2014, having regard to the agreed comments of Planning Committee (provided at Appendix C to this report) and subject to any amendments made by the Assistant Director Planning in consultation with the Portfolio Holder, following consideration of the Draft Masterplan Document by Executive Overview and Scrutiny Committee, as per recommendation 2.3 below.
- 3.3 That the Assistant Director Planning, be authorised, in consultation with the Portfolio Holder, to make any necessary amendments to the Yew Tree Farm Draft Masterplan document, in the light of agreed comments from Executive Overview and Scrutiny Committee, before the document is published for consultation.
- 3.4 That Call In is not appropriate for this item as this report is being submitted to Executive Overview and Scrutiny Committee on 2 October 2014.

4.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE

- 4.1 That the content of this report, the Yew Tree Farm Options Consultation Report and the Yew Tree Farm Draft Masterplan document be considered and that agreed comments be referred to the Assistant Director Planning for consideration, in consultation with the Portfolio Holder.

5.0 BACKGROUND

- 5.1 Following the adoption of the West Lancashire Local Plan in October 2013, the Council committed to produce a Masterplan SPD to guide development on the Yew Tree Farm site in Burscough. This commitment was formalised and set out in writing within Policy SP3 of the Local Plan and a briefing report was brought to Cabinet in September 2013 to advise that work on this project was due to get underway.
- 5.2 During October 2013, contact was made with a selection of interested parties in order to establish a Stakeholder Group. The purpose of the group was to engage with every step of the production of the Yew Tree Farm Masterplan SPD and to help shape the document and how wider consultation on the Masterplan would take place. The group consisted of local ward councillors, portfolio and shadow portfolio holders, land owners, residents, local businesses, parish council representatives, voluntary sector bodies, infrastructure providers including, highways, utilities, education, public transport and other agencies such as the Environment Agency.
- 5.3 In total the Stakeholder Group met six times for the following purposes:
- Introduction and welcome meeting

- To consider the background evidence and issues relating to Yew Tree Farm
 - Review of the Burscough context and consideration of design concepts
 - To guide the consultation process
 - To consider the feedback from the consultation on the first options document
 - To consider the contents of the proposed Draft Masterplan document and to provide any initial feedback to further shape the document before Council approval and further public consultation in Autumn of this year.
- 5.4 Whilst the Stakeholder Group have been engaged with every step of the process, they are not a decision-making body and responsibility for production and adoption of the document rests solely with the Council. All notes and evidence that was made available to the Stakeholder Group is available on the Council's website at westlancls.gov.uk/ytf.
- 5.5 Since commencing work on the masterplan last October, Council officers have produced a baseline report which consolidated all of the available evidence relating to the site and identified all the main issues that the SPD would need to address.
- 5.6 Once the baseline was established, an 'Options' document was produced. This gave a detailed account of all of the issues associated with the site including key concerns such as drainage, highways and access. The report then suggested a number of responses to the issues and then set out four options for how the site may look and how each of the issues could be addressed.
- 5.7 The 'Options' Report was produced to encourage feedback on all of the possible responses to such issues including how the site should be accessed, what type of open space is required and which part of the site should come forward and which should be safeguarded from development. The public were also asked how the overall design of the site should look and were presented with four options to help demonstrate this.
- 5.8 A six week consultation exercise was then undertaken on the "Options" document in February and March of this year and the feedback from this consultation, along with Council responses to the comments and recommendations to be carried forward into the Draft Masterplan, are set out at Appendix A to this report.
- 5.9 The consultation exercise included a leaflet drop to all Burscough homes and businesses, posters, emails, four drop-in sessions held at Burscough Wharf and a school engagement session between Planning Officers and Year 9 students of Burscough Priory Secondary School. Almost fifty written responses were received, along with a number of completed questionnaires. The feedback reported has been considered in moving the Yew Tree Farm Masterplan SPD forward to the next stage.

6.0 CURRENT POSITION

- 6.1 Having regard to the feedback collected through the public consultation, Stakeholder Group meetings and one to ones with infrastructure providers, the Options document has been refined and a proposed Draft Masterplan has been produced and is set out at Appendix B.
- 6.2 The document sets out a high level framework to ensure the most appropriate type of development comes forward. It establishes the expectations of the site including what will be delivered, when and where on the site and this is supported by an indicative layout plan. A detailed account of the site constraints is included to ensure that all applicants are aware of the site context. The document then details a series of place-making principles which will act as criteria to assist applicants in preparing proposals for the site and the Council and statutory consultees in assessing these proposals.
- 6.3 The “Place-Making Principles” form the heart of the Masterplan and are set out under the headings Character, Connectivity, Climate and Community. Within each of these high level principles lie detailed criteria to address all aspects of the site’s delivery, including the key issues of drainage and highways that were noted by the Burscough community.
- 6.4 Character – This provides a useful starting point to the document and requires that any applications for development consider the existing landscape and features such as hedgerows, field demarcation and planting, when working up the site layout. This will help to provide a maturity to the site once development commences and will ensure a strong synergy between the new development and the existing countryside.
- 6.5 The Character Principle includes the following criteria based requirements:
- Density
 - Creative but simple designs
 - Good quality materials
 - Flexible and adaptable buildings
 - Integration – public spaces, buildings, design process
 - ‘Gateway’ to the site
 - Green corridors and water features
 - Primary Road Network – Creation of ‘boulevards’
 - Secondary Road Network – Narrower with appropriate massing of buildings
 - Access Routes – consistent street design
 - Architectural language – gradual changes
 - Contemporary interpretation of local townscape
- 6.6 Connectivity – seeks to encompass all aspects of movement around the site and the locality, addresses the local concerns with highways matters and includes the following principles:
- Overarching Connectivity Principles

- Proposed Connections
- Promoting Sustainable Movement
- Site Specific Highways and Transport Guidance

- 6.7 This portion of the document has been directly influenced by technical guidance and advice provided by Lancashire County Council as Highways Authority and includes requirements that the development is accessible to all, prioritisation of walking and cycling over car use, designing the site to access public transport, inclusion of safe vehicular access and that any proposals must be consistent with the draft West Lancashire Highways and Transport Masterplan.
- 6.8 One of the key delivery requirements of the site is that the Ormskirk to Burscough Linear Park must be developed along with a comprehensive walking and cycling network that will connect the site to the wider area. As the network extends beyond the site, developers will be required to support the delivery of the necessary improvements to ensure junctions and existing routes are compatible for sustainable transport use e.g. toucan crossings, junction improvements, cycle path installation.
- 6.9 In terms of highways matters, the document requires that a clear and legible internal road network is provided with 2 internal east-west link roads for connectivity, rather than relief, to the A59. Whilst both routes will not require completion at the outset of development, they must be completed alongside each phase of development, with one being completed within this Local Plan period to serve the initial phase of 500 houses and 10 ha of employment land. In addition, the northern route is likely to provide some HGV relief to Higgins Lane which may facilitate closure of Higgins Lane to through traffic in the future.
- 6.10 Access to the site should be limited to three primary points, one onto the A59 opposite Lordsgate Drive which should be signalised and two onto Tollgate Road, north and south, in accordance with each respective phase. The Highways Authority have provided clear advice that vehicular access into each individual parcel of land within the site directly from surrounding roads is not recommended in order to ensure a comprehensive and inclusive development comes forward and that this is particularly relevant along the A59 which is at its most congested between Square Lane and Mill Dam Lane.
- 6.11 The document also establishes which junctions will require some form of improvement works to ensure highway capacity and flow is managed within the area. All proposals must also be supported by a full Transport Assessment and Travel Plan, both of which require early engagement with the Highways Authority and will establish the specific impacts of each phase which will drive the specific mitigation measures required.
- 6.12 Finally, parking provision should be in line with Policy IF2 and a review of all Traffic Regulation Order's in the surrounding area of influence is required to better manage network operation and efficiency.
- 6.13 Climate – This section covers overarching climate change principles, drainage matters, green infrastructure and biodiversity. The matter of drainage has been a priority to the local community from the outset so the Draft Masterplan places

important emphasis on this by requiring a Drainage Strategy at outline planning that is comprehensive to the site and includes criteria such as:

- How the proposal accords with Policy SP3 requirements to reduce flows to New Lane WWTW
- A phasing plan
- A drainage design code to ensure no phase prejudices the delivery of Sustainable Drainage on any other phase
- Technical details
- Future management and maintenance
- Offsite drainage infrastructure improvements to support development

6.14 United Utilities have had direct input into the development of this aspect of the document and consider the requirements reflect recent good practice on large major development sites within the North West. Lancashire County Council, as the Lead Local Flood Authority, and the Environment Agency have also been engaged on this matter.

6.15 Other matters within this section include a requirement for Green Infrastructure to support recreation, biodiversity, flood alleviation, food growing (allotments), health & wellbeing and sustainable transport through a network of footways and cycle ways. Proposals must also be supported by a Habitats Regulation Assessment, Ornithology Report and must adhere to Environmental Impact Screening and Scoping requirements.

6.16 Community – This principle establishes how land use will be distributed across the site and the overarching healthy community principles which include:

- Community consultation on planning applications
- Mixture of housing tenures
- Adaptable homes - flexibility
- Variety of open spaces and links to encourage community cohesion in well-designed public spaces
- Strong connection with Burscough's existing centre
- Requirement for any new local facilities to be central to the site and easy to find

6.17 In establishing the land use principles the Council has had regard to community feedback and also the need for phasing the development and safeguarding a portion of the site from development during this Local Plan and until such a time as a need can be demonstrated to support the release. Land uses accommodated within the site include:

- Housing – 500 dwellings for this plan period and safeguarded land for a further 500 if needed in the future.
- Specialist Housing for the Elderly – land for 20% of housing to meet elderly needs.
- Employment – 11 ha of land for this plan period and 9 ha to be safeguarded.
- Local Facilities / Retail – central to the site with good access to elderly accommodation and employment area.

- Community Facilities – that cannot be delivered or supported in Burscough centre.

- 6.18 When considering which land to safeguard and which land to bring forward as the first phase of development, this has been influenced by the need to deliver important aspects of the infrastructure requirements including an internal through route within the site and the Linear Park. The land that has been identified as first phase is considered to ensure this delivery in a timely fashion with only limited parts of this land being multiple-ownership, thereby reducing the likelihood of delivery issues and conflict.
- 6.19 The layout has been designed in such a way that once the first phase of development is completed it should look and feel like a completed development within its own right. However, the overall layout allows for the safeguarded land to come forward as a potential second phase of development that links well with the first phase and will ensure that, if the whole site does ultimately come forward, it forms a single, cohesive neighbourhood.
- 6.20 The Draft Masterplan also makes reference to developer contributions and sets out clearly what the developers of the Yew Tree Farm are expected to contribute and through which mechanisms, including Community Infrastructure Levy and Section 106 Obligations.

7.0 NEXT STEPS

- 7.1 Subject to Cabinet's approval and agreed comments from the Planning Committee and Executive Overview and Scrutiny Committee, the Draft Masterplan will be published for a further period of public consultation. This consultation exercise will include activities similar to the spring 'Options' consultation such as drop-in sessions, leaflets and an invitation for written representations from consultees.
- 7.2 Following the close of consultation in November, all responses will be considered and any refinements necessary will be made to the document before the final Yew Tree Farm Masterplan SPD is produced. This will then be taken back to Cabinet in early 2015 for Members to consider the final document for adoption by the Council. Once adopted the SPD will form part of the planning decision-making framework and will assist applicants in preparing proposals for the site and the Council in determining such applications.

8.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 8.1 The purpose of the Local Plan is to facilitate sustainable development in West Lancashire. The Yew Tree Farm Masterplan SPD, referred to above, seeks to facilitate the provision of sustainable development in West Lancashire through the provision of additional guidance. The Local Plan has been prepared in such a way that its objectives are aligned with those of the Sustainable Community Strategy.

9.0 FINANCIAL AND RESOURCE IMPLICATIONS

9.1 The Yew Tree Farm Masterplan SPD will guide delivery of development at the Yew Tree Farm site which includes at least 500 homes within this Local Plan period. This development will attract revenue including New Homes Bonus, Community Infrastructure Levy and potential funding or infrastructure secured through Section 106 obligations. All of which has the potential to be used by the Council to help improve community infrastructure and local facilities. In respect of resource implications, the Masterplan SPD has formed part of the Strategic Planning and Implementation team's work programme since September 2013 and its preparation has required a significant amount of officer time, as well as Member input. However, this cost has been factored into existing planning service budgets.

10.0 RISK ASSESSMENT

10.1 This report seeks authorisation for the Yew Tree Farm Draft Masterplan to go out for a period of consultation with the public. Responses received will help shape the document further before a decision is required by the Council in respect of adoption of the document. Therefore, no decisions are being made at this stage. As such, this report does not require a formal risk assessment and no changes have been made to risk registers.

Background Documents

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

<u>Date</u>	<u>Document</u>	<u>File Ref</u>
Adopted October 2013	West Lancashire Local Plan (2012-2027)	

Equality Impact Assessment

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

Appendices

- Appendix A – Yew Tree Farm Options Consultation Feedback Report – Spring 2014
- Appendix B - Yew Tree Farm Draft Masterplan SPD (colour copies available via the Council Website or by request).
- Appendix C – Planning Committee minute 4 September 2014 (Cabinet only), Cabinet minute 16 September 2014 (Executive Overview and Scrutiny Committee only)
- Appendix D - Equality Impact Assessment

CONSULTATION SUMMARY REPORT

Masterplan Options Yew Tree Farm, Burscough

Feb-Mar Spring 2014

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Appendices

Appendix 1 – Consultation Representations and the Council's Responses

1. Introduction

The development of a Masterplan for the Yew Tree Farm site as a Supplementary Planning Documents (SPD) will give supporting guidance for this development which has been identified as a strategic site through the Local Plan. Masterplans can be used to establish how a site may be laid out to accommodate the development and which areas of the site may be safeguarded for future development purposes.

Masterplans are normally prepared in consultation with the public and stakeholders such as infrastructure providers, regulatory authorities and, where appropriate, the developers, land owners and those with an interest in the land.

In accordance with this, and in addition to the work the Council has carried out with a specific group of stakeholders, the Council prepared a series of Options for the Masterplan and publically consulted on them between 6 February and 21 March 2014.

This document provides a summary of how the Council consulted, the general issues raised through representations and the Council response to those issues. This document also sets out how the Masterplan will be shaped as a direct result of the comments received, to illustrate how consultation informs decision making.

It should be acknowledged that the Council do consider all comments received, although may not always agree with opinions and therefore changes cannot be made in all cases. The Council are required to make balanced decisions, taking into account the views from all sides.

2. Consultation and publicity methods

The Council publicised consultation on the Masterplan Options through the following methods:

- Half page press advert in the free, local Champion paper
- Front cover 'headline' advert in the free, local Champion paper
- Leaflet distributed to all homes and businesses in Burscough
- Email / letters to all consultees on the consultation database, including statutory consultees
- Press release
- Posters displayed in Burscough shops and Burscough Bridge rail station
- Council website and social media (Facebook)

Throughout the consultation, planning officers were available to answer questions:

- At four exhibitions (two held mid-week 2-6.30pm, two held on Saturdays 10am-4pm)
- By email
- By phone
- In person at Council offices

Consultation materials were available to read at:

- Libraries
- Post Offices
- Council offices
- On the Council Website

Comments were invited through

- An online form available from the Council website (powered by surveymonkey)
- By returning forms through email or post
- An online questionnaire available from the Council website (powered by surveymonkey)
- By returning questionnaires through email or post

3. Summary of comments received

48 comments were received on Yew Tree Farm. A report containing those comments, in full, can be found on the Council webpage at www.westlancs.gov.uk/YTF or in [Appendix 1 to this document](#). Comments generally focused on a series of key concerns, as set out below. Further comments were received in relation to the actual options presented through the consultation and these are also detailed through this section.

Traffic, highways and transport

There were concerns expressed about creation of a new access road on the A59 given the proximity of a new junction to Lordsgate Primary school, and the ensuing fears for the safety of children. Many emphasised the problems that parents parking vehicles to drop off / collect their children creates to congestion and suggested that parking areas be provided to resolve this issue. It was felt that this would help reduce road traffic accidents.

The use of traffic lights at a junction also creates fears about increased congestion as traffic would 'back up' along the A59. However, complaints were received at the current difficulty in turning right onto the A59 from Higgins Lane due to the volume of traffic and subsequently support was also received for the installation of a light controlled new junction to facilitate easier navigation. Some also felt that this would improve safety in connection with Lordsgate School.

Some consultees registered their doubts over whether accurate assessments have been undertaken in relation to increased traffic flows and the impact on local roads, including 'pinch points'. This included whether assessments had been undertaken at school start and finish times when traffic is at its highest. Concerns were registered over the current speed of traffic, and the creation, or worsening, of existing rat –runs. Consultees questioned whether the recommendations of the surveys, for example remodelling junctions, would sufficiently address and resolve the identified issues.

A number of consultees suggested alternative locations for the proposed new junction onto the A59, including land opposite 230 Liverpool Road South in the gap between existing houses. Other consultees suggested additional accesses should be considered through the land at 77 Liverpool Road South and support for an access at Meadowbrook.

However, significant opposition to access to the site via Meadowbrook was also registered by many, including Lancashire County Council as the Highways Authority.

Support was registered for a 20mph speed limit on the internal road network of the site and encouraging delivery of cycle and footpaths.

It was highlighted that parking provision at the rail stations is insufficient with few available spaces.

Network Rail raised concerns over ensuring the safety of level crossings as a result of an increased volume of traffic and pedestrians and urged that considerations are made into how this traffic could be diverted and managed around the site. Network Rail also acknowledged the limited parking at stations but suggested that there was some small scope to extend the number of spaces using funding generated by developer contributions. Network Rail encourage the provision of cycle and walking routes to the stations, and support the case for improved frequency of rail services and the delivery of the electrification of the Ormskirk to Burscough line.

There were concerns over traffic and flooding in areas outside of Burscough, including Scarisbrick and Newburgh.

It was suggested that access to the employment land should be separate from the residential use to avoid adverse impact on residential occupiers. Creation of new roads should take into account the diversion of industrial traffic away from the residential areas, and to minimise congestion. An access was suggested at 77 Liverpool Road, which is an existing employment site currently for sale.

LCC submitted a series of recommendations and suggestions for vehicular access, cycle and pedestrian link, incorporation of existing public footpaths into the linear park, and internal roads which would support public transport services. These were submitted in relation to each of the 4 options.

Council response

Lancashire County Council (LCC), as the local Highways Authority, have carried out initial strategic traffic modelling at the Local Plan site allocation stage, more localised traffic counts and modelling within Burscough alongside the Masterplan process, and have provided the Borough Council with their professional view in terms of the requirements of the Masterplan and how the site interacts with the highway, and both vehicular and sustainable transport measures.

In addition, the Masterplan will require that all applications for development are supported by a full Transport Assessment and Travel Plan, the scope of which should be agreed with the Highways Authority in advance of submission.

The Council is satisfied that the principles set out within the Draft Masterplan, along with the additional detailed work required at planning application stage, will ensure measures are delivered to help mitigate the impacts of traffic on the local highway network and to encourage cycling and walking over car use.

Drainage and flooding

Many of the comments cited the issues relating to surface water problems, including flooding, on the site and registered concerns that these problems would be exacerbated once building commences. There were concerns that attenuation ponds would be insufficient.

Reassurances were requested that flooding issues will be tackled prior to, or during, development to ensure flooding does not occur on the site or within the surrounding area. Further surveys and evidence were requested to ensure that property and land will not be at risk. Some wanted reassurances as to which agencies would be responsible for resolving any issues, should problems occur in the future following development.

Concerns were registered over the safety of Sustainable Drainage Systems (SuDS) in the event children fell in to open water.

The Environment Agency (EA) re-iterated the importance of ensuring drainage is provided to the site. They stated that it is essential that no surface water from the site discharges to the existing combined sewer network and the treatment and disposal of surface water from the whole site is managed sustainably to prevent any increase in flood risk off-site.

The EA also support the requirement of SuDS within each phase of development, ensuring that all phases should then link together as a whole. A drainage scheme should include principles based on the hydrological and hydrogeological contexts of the site. The scheme also needs to include sufficient capacity for the surface water run-off from adjacent properties which is required to be removed from the current combined waste water network, as required by the Local Plan Policy SP3. The EA also set out a series of ecological principles for the ecology of the site and the water environment.

Council response

The Council acknowledges that there are issues with surface water within Burscough and are committed to ensuring that surface water problems are not exacerbated.

In addition, Policy SP3 of the Local Plan and the Masterplan both require that works are undertaken to remove some surface water from the existing system that runs through Burscough and deal with this on-site along with the development's own surface water. This will ensure that any additional waste water (foul) flows that must go into the system are offset by the removal of surface water flows. This may also result in some betterment to the surface water network in Burscough and result in improvements to the network as a whole.

However, land drainage beyond the extent of the site is a complex issue and whilst the Masterplan will seek to ensure this site does not worsen the situation, planning cannot control all matters beyond the site in question.

Advice proposed by the Environment Agency in respect of flood risk, surface water drainage and ecology will be taken on board and will feature within the Draft Masterplan.

Education and Health

Many consultees cited concerns that the primary schools and secondary schools in Burscough are already at capacity and cannot take on more pupils.

Similar concerns were also voiced in relation to health provision, whereby an increase in the resident population generated by development of the site would create additional health provision demands that could not be managed.

It was proposed that provision for a school should be contained within the safeguarded land, so that a need could be assessed later down the line. For this reason, it was suggested a separate single access from Higgins Lane leading to a school site at the north of the site should be provided.

Council response

Lancashire County Council, as the Education Authority, has provided a high level analysis of the impacts of the site on both primary and secondary education. The analysis is clear that the assessment is a snapshot in time and may not be accurate as time progresses given the length of time it may take to deliver this site in its entirety. Therefore, assumptions may change in future.

Notwithstanding this point, LCC have determined that there is currently no need for the addition of a new primary school until beyond this plan period i.e. 2028 or whenever the Local Plan is reviewed. They have also confirmed that any interim requirements for additional primary school provision can be met through improvements and extension to existing primary school facilities and that this requirement should not occur until later in the plan period, beyond 2020. With regard to secondary provision, there is also a requirement for support to assist in the delivery of improvements and extension to the existing secondary school within this plan period but no indication that a new secondary school would be required at any point in the development of this site.

A requirement for development to contribute towards the delivery of educational improvements will be included within the Masterplan, subject to viability considerations.

The Council are aware that health provision in Burscough is under pressure, based on feedback from local GP Practices, and the impact of the YTF development is likely to lead to the requirement of 1 additional GP. The Masterplan will ensure that any development on the Yew Tree Farm site contributes to the delivery of improved health care provision which is likely to take place through extension and improvement to existing facilities within Burscough centre.

Community services and retail

Consultees registered concerns that development of the YTF site would threaten the integrity, vitality, viability and sustainability of the shops and services currently in the centre of Burscough.

A request was received that any developer generated funding should be given to existing community facilities e.g. the Arts Centre at the Wharf, to enable the services to continue and improve.

It was considered that a library, and any new services, should be located in the existing centre of Burscough using developer contributions. Similarly, it was felt that developer contributions should be used to provide improvements to existing sports facilities rather than provide entirely new ones. The YTF site should provide some element of outdoor play space along with a linear park.

It was noted that flexibility should be applied to the type of retail and local facilities to be located within the Yew Tree Farm site to ensure they are truly required and driven by market forces. In addition, a number of representations stated that the local facilities should be located within the centre of the site rather than close to the A59 to ensure they would serve the majority of the homes on the site and the employment area.

Council response

Comments relating to community services and local facilities, including small scale retail were all welcomed. The Council will ensure that the Draft Masterplan focuses any improved community facilities within the existing Burscough centre. The Draft Masterplan should also ensure that any onsite retail and / or local facilities are delivered closer to the centre of the site to ensure the best catchment area and that the components of such facilities are given a degree of flexibility to avoid the land being sterilised in the event the market does not deliver such requirements.

Non-material planning considerations

Many consultees voiced their concerns over the loss of value in their homes. A minority expressed concerns that there has been enough affordable housing provided in Burscough and that people should train and work sufficiently hard to be able to afford their own homes.

Council response

Whilst the Council empathises with residents genuine concerns regarding such matters, the planning system does not allow consideration of these factors in determining when and where land should come forward for development that will meet the needs of the Borough as a whole. This is to ensure that development can reasonably be delivered as these issues effect most people, regardless of the location of development.

Design

Support was registered for the development, with the recognition that employment, housing and infrastructure need to be provided or improved in Burscough. The need for good design was emphasised, taking into account the context and character of the surrounding area to encourage a 'sense of place'. There was support for a mix of houses, varying densities and design and creating a character which also integrates with existing built design.

Council response

Ensuring the development fits into the local context and delivers good design is a key concern to the Council and will be a fundamental principle of the Draft Masterplan document. Therefore, support for good design is welcomed.

Employment

It was considered that the north-west corner of the site is the most suitable for employment purposes, providing a logical extension to the existing employment area, and that live/work units could form part of such development subject to evidence of demand. Live/work units would also serve to provide a buffer between uses. However, some felt that to require live / work units was too stringent within a masterplan guidance document as there was no evidence that there was market demand for such types of development and this could be inflexible for delivery of development.

Other employment uses on the site should similarly be determined by market demand. In order to accommodate the predominant movements of traffic to and from the employment site, it was suggested that a link road should be provided on a west-east axis as shown on options 1, 2 and 4. However, this would need to be well designed to ensure it did not disrupt the amenity of the residential areas within the site.

In relation to the options proposed for development, the Environment Agency highlighted that a number of occupants on the adjacent industrial sites have their operations regulated by the EA under an Environmental permit. The location of new housing on the site therefore needs to be determined in mind of these operations.

Council response

The Council concurs with the majority of feedback received regarding employment uses and will ensure the Draft Masterplan seeks to locate the employment uses in the most appropriate place (north and west of the site), whilst factoring in the amenity of surrounding uses. Flexibility regarding the type of employment uses will also be considered whilst ensuring the document does provide some guidance on this matter. In respect of live / work units, whilst these were generally supported, some felt that they may not be delivered if there was no appetite for them. Therefore, to avoid potentially stifling development of a proportion of the employment land, the Draft Masterplan will support the delivery of such units but will not require it in order to provide flexibility in the document.

Housing

Social rented housing provision in Burscough was supported by some consultees, including the Parish Council. The Parish Council also supported public open space but raised concern that maintenance costs should be manageable.

Elderly housing was supported by consultees and it was felt that this should be provided during the first development phase, and located close to public transport and local facilities. If a secondary access could be provided to the south of the site, then it was considered that elderly housing would be suitable to be located here, as well as at the proposed main entrance to the north of the site. Although limiting delivery of elderly housing to one location was not considered entirely deliverable or appropriate.

Affordable housing should be provided with the residential development.

It was proposed that residential amenity should be protected through the segregation of employment and residential uses and the direction of construction traffic through the employment side of the site would assist in limiting the impact on residents. Landscape buffers should also be used to help protect amenity.

Council response

In accordance with the Local Plan policies the Council will support the delivery of elderly and affordable housing within the Draft Masterplan. In order to assist this, greater detail will be provided regarding the expected location of elderly accommodation and the proposed suitable mix and cross over between affordable housing and elderly accommodation types, based on current need.

Other

There was support for the provision of decentralised energy networks, carbon neutral development and standards for encouraging low carbon design. Renewable energy provision was deemed to be a positive inclusion, with support for solar panels in the design of residential and commercial properties.

There were still on-going objections to using agricultural farmland / Green Belt for development, and the volume of development which is being granted in Burscough – including the Pippin St development - and the fears that this would affect the character of Burscough.

Concerns were voiced that features promised as part of the development (open spaces, community facilities, shops) may not be provided when building work has been completed. A distrust of the development process generated calls for monitoring and enforcement should developers fail to deliver their promises.

Natural England submitted comments emphasising the importance of providing green infrastructure and urging the Masterplan to provide more details. Provision of green infrastructure will help manage environmental risks, and minimise adverse effects on biodiversity. Natural England refer the Council to a number of documents to provide examples of best practice, and reiterate the importance of ornithological surveys and mitigation of any impacts on SPA / Ramsar sites near to the development site.

LCC reinforced the need to consider the impact on local ecology and mineral resources on the site, which may impact on the layout, phasing and density of the proposed development. LCC also reiterated the need for latest education forecasts and the support for the provision of a new or improved library facility.

A suggestion was made that the employment site should consist of 10 hectares of high-tech greenhouses or a 500 bungalow retirement village.

Council response

Comments relating to support for various elements of the development were welcomed by the Council. Although some representations expressed concern regarding development that has taken place in Burscough in the past, the Council is satisfied that the delivery of the Masterplan document will assist in avoiding occurrences of incomplete or poorly designed development.

Comments submitted by Natural England were also welcomed and reinforced the Council's own views in respect of ecological and drainage matters. Additional guidance provided by Natural England will be included in the Draft Masterplan.

Phasing and Safeguarded land

It was considered that the phasing of the site should be dictated by the provision of infrastructure.

One consultee noted that the scheduling process should take into consideration risk and funding of land delivery. It was felt that the site should be identified as separate parcels of land dependent on the intentions of each landowner. Layout and delivery of the site could then be based on the likelihood of each of those parcels coming forward.

Areas of safeguarded land were suggested – primarily the land behind the existing properties on the A59, and the south-east section of the site.

Council response

Whilst the Council must have regard to the multiple land owners within the Yew Tree Farm site, decisions relating to land to be brought forward and that which is to be safeguarded will be based on expected delivery of both development and other key components of the Masterplan including infrastructure.

Comments relating to safeguarding land near to existing residential properties have also been noted but this is not considered the most appropriate reason for safeguarding land given adjacent uses would, in most cases, be compatible i.e. new residential adjacent to existing residential.

Consultation

Some objections were received in relation to the consultation, and the omission of adequate details which would enable the public to respond to the consultation. There was some confusion registered in relation to the full site being shown as developed, with people assuming that this meant safeguarded land had been abandoned. Furthermore, one person complained that the Council was misleading local residents by increasing the housing allocation from 500 to 'at least 500'.

Council response

Consultation was undertaken in accordance with national requirements and the Statement of Community Involvement.

The Options document made clear that the site plans show development of the whole site to ensure that the site will not be delivered in a piecemeal way and that relevant infrastructure required in the event the entire site is developed can be planned for. Notwithstanding this, the Council still intends to safeguard a proportion of the site and a key element of the consultation was to ask the public which parts of the site should be safeguarded. The Draft Masterplan document will provide clarity on safeguarding and phasing of development.

The Options

There was broad support for most of the options, although Option 3 rarely received support. Each option was recognised as having its individual advantages and disadvantages and many consultees suggested the development of a hybrid option to take account of identified issues. Comments mirrored that detailed above and included:

- Allotments can provide buffer between employment and residential uses
- Elderly housing provision should be on north east side of site close to services
- Industry should be separated from housing
- Avoidance of rat-runs
- Access from Meadowbrook not supported
- Large green space in centre supported
- Support for closing access to Higgins Lane
- Demand for protecting current residential properties by securing green space behind homes

Hybrid options were presented by some consultees, including using the landscape options from Option 1, green spaces from Option 4, facilities and elderly accommodation as shown in Option 4, and employment areas of Option 3.

4. Questionnaire results

The results of the questionnaire reflected many of the comments submitted via written representation and are detailed below.

It is important to note that the percentages and numbers quoted below are representative of those surveys the Council received, and are not intended to show or suggest a wider opinion. Consultation is not a vote of popularity, and results are reported here for openness. The Council will use the quality of the arguments presented to inform decisions as the Masterplan progresses.

Q1. Where on the site should employment uses be located?

35 answered, 11 skipped

Almost all respondents supported employment uses being provided adjacent to the existing industrial site, and as far away as possible from residential areas. A minority of respondents had no opinion or maintained that no development should take place.

Q2. Live /work units are properties that combine a workplace and a home. For example, a house with an office space above it. Should live/work units be included on the site?

36 answered, 10 skipped

53% thought that live/work units should be provided on site. Some considered that these unit types would encourage start-up businesses and employment opportunities, act as a buffer between employment and residential uses, and reduce traffic as fewer people need to commute. Others thought that it would lead to a conflict of uses, it would lead to an avoidance of council tax, there would be little demand for the type of use, and would increase traffic.

Chart 1: Live/work units



Q3. What type of employment uses on the site do you support?

42 answered, 4 skipped

The largest support was received for office and light industry. The largest opposition was received for heavy industry and warehousing. It was considered that the latter uses would not be appropriate and there are sites elsewhere in the Borough (Skelmersdale) to accommodate these heavy industries. It was felt that lighter industries would bring more employment opportunities. Others felt that employment opportunities should reflect the skills of a local work force, and that Burscough will not attract large companies due to its location.

Q4. Where should elderly and affordable housing be located on the site?

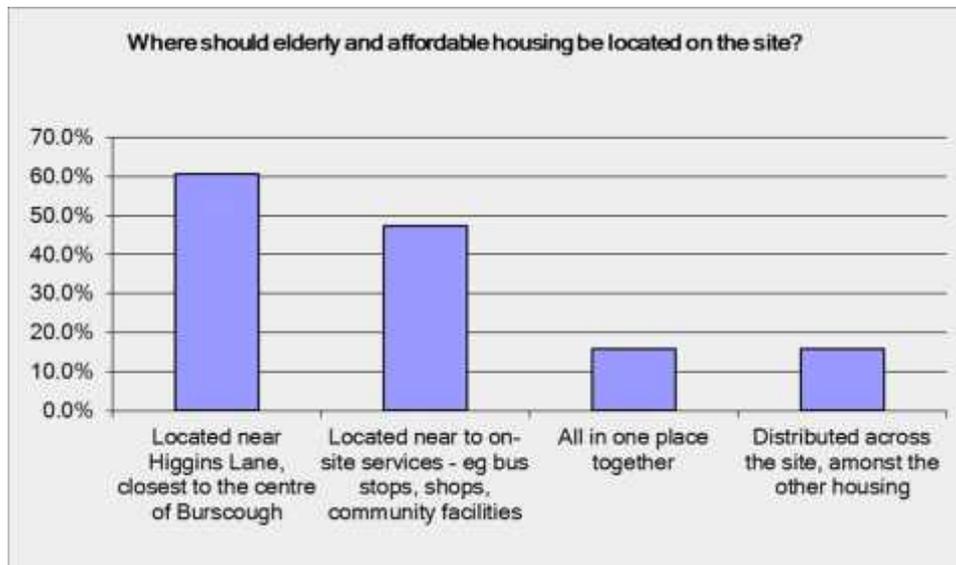
38 answered, 8 skipped

The greatest support was received for locating the housing near Higgins Lane, close to the centre of Burscough. There was further support for locating housing near to on-site services. A minority considered that elderly and affordable housing should be distributed across the site or be located all together in one place.

Some still felt that elderly housing anywhere on the site is too far from the village centre and amenities. It was suggested that elderly accommodation should be close to the A59 where bus services are more likely to be maintained. It was considered that locating the elderly housing together would provide opportunities for better socialisation between residents.

There was support for affordable housing, but also opposition. Some felt that affordable housing should not be provided in Burscough, as affordable housing should be provided in affordable areas.

Chart 2: Location of elderly and affordable housing



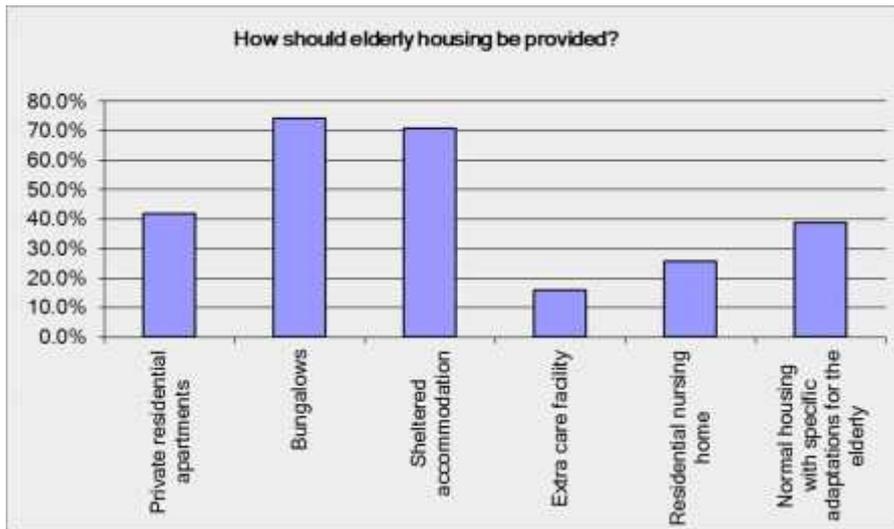
Q5. How should elderly housing be provided?

31 answered, 15 skipped

The highest support was registered for bungalows and sheltered accommodation. The lowest levels of support were for extra care facilities and residential nursing homes.

There was little supply for flats, with many stating that any development should be low rise and no higher than two storey. 'Whole of life' provision was supported, so that houses can be adapted as people grow old and their needs change.

Chart 3: Elderly housing provision



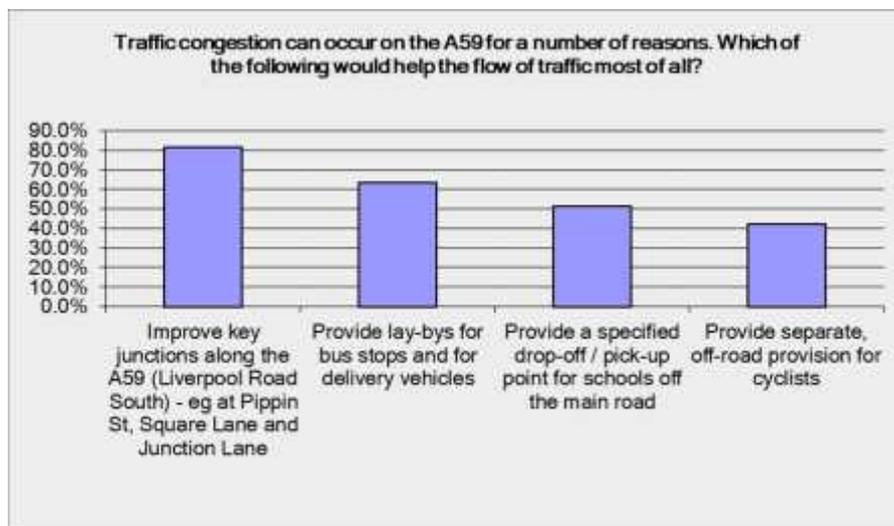
Q6. Traffic congestion can occur on the A59 for a number of reasons. Which of the following would help the flow of traffic most of all?

33 answered, 13 skipped

The highest support was registered for improving key junctions along the A59, followed by support for lay-bys and school pick-up / drop-off points along the main road.

It was suggested that multiple accesses should be created to the site in order to spread the impact of increased traffic. Traffic surveys and evidence should be used to recommend traffic improvements. There were further calls received for reducing the speed of traffic.

Chart 4: Reducing traffic congestion



Q7. Should a relief road through the site be developed to try and help reduce traffic along the A59

39 answered, 7 skipped

70% of responses supported a relief road through the site to try and reduce traffic along the A59.

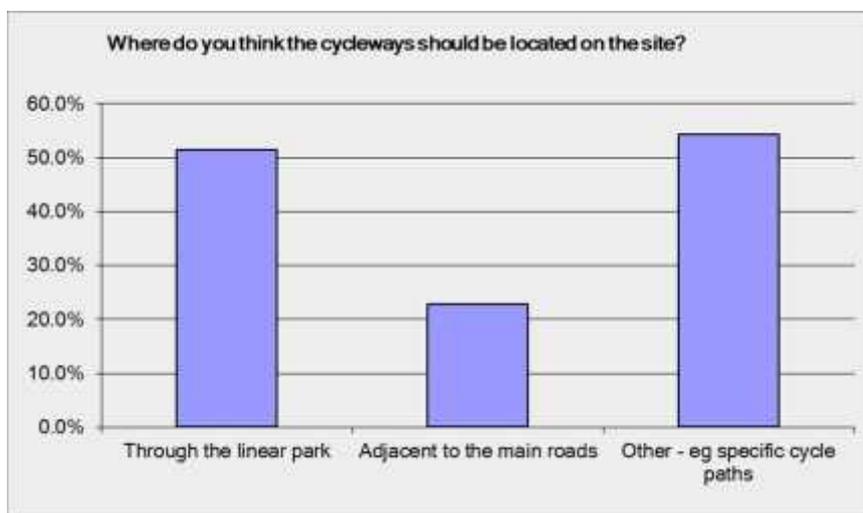
Suggestions were received that heavy traffic for the employment area should be required to use Tollgate Road. There were concerns that a relief road would create rat-runs

Q8. Where do you think the cycle ways should be located on the site?

35 answered, 11 skipped

The majority of responses supported the provision of cycle paths through the linear park, and the creation of specific cycle paths. Few supported cycle paths adjacent to the main roads due to safety issues.

Chart 5: Location of cycle-ways



Q9. Which would be the best route for cycle paths into the town centre?

34 answered, 12 skipped

The majority of respondents considered the best route for cyclists to the town centre would be along the A59.

Q10. How can we improve walking and cycling facilities in the rest of Burscough, to help encourage people to walk and cycle?

34 answered, 12 skipped

It was suggested that cycle paths need to be well thought out and well-lit to make them useable all year. They should be well placed so as to take users direct to the town centre, the employment area, public transport links and surrounding areas. The creation of shortcuts would also mean it would be quicker to cycle/walk than to drive. There should also be means of preventing motorcyclists from using the paths. Dog waste bins should be provided to encourage people to walk without mess.

There was a suggestion that the footpath running from Richmond Park through to Junction Lane should be used.

Q11. The current library is too small for Burscough and the building cannot be extended to make it bigger. A new library could be supported through the development. Where should the library be located?

36 answered, 10 skipped

80% of respondents supported a new library in the centre of Burscough.

Q12. Do you have any suggestions as to specific places a new library could be located?

27 answered, 19 skipped

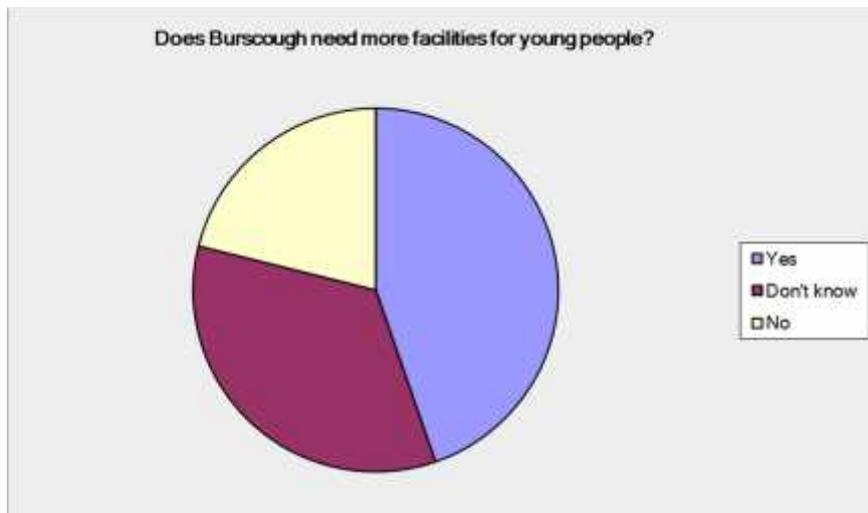
There were suggestions the library should be relocated in the former Co-op shop, at the wharf, the former police station, the Stanley Club, behind Tesco or near Burscough Bridge station / The Grove. All of these suggestions will be considered by the Council in consultation with Lancashire County Council who are responsible for providing library services across the borough.

Q13. Does Burscough need more facilities for young people?

38 answered, 8 skipped

The majority of respondents answered 'yes' or 'don't know' to this question. Suggestions include skate parks, astroturf football pitches, youth shelters, private gyms, cinema, bowling alleys, and paintball.

Chart 6: Facilities for young people

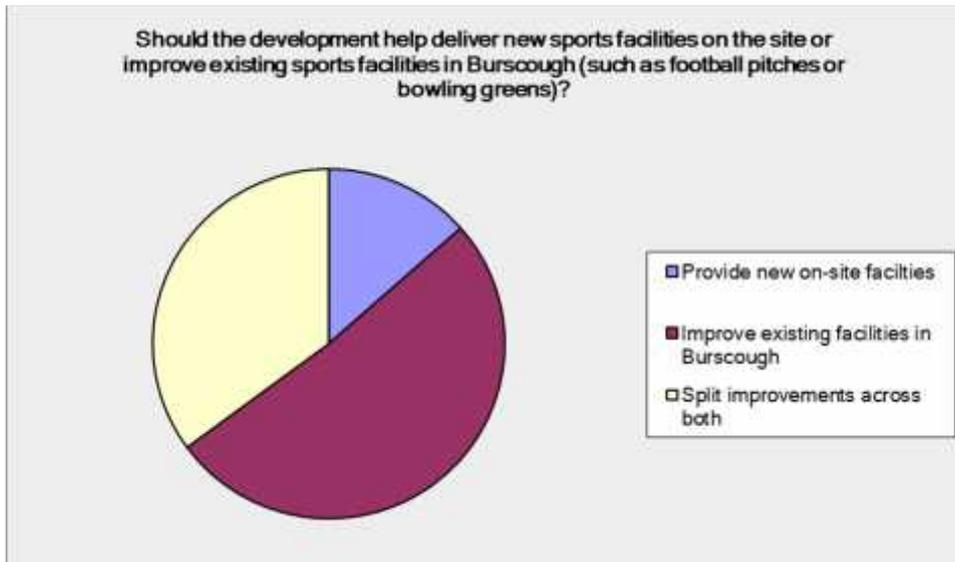


Q14. Should the development help deliver new sports facilities on the site or improve existing sports facilities in Burscough (such as football pitches or bowling greens)?

37 answered, 9 skipped

The greatest support was received for improving existing facilities in Burscough, and then for splitting improvements across both existing and new provision.

Chart 7: Sports facilities

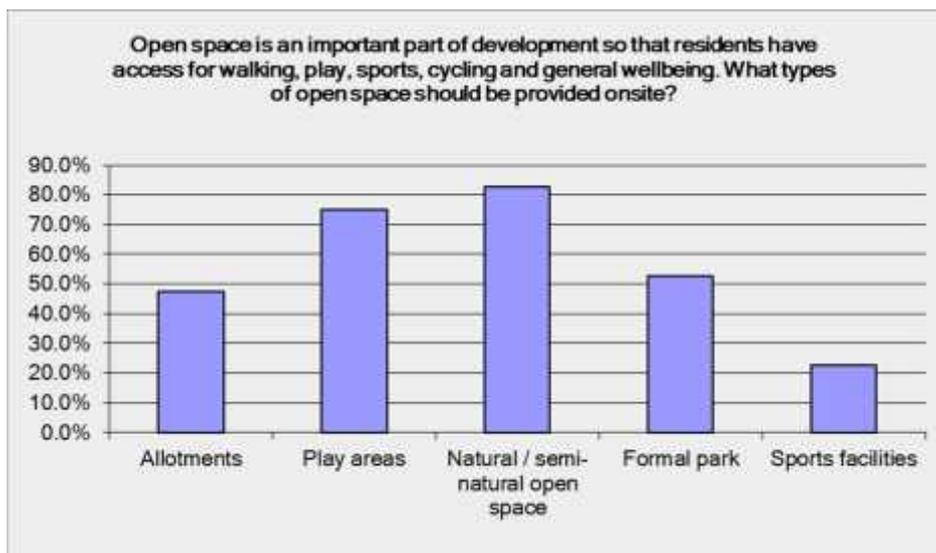


Q15. Open Space is an important part of development so that residents have access for walking, play, sports, cycling and general wellbeing. What types of open space should be provided onsite?

40 answered, 6 skipped

The largest support was received for provision of natural / semi-natural open space, followed by play areas, allotments, formal park and sports facilities.

Chart 8: Open Space provision



Q16. What are your main concerns about the development of this site and the impacts this may have on you as someone with an interest in the site or the local area?

40 answered, 6 skipped

Main concerns included flooding, transport and traffic, overcapacity of schools, loss of natural space, over development of the village, loss of rural identity, reduction in property values, loss of wildlife, noise pollution and disturbance, poor design, loss of character, open ponds, crime, lack of resources, empty homes.

Q17. It is likely that development on site will be phased. This means that development will occur in stages, usually with one block being built after another. How do you think phasing should occur?

31 answered, 15 skipped

The majority of respondents considered that phasing should start at the north-east and work in to the site.

Some felt that provision for affordable houses and the elderly should be addressed first as this is the only identified need, with market housing already being developed elsewhere. The natural starting point was felt to be where the A59 is widest and has adequate road frontage to the development site – at the north-east corner of the site.

Q18. Which areas of the site should be safeguarded from development until 2027?

30 answered, 16 skipped

Some considered that those areas of land closest to existing residential properties should be safeguarded so as to protect current residents – including that behind the A59 and opposite Higgins Lane. Others suggested the areas to the east of the site, the southern end of Liverpool Road, the land furthest away from village life and bus stops and also the Higgins Lane area. A few comments supported the safeguarding of the entire site so no development occurs.

Q19. Why should these areas be safeguarded?

30 answered, 16 skipped

Answers included: to protect property values, to prevent flooding, to cause minimal disruption to existing residents, to minimise traffic and to reduce the loss of rural land.

5. Burscough Priory School

The Council have been keen to engage with young age groups in relation to the development at Yew Tree Farm. Council Planning Officers visited Burscough Priory School to run 2-hour workshops with pupils from Year 9. All pupils were keen to engage in the process and a summary of the feedback is provided below.

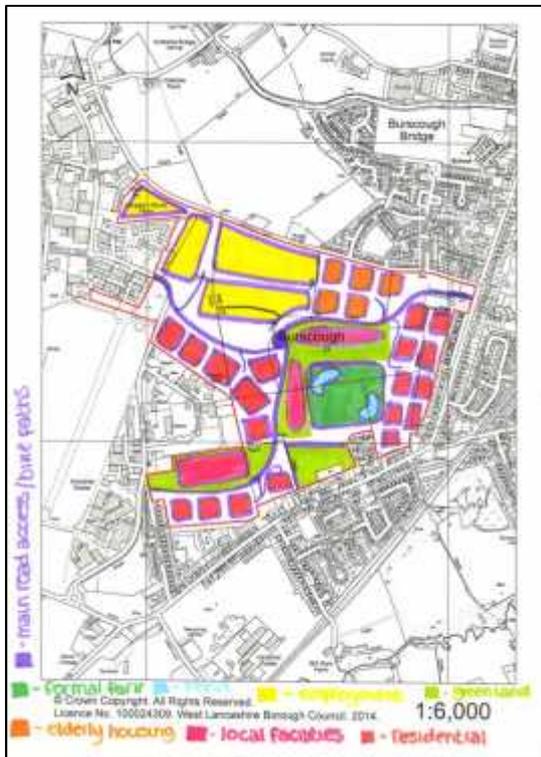
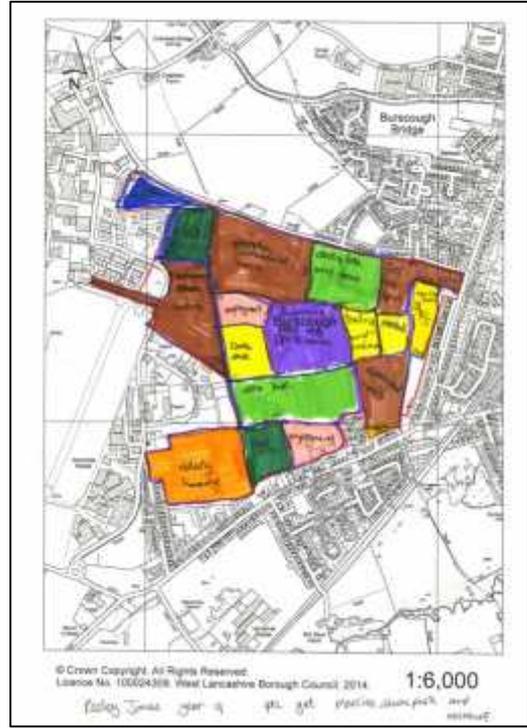
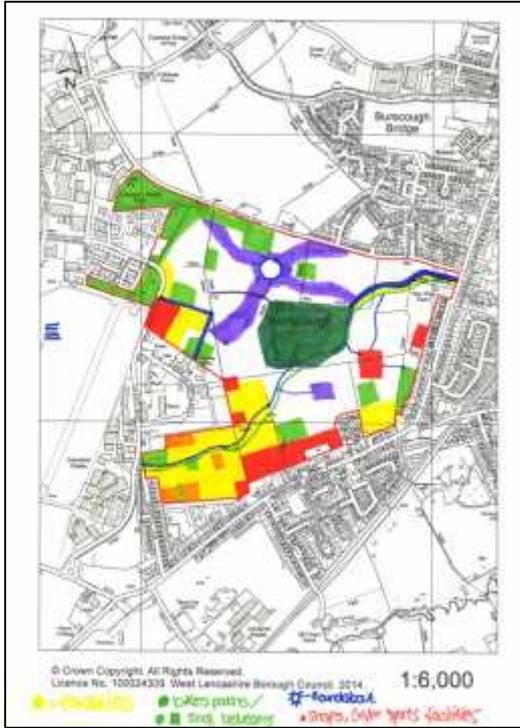
Pupils identified a series of positive and negative issues in relation to Burscough. Strengths included the wharf, community, train station, sports, easy to get around, proximity to the countryside and canal, farms, cycling opportunities and local services. Weaknesses included traffic, infrequent rail services, no football facilities, no youth facilities, no skatepark, no swimming pool, no fast food outlets and limited shopping.

Pupils then identified what they wanted the development to deliver. These included:

Improve sports and leisure facilities	Good design for the houses	Graffiti wall in the park
Appropriate access	Improve facilities for teenagers	Improve cycling and walking paths
Extended merseyrail to Burscough	Improved parks and good stuff to do for teenagers	Sensitive construction
Affordable homes	Wildlife centres	Medical centre
Walk-in centre	Eco-friendly design	Renewable energy
Good design	Teenage facilities	Job centres
Shops (basic)	Franchise shops	Offices
Hotel	Parks (little and big children, elderly)	Swimming pool
Astroturf	Skate park	
Camping	Hospital	Paint ball
1 st time buyers housing	Bowling	

Pupils stated that there was a demand for teenage facilities and things to do in Burscough. The Grove is generally used by younger children (under 13 years) and so teenage facilities are lacking. Pupils supported good design, with a mix of house types and affordable housing wanted, along with limits on the height of buildings (no more than 2 storey). Students suggested suitable locations for site access and how impact on local residents could be minimised. There were discussions over traffic, community services, public transport, sports facilities and protecting wildlife and agricultural land. Opinions were divided over whether fast food franchises were welcome in Burscough.

Pupils were then given the opportunity to design their own suggestions for how the site should be laid out, including giving consideration to what should be provided on site and which parts of the site should be safeguarded. Some of these suggestions can be found over the following pages.



6. Council actions and influences on the Masterplan

All methods of engagement including written representation, questionnaire responses, exhibition sessions, school session and the Stakeholder Group have proved to be extremely useful in cataloguing a significant level of detailed feedback from a broad section of the Burscough community.

All of the written representations have been responded to directly within Appendix 1 to this document.

In terms of moving the Masterplan forward to the draft final stage, a number of specific actions will be carried forward as a result of comments from representations. The broad direction for the site in terms of land use and layout will also be determined as a result of considering the overall feedback and technical advice supplied by infrastructure providers.

The below table lists a number of key actions that will be carried forward into the Masterplan. For clarity it does not list every matter, rather it focuses on the key issues that were flagged up through the consultation.

Action
Land use allocation of employment uses to the north and west of the site and housing towards the eastern side of the parcel with a landscape buffer between.
Elderly housing located in one location towards the north east of the site in the event an end user can be identified. Flexibility built into the document to allow this type of housing to come forward alongside each phase but to avoid pepper potting across the entire site. Greater clarity will be provided regarding delivery and cross over with affordable housing.
Primary access to the A59 to be located at the north east corner of the site south of Higgins Lane and to be signalised. Other accesses to isolated parcels to be avoided, particularly along the A59. Two accesses onto Higgins Lane to facilitate (but not require) the potential closure of Higgins Lane to through traffic. Two access points onto Tollgate Road connected to the main internal road layout. Inclusion of two east west link roads through the site for permeability.
Ensure consistency between the Local Plan and Masterplan requirements and text.
Support for Live / work units but no requirement to ensure flexibility.
Consideration for ecological impacts, particularly on the aquatic environment.
A drainage scheme for the site should be required that will not preclude later phases of development from coming forward. The scheme should address the requirements of Local Plan Policy SP3 and the impacts of climate change.

Action
Consideration of level crossing safety within any forthcoming Travel Plans.
Consideration of Natural England's Accessible Natural Greenspace Standards within the document and forthcoming applications.
Consideration to be given to addressing the school drop off issue associated with Lordsgate Primary School.
Linear Park to run through onsite green space and provide cycling and walking connections.
Reference to a design review panel as a requirement of the document.
Clarity provided regarding Open Space requirements and the source for this and a fair distribution across the site.
Ensure guidance on Environmental Impact Assessment is included.
Inclusion of assurances that will require delivery of the internal road layout alongside each phase of development.
Protection and upgrading of existing public right of way from Liverpool Road South through the site.
Connections should be made from the site to wider open space opportunities such as Platts Lane.
Requirement for allotments as open space within the site.
Community facilities to be improved or delivered within the village centre rather than on-site.

7. Conclusions / Next steps

The consultation responses have highlighted that there are still a large number of concerns in relation to specific issues including transport, traffic, drainage, design, housing provision, a linear park and open space and heritage and wildlife.

The Council has considered the feedback relating to these issues and will ensure that as the Masterplan is progressed, these issues are addressed. This may be through the layout and design of the site, direct requirements of any development coming forward on the site or as a requirement for further supporting information at the planning application stage.

Using the comments received through the consultation process, the Masterplan has been refined and the next version, the Draft Masterplan, will be published for further consultation in October and November 2014.

The final Masterplan will then be refined and adopted as a Supplementary Planning Document (SPD) in early 2015. This will then form part of the development plan framework and will assist in guiding applications for development on the site and decision making.

Appendix 1 – Consultation Representations and the Council’s Responses

Yew Tree Farm consultation - Comments received

Mr Leslie Abram

Organisation

Comments:

1. We vote for Option 1 on the Masterplan for Yew Tree Farm

2. We would like to point out that all 4 options have the entrance road on to the A59, across from Lordsgate School. We are deeply worried that this brings a highly dangerous situation for the safety of primary school children, as we believe the access road junction to A59 is to be controlled by traffic lights this will cause even more congestion on A59 cars are already parking on the main road and Higgins Lane to drop children off for school and there are always a number of cars on A59 at school start and finish times. Higgins Lane is already heavily used by traffic including articulated lorries, two junctions on to A59 with 200 yards of each other needs further investigation - maybe an entrance / exit road further [text unreadable] an estate. Would be a better option - needs looking into.

Attachments submitted?

Council Response

Comments noted. Whilst the masterplan is unlikely to establish all of the finer detail relating to the highways improvements it will indicate the primary access points to the site and their locations, and which junctions must be addressed and improved through the planning application stage. Highways improvements will be determined by Lancashire County Council in partnership with WLBC, and with consideration to sensitive uses nearby such as the school.

Mrs Lisa Allen

Organisation

Comments:

[No comments received]

Attachments submitted?

Council Response

[No comments submitted]

Mr Owen Barton

Organisation

Comments:

Thank you for the opportunity to comment – I have completed a questionnaire but though I'd send a form to go with what I've submitted.

Firstly, I am very much for new development of a mix of housing, services and employment can only be good for Burscough in the long term – I don't want to live in a dormitory, but I don't want to live in a sprawling suburban area either. The way I see it, Yew Tree Farm can only strengthen the case for better public transport, investment in infrastructure and give us a bigger and better choice of shops and services on our doorstep. The key thing though is to get this right. Burscough Wharf is an example of where you as a local authority have got it right. The public realm improvements made around Burscough Bridge (streets and station) are another example, but that's about it. If you care to look outside of the historic cores of Burscough Bridge, Junction Road Conservation Area and the straggle of Burscough Town, what is there?

Poor quality development and 'placelessness':

- bland ribbons of inter-war housing that do nothing for the townscape (A59, A5209)
- monotonous terraces and semis plonked around windswept areas of municipal grassland (Truscott estate, Richmond estate)
- Same as above but no grassland (Manors estate, Red Cat Lane)
- Indifferent treeless charmless dense post-war suburbia that could just as easily be in North Tyneside or Solihull as Lancashire (Rivington Drive, Ellerbrook Drive, the later bit of Manor Avenue, the bits the A59, Mill Lane / Glenroyd Drive, Weaver Avenue, Colbourne Close)
- The pack 'em in, make 'em detached culs-de-sac of 'aspirational' houses for the discerning commuter (Rees Park, Heathfields, 'The Carriages', Vicarage Gardens, Springfield Close)
- Pack 'em in, bits of ill-conceived infill.

It almost goes without saying I'm complaining about the fact that this lot has all been built and of course they provide much-needed homes and there are probably people out there who love and cherish these homes and fair play to them. My point is that there is an underlying placeness and dullness to each of these developments – regular densities; a lack of spaces between buildings; a lack of trees and hedges; a monotony of built form, materials, details, streetscape, boundary features; poor pedestrian linkages; a lack of integration into the wider town/village; a sense that no one thought about urban design – just fitting in the houses, traffic and meeting highways standards rather than making composed streets.

Those who are objecting to the principle of development on Yew Tree Farm at all (I think that ship has sailed and it's better to try and work with you), I would like to think that they perhaps subconsciously recognise this very same lack of character (a bleakness?) in just about everything built after around 1920 in Burscough and have no confidence that West Lancs can deliver anything other than the 2010's edition of this bleakness at Yew Tree Farm. And to be fair, who can blame them? If we look at recent permissions, 'The Carriages' is more of the same bland placelessness (despite its proximity to a Grade II Listed mill, canal and railway station), while my heart sank when I saw what the 80 recently approved houses off Abbey Road would actually look like, the mock-up facing the A59 looks like essentially the same 'anywheresville' houses built in the 1930s but from a different pattern book and at a higher density.

So, while Yew Tree Farm will have a 'masterplan', but will it improve the end product? How will it avoid being the maelstrom of computer generated, unit-maximising layouts and the laying aside of benign policies in the interest of target-meeting served up to a hubristic planning committee? Is this masterplan all rhetoric and lip service or do you as a planning authority belatedly recognise all of the crimes against local distinctiveness and placemaking that ring every pleasant bit of Burscough and now hope to do better? Get it wrong and Burscough will get yet another missed opportunity, but this one will particularly large in scale and very close to the centre.

If I suppress my cynicism, there appear to be flickers of hope offered by the Masterplan: you are proposing a mix of uses rather than purely housing; you are trying to lead the developers in terms of layout, distribution of uses and open spaces; there's the odd mention of varying density across the site; consideration given to linkages and traffic management; and you seem to be consulting residents at the right junctures of the process.

I have the following comments on the Design Concepts (by the way, why didn't you ask about them in the

questionnaire?!). Of the four design concepts nos. 2 (Central Focus) and 4 (Clustering) are in that order my preferred options for the following reasons:

- The Central Focus is the only one not to site shops and services in the corner of the site. By moving the shops and services into the middle of the site, they become more accessible to more of the residents on the Yew Tree Farm site, and provide more choice within walking distance to all of us folk on the south side of the A59 who are a mile or more away from the town centre (yes there will be Booths and new retail at Ringtail, but isn't that aimed at drivers rather than pedestrians?). By stuffing the shops and services in the corner of the site, it's near dwellings that are already comfortably close to the town centre. I feel the Central Focus will benefit the occupiers of the site (who themselves would be as much as a mile from the town centre) and an existing limb of Burscough along the A59 that is almost 100% housing.
- The central focus offers the opportunity to provide a big, well-defined public space that could / should be bordered by buildings of a commensurate height, mass and scale so that the space does not feel exposed and windswept, while the occupants of the higher / larger buildings will overlook a space of high amenity value. This central space and the larger scale buildings around it would help to vary the density, building height and form across the site and stop it being carpeted with two storey detached houses.
- The central focus is the far more 'civilised' option, mirroring in a way a square or village centre. It offers a logical location for shops, services and flats. It offers an obvious location for a bus stop, visitor parking, recycling facilities etc. The formal park is a defined space for dog walking, ball games, sitting and lingering – none of the open space options in the other layouts would achieve anything of this sort given the smaller size and less defined purposes of the smaller spaces. It is also something the entire southern end of the town lacks (Richmond Park is too hidden away). The central focus is also a natural stopping point for people driving through the site, which in itself may help slow traffic down in the same way that people stopping / parking does in Burscough Bridge.
- The central focus option is the one that least segregates the business uses from the rest of the site, which is ideal for offices or other uses that generate a lot of jobs. Office buildings could blend quite well with the larger scale buildings enclosing the central space.
- The central focus offers the most opportunity for placemaking: a core of distinctive buildings forming an attractive composition around a good piece of landscape design. I can't see any of the other options serving up this sort of opportunity due to the limitations of the layouts.
- The Clustering Option could have the almost all of the benefits outlined above, but only if the shops and services were clustered around the T junction shown in the middle of the site. This could give the site a proper heart and focus.
- With any option, please keep the footpath from Liverpool Road South by the Manor Road junction open as a route into the site so that the Yew Tree Farm provides an alternative pedestrian route into town.

The other things I would suggest are to subject the layout / more detailed scheme to Design Review: <http://www.designcouncil.org.uk/knowledge-resources/design-review-principles-and-practice> This way you would get strong, independent steer on urban design and placemaking to rival the developers' desire for ever higher density without a thought to urban design, composed architecture, quality public spaces and local identity. It would also show you as the local planning authority are serious about getting this development right for existing and future residents. We'll be stuck with whatever gets built for a lifetime, why not try and get a well-thought out layout and approach to design? It can't cost that much or add greatly to timescales?

The other thing is how would the site be divided up? Is it all owned by the likes of Persimmon or Wimpy? Is there scope for parcelling up particular components of the site to proper designers with rather than number crunching AutoCAD monkeys? How will you stop it from being carpeted with pattern book 'Denbys', 'Devizes' and 'Dovers' (and other developers' pattern book houses)?

The site offers potential for something really different and contemporary in terms of building design – most of the surrounding buildings are so bland and pedestrian – can we avoid building more of the same? Can we have a ruralised Harlow "Be" (http://www.hdawards.org/winning_schemes/supreme_winner/)? Will it stand the test of

time by providing good quality homes and open spaces like this rehabilitated 1950s dwellings in Norfolk (http://www.hdawards.org/archive/2009/winning_schemes/historic_winner/)?

To me a design review, splitting the site between designers and not letting the volume housebuilders have their way with the site would all be key steps. A design code and innovative approach to highway design and the design of open spaces are also a must. I hope this long rambling comment helps – we like Burscough enough to have made it our home. Despite my criticisms, it has a lot going for it and I would simply like to see it become a better place.

Attachments submitted?

Council Response

Support for development and the case for improved infrastructure and services are noted as are the specific comments about poor quality development and 'placelessness'. However, the purpose of a Masterplan for the Yew Tree Farm site is to avoid piecemeal and to require a new development that takes account of the context and character of the surrounding area but also encourages the creation of a 'sense of place' within the site itself. For clarity, whilst the Masterplan will guide development and encourage good design through overarching principles, much of the detail will not be known until the planning application stage.

Comments on the options are noted. However, the selling off of the site to interested developers / house builders is outside of the control of the Council and rests with the land owners of the site.

Dr

Brian

Bennett

Organisation

Comments:

Dear Sirs, Whilst the Master Plan goes into many details regarding the site at Yew Tree Farm there are few details about the provision of energy in the form of heat and power . This is clearly important as the Sustainability Appraisal shows that West Lancashire area already uses more energy and electricity than other parts of the North West and England as a whole .

The document does suggest that a district heating system supplying both heat and electricity could be installed . Despite the fact that such a system is not decentralised in the broad sense as they suggest it does not elaborate on the fuel that might be used for such a scheme . Whilst there is a possibility of using wood chips or wood from the local recycling depot , possibly augmented by wood from other sites , one wonders whether the temptation of using gas produced locally by fracking had also been considered . Ruining one part of the borough to ensure another has low energy bills in the first few years would clearly not be an acceptable way forward . One can assume that all these new buildings are going to be around for many decades so one must ensure that any new houses and industrial units are virtually carbon neutral and any residual energy that is needed is provided from renewable sources . Affordable housing with built in solar panels have already been built in parts of Cumbria so it is clearly possible and the Council should therefore set ambitious targets for the developers .

Perhaps it is also worth mentioning that it has been long established that building houses without employment opportunities leads to unemployment . It would therefore make sense therefore to concentrate on the measures to increase opportunities for local businesses in the area to expand before the widespread building of houses .

Attachments submitted?

Council Response

Comments noted. Policy SP3 of the Local Plan encourages a decentralised energy network on the site. At this stage of the masterplanning process there is no clearly identified mechanism regarding delivery of an energy network. However, further consideration of this requirement of SP3 is within the Masterplan and should gather momentum ahead of any planning application.

Policy EN1 of the Local Plan requires development to be designed to be carbon neutral, and the Council will use the Code for Sustainable Homes and BREEAM as its standards for development to encourage carbon reduction in new development.

The Council agree that employment opportunities should be encouraged and this site will provide at least 10 hectares of land for employment development within the Local Plan period (2012-2027).

MR

DAVID

BIRCH

Organisation

Comments:

Having read your information relating to the yew tree farm development I would like to express my grave concerns relating to a number of your points, firstly I don't believe a correct assessment has been made of the potential increase in traffic flow especially on to the A59, which in your documents you state suffers from "pinch points" (Village, Junction lane, Lordsgate School, Square lane, Burscough town and Pippin Street). Can I ask, was a traffic assessment completed during school (Lordsgate School) start and finish times as all of your options are suggesting a potential 500-1000 vehicles joining the A59 directly opposite a very busy school. This area already suffers greatly at start and finish of school times. Surely this is a disaster waiting to happen.

Secondly at present all our junior schools are full and yet you are increasing the potential number of pupils by 500-750 children.

Thirdly you state that only one addition doctor would be required to service this increase in population, in very generous estimates this would suggest this one doctor would be required to look after 1000 - 1500 people???

I would like to state that I do not agree with this whole development and rather than rewarding the land holder with a green light they should actually be prosecuted for purposely allowing a once fully working beautiful farm to fall into neglect. I do however live in the real world and as this whole exercise has ridden rough shot over all Burscough residents thoughts and feelings, I some how do not expect a great deal of notice being taken of mine or any other negative comments.

Attachments submitted?

Council Response

Lancashire County Council as the Highway Authority have carried out some traffic counting and modelling work at the peak times of the day and have considered the impact of traffic on the school journeys that pass through Burscough. As a result, a number of measures have been proposed by LCC to assist in mitigating any impacts of this development. Whilst it would be expected that traffic would increase in relation to school drop-off and collection times, this is restricted to twice a day, five days a week, and whilst it needs considering, it does not affect the highways for sustained periods. Furthermore, by providing improved pedestrian and cycle routes between the site and the surrounding areas, it would be hoped that people could be encouraged to forego the use of the car and to walk/cycle.

The Council are aware that main health provision in Burscough is at capacity in terms of patient lists, and the impact of the YTF development is likely to lead to the requirement of 1 additional GP. This is the advice of health providers who have had the opportunity to comment on and input to this document.

Ms Michelle Blair

Organisation

Comments:

This consultation is not meaningful as it does not provide adequate detail for the public to answer the questions posed in a manner beneficial to the development of their community. Furthermore the options provided are misleading and show development of the land safeguarded for post 2027.

Attachments submitted?

Council Response

Consultation has adhered to the requirements of national legislation and the Council's Statement of Community Involvement. Extensive publicity and consultation was undertaken. As this is the Options stage, the Council are unable to provide high level details for the site as these are created as the Masterplan progresses.

Whilst the Council acknowledges that part of the site will be safeguarded from development within this Local Plan, there is the potential for this development to come forward at some point in the future. In the event this occurs it is most appropriate to ensure that what is delivered resembles a holistic development that creates a true sense of place and avoids appearing piecemeal.

A key element of this consultation was to ask the public which parts of the site should be safeguarded and all comments received in relation to this will be considered.

Mrs Renee Bligh

Organisation

Comments:

My main concern is that the surface water problem will be exacerbated once building commences. United Utilities do not want to finance the standard draining system and are quite happy to pass on this problem. Suggestions that one or even 4 'lakes' will not be a satisfactory solution to ease the concern of the residents. The surface water drains towards the A59 and the land becomes progressively soggy through out the winter and early spring.

Business site: I am of the opinion that a high-tech greenhouse complex, built on the 10 hectare site would be of greater value to the community. Each of the enormous greenhouses provides combined heat and power technology. The electricity and lighting is generated by using the discarded plants as fuel. It is self sustaining in that respect. This would be a far better alternative to the large corrugated sheds now visible on the horizon.

Transport would be lighter as there is plentiful supply of supermarkets in the vicinity. There would also be more diverse employment for highly skilled and unskilled workers.

Retirement village: If an Retirement Village of 500 decently sized bungalows in attractive surroundings had been selected, many problems now encountered will not have materialised.

It would have been an opportunity to build a more ambitious health clinic and other desirable social facilities that would be shared with Burscough residents. There would not have been the need to build more Primary and Comprehensive schools. It would release another 500 family sized homes on the market.

Attachments submitted?

Council Response

The Council acknowledge that there are issues with surface water within Burscough and are committed to ensuring that surface water problems are not exacerbated. In addition, Policy SP3 of the Local Plan and the Masterplan both require that works are undertaken to remove some surface water from the existing system that runs through Burscough and deal with this on-site along with the developments own surface water. This will ensure that any additional waste water (foul) flows that must go into the system are offset by the removal of surface water flows. This may also result in some betterment to the surface water network in Burscough and result in improvements to the network as a whole.

Neither a high tech greenhouse complex, or large retirement village, are deemed to be suitable for the site, and do not adhere to the requirements set out through Policy SP3 of the Local Plan.

Mr Francis Bligh

Organisation

Comments:

There are so many concerns. traffic-parking in Burscough - diminishing value of houses on Liverpool Road South! However, the nightmare of insufficient safeguard against future flooding and drainage is a consequence that overrides everything else! We see evidence of the probability of this happening, tractors down to their axles within touching distance of our fence! So many rear gardens this winter totally soggy - some flooded! Some party or parties concerned with this highlight PROFITABLE development being completed took the trouble to tear down our protest signs when a major 'inspection' was due. Most of us recognise that no power on earth or appeals to common sense will have any effect whatsoever! Plus ca change as our Gallic cousins would state! The worst of all is the knowledge that when this ill-thought project is completed the people who profit will be unreachable and the finger pointing and customary disavowals of responsibility will then ensue! The finale of yet another bureaucratic pantomime!

There is absolutely nothing that I have witnessed at meetings - or seen with my own eyes or learned from reading about so many similar 'developments' (?) that does not chill to me the marrow! If this is how this great country of ours is creating 'growth'! Of course building (as an industry) needs to contribute to but in heavens name not at the expense of our vital agricultural interests! If this continues we will eventually be importing even more! Agriculture SUSTAINS! 'Brown'field development reduces profits for the developers! It seems that that cannot be permitted! Unthinkable! Sadly one does not feel any satisfaction at expressing all this because in the end any appeal to common sense is obviously an utter waste of time.

Attachments submitted?

Council Response

The Council acknowledge that there are issues with surface water within Burscough and are committed to ensuring that surface water problems are not exacerbated. In addition, Policy SP3 of the Local Plan and the Masterplan both require that works are undertaken to remove some surface water from the existing system that runs through Burscough and deal with this on-site along with the developments own surface water. This will ensure that any additional waste water (foul) flows that must go into the system are offset by the removal of surface water flows. This may also result in some betterment to the surface water network in Burscough and result in improvements to the network as a whole.

Whilst the council understands your concern regarding other points such as house prices, these are not material planning considerations that can be taken into account when planning for new development. Many of the other issues raised were all considered during the Local Plan examination process.

Mr George Bond

Organisation

Comments:

I've just filled in the online questionnaire and made reference to this email in it about the timing of the development and the safeguarded land element.

I have attached sketch plan to this so that you can pick up the areas I refer to.

Forgive me for being blunt but it's no less than I would say in the open forum of the meetings if there was enough time to debate it. I am firmly of the opinion that the scheduling process should take into consideration the landowners attitudes to risk and funding; and to their respective desires to fund the ongoing commitment.

It strikes me that after having attended the stakeholder meetings the landowners fall into 2 categories; there are Landowner developers and just plain landowners. I would class the owners of areas A B C D E and H as active developers or owners who have made positive steps financially towards getting their land developed. The other landowners appear intent on selling on their property as and when the right deal comes along.

EMPLOYMENT LAND In the interests of getting things moving it would make sense to schedule areas A B C D and E first because they are all owned / controlled by active developers, they "fill in" the existing Industrial area with minimal initial green space spread (which has been raised as an issue the stakeholder meetings) and most importantly all are adjacent to or already have existing mains services. The area (B) on Merlin Park is fully serviced and will be proposed for development as soon as the master plan allows it. C & D have power to site and are adjacent to the sewer system. My understanding is that area E already has some small development passed but needs more to make it commercially viable so it makes sense to let that happen. It therefore follows that areas B, C, D, E, and A be scheduled first (in that order), any shortfall be allocated to area F and the remainder of area F be safeguarded for future employment land.

HOUSING I am a bit in the dark about this one but again from the experiences at the meetings there is a desire from the Liverpool Road and Higgins Lane residents to delay the development on their boundaries and maintain green spaces adjacent to them as long as is possible. In deference to the residents that would indicate to me that the development should run from Yew Tree Farm on the A59 through to the employment area in the first instance and that the land at the back of the housing on the A59 should be protected for future development. In short first develop area H and safeguard area G.

OPTIONS Of the 4 proposed options all have different merits so far as I can see. The road layouts in option 2 and 4 appear the most organic, the industrial space in option 3 looks about right, the landscaping along Higgins Lane in option 1 would keep the residents happier. I particularly think that the cut through Meadowbrook close onto Liverpool Rd in option 2 will create a rat run to the motorway. Option 3 road layout doesn't connect up the employment area to the A59. Option 1 has enough employment space to allocate some live/work units. The green spaces in option 1 and 4 are better spread. How about an Option 5? Road layout from option 4 Higgins lane landscape from option 1 Green spaces from option 4 Facilities / retail close to or in the employment area elderly accommodation from option 4 employment from option 3 Landscaping to separate employment area from residential per option 3.

APPENDED PLAN AVAILABLE ON THE COUNCIL'S WEBSITE AT www.westlancs.gov.uk/ytf

Attachments submitted?



Council Response

Comments regarding phasing are noted. Whilst the Council must have regard to the multiple land owners, decisions about land to be brought forward and that which is to be safeguarded will be based on expected delivery of both development and other key components of the masterplan including infrastructure.

Comments regarding the options feedback are also noted and the Council has confirmed that the preferred option is unlikely to be one of these 4 in its entirety but a collection of the most appropriate parts of the different options.

Organisation

Burscough Parish Council

Comments:

Integrity and Sustainability of Village Centre: Burscough Village Centre has lost retail shops from its high street in recent years, but by and large is surviving reasonably well. The development of the Ringtail Retail Park will challenge the economy of the village centre further. It is unlikely that Ringtail Retail Park will replicate the character of our village centre, and arguably it is these aspects of Burscough which contribute to its "village" feel, and that will help attract new residents as we grow to a town. The Parish Council therefore wishes to retain the integrity of the village centre, and to that end, considers essential services such as health services/surgeries, library and shops selling food and drink, should be located in or close to the village centre, and that there should continue to be investment in the retail centre at Burscough Bridge to ensure its long term economic success.

Road and Traffic Flow and Transport: Burscough Parish Council has great concern regarding the reliability of surveys carried out which present the conclusion that the cumulative effects of developments in Burscough and at Grove Farm, totalling more than 1150 houses plus 10 hectares of industrial land, can be adequately mitigated by addressing pinch points and remodelling junctions. Much more work needs to be done to measure these impacts before any development goes ahead. Traffic management issues need to address both the volume of traffic and the type of traffic (passenger car and commercial vehicles) and the suitability not just of the A59, but of all roads leaving Burscough which carry traffic. Burscough Parish Council would challenge the assumption that most pinch points are due simply to "badly functioning junctions resulting in unnecessary delay" and "that the flow of traffic along the A59 is acceptable and that the afore mentioned pinch points should be the focus of improvement to ensure that the development at Yew Tree does not worsen and, where possible, alleviates the highway conditions" Traffic problems are not limited to the A59 and full assessments must be carried out on all roads taking traffic to and from Yew Tree Farm and particularly from industrial areas. The layout of roads within Yew Tree Farm should be designed to reduce traffic on unsuitable roads where possible. The layout of roads within Yew Tree Farm should be designed to accommodate appropriate bus routes to and from the industrial estate as well as through the site.

Public Transport: Burscough Junction in particular is desperately short of parking, and parking provision must be increased.

Flooding: Burscough Parish Council is extremely concerned that development on Yew Tree Farm will exacerbate flooding issues downstream. Land at Hesketh Road and beyond is extremely low lying and watercourses in the fields beyond right up to where they join the main sluice, have flooded fairly frequently. Burscough Parish Council is very concerned that there is no room at all for error, and if there is any error at all in calculations, it will be residents and farmers who suffer the brunt of the lack of investment. Much more work must be done to establish with certainty that surveys and calculations are robust and that residents' property and land will not be in danger.

Housing: The Parish Council would urge WLBC to take this opportunity to provide social housing for rent as part of the allocation of 500 houses on Yew Tree Farm. Burscough has a clear unmet demand, as was recently recognised when the playing field at Pickles Drive was identified for social housing.

Public Open Space: The Parish Council welcomes the provision of public open space, but is concerned that maintenance costs are manageable.

Attachments submitted?

Council Response

Comments noted. It is the Council's intention that main services, and retail, should remain located in or close to the village centre. Any provision on-site will be small-scale, for example a local convenience shop. Therefore the Council agrees with the views of the Parish Council and the Masterplan will look to secure contributions towards improvements of facilities within the existing centre.

Lancashire County Council, as the local Highways Authority have carried out initial strategic traffic modelling at the Local Plan site allocation stage, more localised traffic counts and modelling within Burscough, alongside the Masterplan process and have provided the Borough Council with their professional view in terms of the requirements of the Masterplan and how the site interacts with the highway, and both vehicular and sustainable

transport. In addition, the Masterplan will require that all applications for development are supported by a full Transport Assessment and Travel Plan, the scope of which should be agreed with the Highways Authority in advance of submission. The Council is satisfied that the principles set out within the Masterplan, along with the additional detailed work required at planning application stage, will ensure measures are delivered to help mitigate the impacts of traffic on the local highway network and to encourage cycling and walking over car use.

The Council are aware that there are currently few parking spaces at Burscough rail stations. Through their representation, Network Rail have stated that there is scope to provide a small number of additional spaces at the stations if funding could be secured through developer contributions. Notwithstanding this, the Council are keen to ensure that walking and cycling links can be improved from the YTF site, and within Burscough, to the rail stations to encourage the use of sustainable methods to access public transport services.

The Council acknowledge that there are issues with surface water within Burscough and are committed to ensuring that surface water problems are not exacerbated. In addition, Policy SP3 of the Local Plan and the Masterplan both require that works are undertaken to remove some surface water from the existing system that runs through Burscough and deal with this on-site along with the developments own surface water. This will ensure that any additional waste water (foul) flows that must go into the system are offset by the removal of surface water flows. This may also result in some betterment to the surface water network in Burscough and result in improvements to the network as a whole. However, land drainage beyond the extent of the site is a complex issue and whilst the Masterplan will seek to ensure this site does not worsen the situation, planning cannot control all matters beyond the site in question.

The Local Plan sets out the proportion of affordable housing which will be required on site. However, the type of affordable housing will be determined at the planning application stage in order to ascertain and respond to the needs identified at that time. This will be determined in conjunction with recommendations from WLBC Housing which often recommend a proportion of the affordable housing for social rent.

Comments on the maintenance of public open space noted.

Mr	Philip	Carter
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Organisation	Environment Agency
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Comments:

Thank you for consulting us on the above and the following documents:-

- Yew Tree Farm Masterplan Options document;
- Sustainability Appraisal Report; and
- Habitat Regulations Assessment Report

We have reviewed the submissions and we wish to make the following comments:-

The disposal of foul and surface water is a known constraint to the development of the site. The use of sustainable drainage systems (SUDS) for the disposal of surface water and the removal of surface water from the existing combined system are identified as solutions to enable development to come forward. It is essential that no surface water from the site discharges to the existing combined sewer network and the treatment and disposal of surface water from the whole site must be managed in a sustainable way to prevent any increase in flood risk off-site as a result of the development.

The document suggests that the masterplan is likely to require that a SUDS scheme is designed for the entire site alongside the initial phase of development and that each subsequent phase must link in to this scheme to ensure the impact of the site as a whole is planned for. We consider this to be an essential requirement and that it should be identified as such in the masterplan. It should also ensure that the whole site system includes capacity for the volume of surface water which will be added to the new surface water system when it is removed from the combined sewer network. The surface water drainage scheme for the site should be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year plus climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall include sufficient capacity for the surface water run-off from adjacent properties which is to be removed from the existing combined system and directed to the proposed surface water drainage system.

The document refers to the role of Lancashire County Council as the Lead Local Flood Authority and their new duty to approve surface water drainage systems under Section 32 of the Flood and Water Management Act (2010) after April 2014. As you may already be aware, this change has been postponed and we would recommend contacting Lancashire County Council for further information.

In relation to the ecology of the site and in particular the aquatic environment, i.e. watercourses and aquatic features, in order to ensure Good Ecological Potential as defined under the Water Framework Directive and the England Biodiversity Strategy is achieved or maintained, the following measures should be considered in relation to the design concept for the site

1. The restoration and integration of water features as part of the layout of development
2. Adoption of wildlife friendly SUDS schemes
3. Active linkage or enhancement with/between adjoining wildlife sites or greenspaces for wildlife
4. Long term conservation management plans for all green and blue space areas within the development footprint

Attachments submitted?

Council Response

Comments relating to surface water management are noted and the Masterplan will seek to secure a solution for the entire site is secured from the outset. Whilst it would be impractical to require a full system is planned and developed for the entire site, including the safeguarded land, from the outset, the document will ensure that as proposals come forward they enable this to take place at a later stage and do not prejudice the delivery of SUDS in later phases.

Comments relating to the ecology of the aquatic environment will be borne in mind when drafting the next version of the Masterplan

Mr Philip Carter

Organisation Environment Agency

Comments:

MASTERPLAN CONSULTATION - YEW TREE FARM BURSCOUGH

I refer to the above and our previous response dated 17 March 2014.

We previously made no reference to the proposed Design Concepts identified as options in the plan. However, there are a number of occupants on the adjacent industrial sites whose operations are regulated by the Environment Agency under an Environmental Permit. Some of these operations are a considerable distance from existing residential properties, which may be sensitive to some aspects of the permitted operations. The location of new residential sites or elderly housing adjacent to existing sites regulated by the Environment Agency could mean that they are subject to exposure to odour, dust or noise emissions in the future. The severity of these impacts will depend on the size of the facility, the way it is operated and managed, the nature of the regulated activities and prevailing weather conditions. If the operator can demonstrate that they have taken all reasonable precautions to mitigate these impacts in accordance with their Environmental Permit, the facility and new development would co-exist. Any further mitigation measures necessary to reduce any impacts of the existing permitted activities on sensitive receptors would rest with the developer of the site.

Given the above, we would strongly recommend that as part of the Master planning exercise, new residential development is located as far away from the existing employment areas as possible and in this respect, Option 1 (Radial) and Option 4 (Clusters) would appear to offer the greatest protection for sensitive receptors.

Attachments submitted?

Council Response

Comments noted, the Masterplan will ensure that buffer zones between sensitive receptors and potential bad neighbours are a fundamental part of the document and a requirement of future planning applications.

Ms	Diane	Clarke
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Organisation	Network Rail
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Comments:

Thank you for the opportunity to provide feedback to the proposed consultation.

Network Rail is the “not for dividend” owner and operator of Britain’s railway infrastructure, which includes the tracks, signals, tunnels, bridges, viaducts, level crossings and stations – the largest of which we also manage. All profits made by the company, including from commercial development, are reinvested directly back into the network. Network Rail has the following comments to make.

The proposal is for 500 new homes, 10 ha of employment land – with a comment about Burscough stations below:

Rail The Yew Tree Farm site is within walking distance (approximately 15-20 minutes dependent on part of the site) of two train stations linking the settlement with Ormskirk (Liverpool), Preston, Southport and Manchester. Frequency of service on the Southport – Manchester line is generally every 30 minutes. However, the frequency of the service to Ormskirk and Preston is less than hourly. The Borough Council, Lancashire County Council and Merseytravel are working together to investigate the potential to extend the electrification of the Ormskirk line to Burscough, thus increasing the frequency of services that connect to Burscough. Whilst it is unlikely that this development will directly deliver this improvement, the site allocation and increased population supports the business case for such a proposal. However, through the Stakeholder Group, the issue with the capacity of the parking facilities at both Burscough Bridge and Burscough Junction stations was raised. Therefore, links for walking and cycling to both stations from the site must be maximised and made as short and safe as possible.

(1) Developer Contributions Network Rail believe that at both Burscough railway stations there is a small amount of scope at each for additional parking. In terms of Burscough Bridge it might be possible to extend the current car park along the side of the track through where the current trackside access gate is, this would create around 8 spaces and is obviously outside of the current lease area and we are unsure of the cost. In terms of Burscough Junction there is very little space but with car park lining we believe there is scope for an additional 4 bays alongside the access road. (See attached photos of Burscough Bridge) Therefore, for Burscough Bridge and Burscough Junction stations Network Rail would seek developer funding (either via an S106 or unilateral undertaking) to enhance parking at the stations as a result of the Yew Tree Farm masterplan. Network Rail believes that a developer contribution for car parking at the stations should form part of the planning consent for any proposal at the site. As Network Rail is funded by public remit, it is unreasonable to expect Network Rail to fund mitigation or enhancement measures required as a result of third party commercial development. Provision for S106 contributions to mitigate impacts of developments at railway stations should be considered in the same manner as developer contributions to fund highways works or local facility improvements.

(2) Level Crossings We have examined the proposal and the nearest level crossing Network Rail have within that vicinity is Abbey Lane which is located on (our ref) FCO 13m 43ch (946y). At the other side is Prescotts No 3 located on FCO 15m 63ch (1386y). So we do not see any problem with the Prescotts No 3. The Abbey Lane is a hybrid crossing with gates for both the user worked element and wicket gates for the public footpath element. The user worked part of this crossing is not used and has a large mound of earth in front of the gates so there is no way any vehicle can get through. At this moment in time the authorised users will not give up their rights. The footpath element of the crossing is not heavily used at the moment. With the number of houses being built at Yew Tree Farm which is only approximately 1000yards away it may have an impact of the number of users who may use the public footpath. Councils are urged to take the view that level crossings can be impacted in a variety of ways by planning proposals:

- (a)By a proposal being directly next to a level crossing
- (b)By the cumulative effect of developments added over time
- (c)By the type of level crossing involved e.g. where pedestrians only are allowed to use the level crossing, but a proposal involves allowing cyclists to use the route
- (d)By the construction of large developments (commercial and residential) where road access to and from the site includes a level crossing or the level / type of use of a level crossing increases as a result of diverted traffic or of a new highway
- (e)By developments that might impede pedestrians ability to hear approaching trains at a level crossing, e.g. new

airports or new runways / highways / roads

(f)By proposals that may interfere with pedestrian and vehicle users' ability to see level crossing warning signs

(g)By any developments for schools, colleges or nurseries where minors in numbers may be using the level crossing

(h)By proposals that change the demographic of users – from say occasional agricultural usage to (but not limited to) increased usage by minors, dog walkers, the elderly, cyclists and mountain bikers, pedestrian using smart-phones, with ear-phones with little or no appreciation of the risks from approaching trains at footpath level crossings.

Network Rail wants to operate a safe national rail network. We believe that our employees should expect to be able to work in a safe environment, free from harm – “everyone home safe, every day”. In a similar vein, we want to eliminate the risk of harm to everyone who interacts with us: passengers, line side neighbours and level crossing users. Our vision aligns with increasing expectations in society regarding an individual's right to a life free from unnecessary harm.

Level crossings are Network Rail's greatest source of risk to members of the public. We have adopted a policy that, wherever possible, we will close level crossings. It is Network Rail's and indeed the Office of Rail Regulation policy to reduce risk at level crossings not to increase risk as would be the case with an increase in usage at the two level crossings in question. The Office of Rail Regulators, in their policy, hold Network Rail accountable under the Management of Health and Safety at Work Regulations 1999. And that Risk control should, where practicable, be achieved through the elimination of level crossings in favour of bridges.

It is Network Rail's opinion that even with what may be considered as a minor increase in usage at a level crossing, that this is still unacceptable as any increase in usage would also lead to an increase in the level of risk to users. We would also highlight that an increase in level crossing neighbours may lead to an increase in both wilful and unconscious unsafe acts, such as rushing to get across before a train passes, or a dog walker chasing after a loose pet on the line from the crossing, or simply crossing with too little time, instances such as this would not be acceptable at the level crossings.

West Lancs Council have a statutory responsibility under planning legislation (Schedule 5 (f)(ii) of the Town & Country Planning (Development Management Procedure) Order, 2010) to consult the statutory rail undertaker where a proposal for development is likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway. We would draw the LPAs attention to the House of Commons Transport Committee 11th Report on level crossing safety which stated: “Level crossings are a significant source of risk on the UK's transport networks. Although the number of accidental deaths at level crossings has decreased in recent years, nine people died in 2012-13. Every one of those deaths was a personal tragedy which could have been averted. We recommend that the Office of Rail Regulation (ORR), which is responsible for rail safety, adopt an explicit target of zero fatalities at level crossings from 2020.” “7. Level crossings are places where footpaths, bridleways or roads cross railway lines at the same level. Network Rail manages approximately 6,500 level crossings on the commercial rail network...There are two general types of crossing: active crossings, which provide warnings or protection when a train is approaching, and passive crossings, which do not. Active protection may be automatic, or may require a signaller, driver or crossing keeper to perform certain actions. Passive crossings rely entirely on the user for their safe operation.” “12. There are significant safety risks associated with the different forms of level crossing. Of Network Rail's 6,500 crossings, 76% are passive crossings, which do not offer any warning of an approaching train...The decision on whether it is safe to cross is left to the user.” The House of Commons Transport Committee 11th Report also stated: Co-operation between railway operators, highway authorities and planning authorities 31. Local authorities must work with Network Rail and other railway operators to help keep level crossings safe. For example, local authorities' plans for promoting walking and cycling routes that traverse level crossings can have a direct effect on safety at those crossings. However, the Association of Directors of Environment, Economy, Planning and Transport told us that liaison between Network Rail and local authorities is variable...Network Rail has highlighted a number of examples where local authorities have imposed planning obligations on developers, to help fund Network Rail's construction of footbridges... However, in some cases planning authorities have consented to large developments and changes in road layout without due attention to the increased risk at nearby level crossings... In its report into a fatal accident at the Kings Mill No. 1 crossing near Mansfield, the RAIB (Rail Accident Investigation Branch) criticised the local authority for establishing a walking and cycling trail without discussing the likely impact on the usage of a level crossing with Network Rail. 32. Railway operators are already statutory consultees where proposed development is likely to result in a material increase in the volume or character of traffic using a level crossing...The Law Commission's proposal for broader statutory duty of co-operation on railway operators, traffic authorities and highway authorities in respect of level crossings is a sensible suggestion....However, in the case of

footpaths, private crossings or unadopted roads (which are not maintained by the highway authority), there is a case for adding planning authorities to that list....We welcome the duty of co-operation on railway operators, traffic authorities and highways authorities in respect of level crossings but recommend that it should also encompass planning authorities so that the impact of additional numbers of people using level crossings can be considered. As there is a footbridge over Mill Dam Lane bridge which is only 546 yards from the crossing we would request that any planning consultation includes proposals routing all pedestrians across Mill Dam Lane where there is a bridge, it is much safer as they can still get to the same point, without using the level crossing and increasing the risk. This should be included in any travel plan or traffic assessment. We would also ask if the council is open to giving in principle support to closing off the public footpath down Abbey Lane (subject to full discussion with the LPA, Highways, PROW and Network Rail).

PHOTOGRAPHS AVAILABLE ON THE COUNCIL'S WEBSITE AT www.westlancs.gov.uk/ytf

Attachments submitted?



Council Response

Comments relating to parking at the rail stations and support for the electrification of the Ormskirk to Burscough line are noted and welcomed. The Masterplan will seek to deliver a development that prioritises sustainable methods of transport over the car. Therefore, consideration will be given to how this development can secure additional required parking, both vehicular and cycling at both rail stations given land availability at both sites is fairly limited.

Comments relating to level crossing safety are taken very seriously by the Council and the Masterplan will include reference to its proximity to the crossings for the purposes of Travel Planning at application stage.

Whilst the Council is always willing to engage with all infrastructure providers, matters relating to the closure of footpaths fall outside of the remit of this document and should be taken up separately with the Council and other relevant parties. However, for clarity, the Masterplan seeks to deliver a linear park cycle path between Ormskirk and Burscough. Whilst it is inevitable that part of this route will proceed down Abbey Lane before entering land to the south and travelling on the western side of the rail line towards Ormskirk, there is no intention for the route to cross the Ormskirk to Preston rail line using the Abbey Lane level crossing. Instead the route will make its way through the Grove Farm development site and join the existing cycle path which links the north of Ormskirk to Ormskirk rail station through the use of an existing tunnel under the rail line.

Mr John Colbourn

Organisation

Comments:
I live on the A59 opposite Square Lane and have real problems exiting my drive due to the speed at which some vehicles come round what is to them and to me, a blind bend from the direction of Ormskirk. The situation is very dangerous now, and will of course be made much worse when additional new houses are built. I have consulted and am continuing to consult the police, Lancashire CC, Highways Dept etc but they have, as yet, been unable to alleviate the problem to any degree. My concern now is to ensure that this problem is specifically addressed as part of the planning for the new Yew Tree Farm development, whereby significant changes to the road layout at the junction between Liverpool Road South and Square Lane or more effective control of the speed of traffic will be essential. . I

Attachments submitted?

Council Response

Lancashire County Council, as the local Highways Authority have carried out initial strategic traffic modelling at the Local Plan site allocation stage, more localised traffic counts and modelling within Burscough alongside the Masterplan process and have provided the Borough Council with their professional view in terms of the requirements of the Masterplan and how the site interacts with the highway, and both vehicular and sustainable transport. In addition, the Masterplan will require that all applications for development are supported by a full Transport Assessment and Travel Plan, the scope of which should be agreed with the Highways Authority in advance of submission.

Whilst the Council empathises with particular issues which effects individuals, it is satisfied that the principles set out within the Masterplan, along with the additional detailed work required at planning application stage, will ensure measures are delivered to help mitigate the impacts of traffic on the local highway network and to encourage cycling and walking over car use.

Mr John Crawford

Organisation

Comments:

Not very good, will cause adverse effect on resident next to site and subsequent impact on all Burscough residents and infrastructure. Not wanted by Burscough residents and being push through by people who don't represent the people of Burscough. They need to listen!

Attachments submitted?

Council Response

Comments noted.

Mrs Linda Crawford

Organisation

Comments:

- not wanted
- no consideration for who this site will affect
- will have a large impact on burscough residents

Attachments submitted?

Council Response

Comments noted.

Mr Michael Cunningham

Organisation

Comments:

This report sets out comments submitted on behalf of local residents and land owners who own land contained within the area identified as Yew Tree Farm Strategic Development Site. The format of the report for ease of reference follows the layout of the Options Report Supplementary Planning Document issued in February 2014. The key issues identified in that report are set out in the same order in this General Comments Document which concludes with a general overview of the way in which it is considered the site should be developed from the point of view of local residents and land owners.

Employment

Where should employment uses be delivered and why? From a strategic development point of view it would be most appropriate to identify the location of employment land and the areas of land adjoining the existing Burscough Industrial Estate. Clearly the issues associated with industrial or commercial development dictate its segregation from other uses where detrimental effects would be caused. On this basis therefore the employment land should be identified along the westerly edge of the site and separated from the residential development as referred to later.

Delivery of Live/Work Units

The identification of employment land along the westerly edge of the site could include on its easterly border some areas of live/work units along the general principles identified in Proposed Option 1. The location of live/work units if deemed necessary would act as a buffer between the residential and employment land. Types of Businesses The employment land closest to the industrial estate would inevitably involve general industrial uses and with careful longer term planning those areas closest to the residential area, namely to the easterly edge of the section of employment land, could be identified as more commercially orientated, smaller business uses to help encourage local employment. These could be incorporated within a mix of live/work units, thus maintaining an employment element, but reducing any potential detrimental impacts on residential amenities.

Residential

Provision of Elderly and Affordable Housing

Elderly housing provision which is recognized as necessary should be provided within the first phase of development of the site. The elderly housing provision should be located close to public transport facilities and also local facilities. The 4 options suggested in the document all propose elderly housing provision close to a main entrance near the junction of Higgins Lane and Liverpool Road South and close to proposed local facilities, together with the existing public transport along Liverpool Road. However, the identification of elderly housing could also be located further to the south if a secondary access was provided off Liverpool Road South and which would avoid a high concentration of elderly housing development in one area thus providing a more integrated arrangement for both elderly and other residential occupiers. The key issue for the provision of elderly housing is ease of access to public transport and basic local facilities. Public transport will provide access to wider retail and social outlets with the basic social facility providing immediate daily needs.

Provision of affordable housing should be incorporated within the residential development in accordance with adopted Development Plan policies.

Access

Avoidance of traffic congestion

The proposed arrangement of residential, social and employment land dictates and influences the proposed location of access points to the site. The access proposed in each of the 4 options suggested sees highway construction work carried out close to the junction of Higgins Lane and Liverpool Road incorporating a main access into the site which then variously links with access points on Tollgate Road or further on down Liverpool Road. The general principle of identifying the site partially for employment use and partially for residential with associated community facilities including open space means that it seems logical to locate the employment land to the westerly side of the site, as referred to earlier, with the remainder of the site being occupied by residential open space and community facilities.

Access to the employment land should be separate from the residential use to avoid detrimental effect on the amenity of the residential occupiers. For this reason, and to minimize traffic concentrations, there should be 2 access points from Tollgate Road allowing employment traffic to enter from the industrial estate side of the development

site. The residential development should be accessed from Liverpool Road rather than Higgins Lane to avoid an effect upon existing residential occupiers, and at the same time allow ease of access onto the main highway network. A single access point onto Liverpool Road to serve the whole development may lead to significant congestion and it is therefore logical to provide a second subsidiary access further to the south west to serve a minor proportion of the residential site. The proposed access through Meadow Brook would create significant detriment to existing residential occupiers who occupy the quiet cul-de-sac. A more appropriate and less damaging access would be through the site of number 77 Liverpool Road, an existing employment site which is currently on the market for sale. This site is adjacent to a public house car park and therefore use of this area as an access would not create a significant detriment to nearby residential occupiers. The secondary access to the site from the above location could serve an area of residential development without linking through to the main residential access route and thus reduce the volume of traffic using the main access and at the same time allow the development of the site with the appropriate number of residential properties. The employment use could then be segregated from the residential use and the roadway serving it would act as a buffer with a further landscape buffer between it and the residential properties. This would have the benefit of maintaining a significant distance between employment development and residential development, and at the same time would improve the visual amenity of the employment site by establishing a green edge.

The Options document sets out the conclusion that the latest available evidence suggests that a new primary school is not necessary within the site. However, the options proposed incorporate an area of land identified for future use as a school. This provision could be maintained within the plan, but identified on the area of land released as Phase 2 which should be to the northerly side of the site. Therefore, when Phase 2 was developed, if it was determined there was a need for school facilities it could be provided at that time and it would not prejudice the development of Phase 1 or bringing forward residential development in the short term. For this reason it would make sense to identify a separate single access from Higgins Lane leading into school premises exclusively. This would mean that there would not be any threat of conflict between children and general traffic, and at the same time it would reduce the prospect of a detrimental effect on the residential amenity of occupiers of residential properties off Higgins Lane.

Accessibility

Walking & Cycle Provision

The site should incorporate cycle ways and footpaths utilizing existing footpaths between Liverpool Road and Higgins Lane, and linking these into an area close to the main entrance of the site at the junction of Higgins Lane and Liverpool Road to provide connectivity between the development and Burscough Village itself. This would encourage walking to access public transport links.

Community facilities

The development of the site would not include the provision of a new library building, but rather the infrastructure funds generated through the community infrastructure levy or Section 106 Agreement should be used to enhance the existing facility within the village. The improvement of existing facilities in the organically grown Burscough Village itself will avoid a threat of establishing 2 centres and will consolidate the significance of the established village, thus underlining the proposal that the strategic development site at Yew Tree Farm is effectively an enlargement of Burscough itself, rather than a separate settlement.

Sports facilities

New sports facility

As above the funds generated through the development of the site should be used for the enhancement of existing sports facilities, particularly Burscough Sports Centre, rather than the provision of new sports facilities. Some sports facilities can be provided within the development for outdoor play as referred to below. Open space Should open space be provided on the site? The open space provision on the site within the residential development should incorporate outdoor play space and a formal park in order to maintain areas of green space within what will be an urban environment.

Protection of residential amenity

The development should incorporate segregation of employment and residential uses, and during development construction traffic should wherever possible be directed through the employment side of the site via the industrial estate in order to reduce any potential detrimental impacts on newly built housing occupiers. Landscape buffers should be incorporated, particularly between those areas of the site identified as employment and residential, to further protect the residential occupiers. The location of live/work units, if deemed to be necessary, is important in

considering the level of segregation between the 2 uses.

Phasing

How should the site be phased?

The development of the site should be dictated by the provision of infrastructure. When it is possible to identify suitable drainage and highway infrastructure those areas of the site which are closest to existing facilities such as public transport and that infrastructure should be developed first in order to promote development in the short term. This means that the area of land closest to Liverpool Road South should be Phase 1 development which would incorporate both employment and residential land with the employment land accessed from Tollgate Road and the residential land accessed from Liverpool Road South, ideally at 2 access points as described above and indicated on the suggested master plan attached to this representation. The area of land which should be identified as safeguarded land is that area to the north which is furthest from any built development and less accessible from the village itself. By safeguarding this area of land it will also provide further protection in the short term for those residential occupiers living off Higgins Lane. The redevelopment currently taking place at the junction of Pippin Street and Liverpool Road also indicates that this southern area of the site should evolve with the northern section being kept until later in the plan period.

General overview – Suggested alternative option

It is clear that the part of the site most closely related to Burscough is that area along Liverpool Road South up to Higgins Lane. Similarly the area which is most appropriate for employment development is that section of the site along the westerly edge. This means that the most appropriate layout for development is to incorporate both residential and employment uses in land released as part of the first phase of development which would be most closely associated with the Liverpool Road South section of the site and also incorporate both elderly persons accommodation, local facilities and open space. The release of land in Phase 1 should not incorporate any identified site for school facilities given that there is currently no need for school provision on the site. This should be incorporated into the second phase of development within safeguarded land, ideally to the northerly side of the site. This would avoid sterilizing a large area of land within the first phase of development.

Taking all the above points into account, of the options proposed the 2 which most closely satisfy the general requirements are Option 1 (the radial plan) and Option 4 (the cluster plan), or rather a hybrid of the two (see attached Suggested Alternative Option). Attached as an Appendix to this report is a suggested alternative option which incorporates elements of both of these proposals and is based along similar lines, but takes accounts of comments made earlier in this representation. A hybrid version attached to these comments suggests the redevelopment of the site can be achieved and provide the appropriate amounts of housing and employment land having regard to the relationship between both the mixed uses, the existing settlement and the site as a whole. It would achieve the best result in terms of management of traffic issues both on and adjacent to the site, and it would complement the existing settlement by allowing for connectivity between Burscough Village and the proposed redeveloped site.

APPENDIX 1 AVAILABLE ON THE COUNCIL'S WEBSITE AT www.westlancs.gov.uk/ytf

Attachments submitted?



Council Response

Comments noted and agreed with regarding the location of employment development adjoining the existing employment area.

Elderley accomodation is a requirement of all housing development regardless of phase and will be supported within the most accessible location within the site, subject to the ability of an end user to bring forward such a facility.

Comments noted regarding highways access, however, the advice from Lancashire County Council as the Highways Authority is "Yew Tree Farm's entire estate road network should be served from limited vehicular accesses off the internal primary road network. Vehicular access into isolated pockets of development from the external highway network is not recommended, particularly along the A59". Therefore, discrete access through the site of 77 Liverpool Road South would run counter to this advice and would not be considered appropriate.

Mr Douglas Elliot

Organisation

Comments:
Having viewed the four options presented, Option 2 is by far the most suitable and non controversial. It does not place industry adjacent to existing housing, grouping it with existing industrial areas. It also has a site for a primary school.

Attachments submitted?

Council Response

Support for Option 2 and comments noted.

Mr

Colin

Evans

Organisation

Comments:

As a resident of Springfield close myself and all other resident of Springfield close were led to believe that the area behind was safeguarded until 2027. This now seems to have been a lie. It is obvious that this whole project is about money and there is no consideration for the people who's lives this will have a detrimental effect on. The four proposals are very amateur(two do not even include a school). I doubt that any of the people involved in these plans live in the area and therefore can pursue the money they will receive without having to worry how their lives will be disrupted. I hope you can sleep at night , knowing you have ruined a nice village and the lives of the people who live in it all for some more money.

Attachments submitted?

Council Response

The Local Plan was clear that the layout was indicative only and the safeguarded land would be determined through a masterplanning exercise which is currently underway. As this is the Options stage, the Council are unable to provide high level details for the site as these are created as the Masterplan progresses. The Options document made clear that the site plans show development of the whole site to ensure that the site will not be delivered as a piecemeal development with inadequate infrastructure in the long term. However, this does not mean all of the site will be developed prior to 2027 and the Council still intend that parts of the site will be safeguarded. A key element of the consultation was to ask the public which parts of the site should be safeguarded and all comments received in relation to this will be considered.

Plans at this stage remain indicative, and are not intended to mislead people. The inclusion of a school within only two of the options was to allow refinement of the feedback from the Education Authority in respect of their requirement for a school in the longer term. This has now been confirmed and LCC would like a portion of the site to be safeguarded for a future primary school site.

Mr Peter Foster

Organisation Sustrans

Comments:

Thank you for the consultation on the Yew Tree Farm masterplan at Burscough. We would like to make the following comments on sustainable transport issues:

- 1) The layout of the site should positively encourage walking and cycling for local journeys with time/ convenience advantage over the private car to reach local amenities. Examples of how this can be achieved are:
 - High quality direct linear pedestrian/cycle routes through the site, designed to transport people to local facilities, ie not a circuitous dog walkers' route nor a cycle track interrupted at every secondary entrance.
 - Pedestrian/cycle-only connections to adjacent roads to reach local amenities.
 - High quality public open space/public realm with open aspects to provide attractive setting. ie no dreary tree-less suburban streets.
- 2) The design of the internal road network should create 20mph zones for the residential areas, and be less direct than ped/cycle routes to reach local amenities.
- 3) The rural, more tranquil nature of adjacent minor roads should be protected to encourage pedestrian/cycle journeys along the Leeds and Liverpool canal and the Lancashire Cycleway (Regional route 91 of the National Cycle Network)
- 4) Away from the site, planning contributions to be secured to establish the Ormskirk town centre/station to Burscough town centre/station walking/cycling route (to pass through the development site).
- 5) As Burscough grows, to keep discussing with/pressing other agencies for public transport improvements, particular in the rail services to Ormskirk/Liverpool, Wigan/Manchester, Southport, and Preston. For its size, the town is very fortunate in having access to two railway lines, but, as noted, further improvements are required to promote a more coordinated rail service, and station sites, sufficiently attractive to encourage residents to use rather than the private car.
- 6) Travel planning with targets and monitoring, and a sense of purpose, is an important part of the development process.

Attachments submitted?

Council Response

Support for sustainable transport noted. The Masterplan will encourage the provision of walking and cycling routes. One of the main requirements for the development is to deliver the linear park and to prioritise cycling and walking over vehicular usage through the delivery of connections including cyclepaths and footpaths.

Mr Jason Grice

Organisation

Comments:

All options have pros and cons but I would like to highlight some concerns I have and offer my preferred option with minor amendments.

Option1:radial This should not have new commercial development next to existing housing in the SW corner of the site. I believe this will create issues at planning stages later down the line and potentially limit the kind of possibilities for commercial use. Plus, no School!

Option2:Central focus Having primary access to Truscott Road will create a rat-run for access to priory high and main roads should be kept as a priority route for the school run. I also think the primary access route from Meadowbank is a dangerous option, unnecessarily encouraging traffic through what is a narrow access from the A59. Finally, I think the school should take the primary central focus and be moved away from existing dwellings to reduce the impact on those who currently enjoy good levels of amenity.

Option3:linear This looks over structured for residential development. But I like the fact that Higgins lane is cut off. The school is more central and commercial development is away from existing homes. However I am again concerned at having a Truscott Rd rat-run created.

Option4:clusters This is my preferred layout. I think this will give a an impression of a more spread out layout of blocks of development and commercial development is away from existing homes. I would prefer to see the Truscott Rd access gone but the access to Meadowbank is now more suitable as it is only to access a small number of new residential homes rather linking to a primary route. The elderly homes should be homes, not flats and again, no school! Why no school in option 4. As a former ward Councillor during the development of the local plan I inquired at the time about providing off road parking for Lordsgate Primary School and this appears to have been completely disregarded from all options. This could be done cheaply and provide immediate relief to traffic congestion in the area, helping to keep the A59 clear at peak times. Please can you look at adding this as part of option 4. I was hoping to see more community improvements suggested in your literature and I'm hoping that this is because drainage and highways improvements are a priority for the area. If this is the case I would highlight this in future correspondence.

Attachments submitted?

Council Response

Option 1 comments, the proximity of commercial development to residential development will be a factor considered within the final draft masterplan and protecting the amenity of existing and new residents will be a principle within the document.
Plans at this stage remain indicative, and are not intended to mislead people. The inclusion of a school within only two of the options was to allow refinement of the feedback from the Education Authority in respect of their requirement for a school in the longer term. This has now been confirmed and LCC would like a portion of the site to be safeguarded for a future primary school site.

Option 2 comments, Access through to Higgins Lane should be limited from the development site to ensure that the masterplanned site helps, rather than hinders, the highways arrangements along Higgins Lane. The location of a primary school will be subject to input from the Education Authority and is likely to be within land safeguarded for future development.

Mrs K Hayter

Organisation

Comments:
I have no objection to housing we need it for the future - Flooding and infrastructure needs to be worked out properly. Suds as you call it could be a danger to young families with small children if left open as ponds or lakes. I like the set out of option 2 as it seems more wholesome. From a community point of view - just a little worried about water levels in that area.

Attachments submitted?

Council Response

The Council acknowledges that there are issues with surface water within Burscough and are committed to ensuring that surface water problems are not exacerbated. In addition, Policy SP3 of the Local Plan and the Masterplan both require that works are undertaken to remove some surface water from the existing system that runs through Burscough and deal with this on-site along with the developments own surface water. This will ensure that any additional waste water (foul) flows that must go into the system are offset by the removal of surface water flows. This may also result in some betterment to the surface water network in Burscough and result in improvements to the network as a whole. However, land drainage beyond the extent of the site is a complex issue and whilst the Masterplan will seek to ensure this site does not worsen the situation, planning cannot control all matters beyond the site in question. LCC will be required to approve all drainage systems prior to their adoption and so will ensure schemes meet their standards and are effective and efficient. This will include addressing any concerns over safety of attenuation ponds and culverts.

Mr John Herbert

Organisation

Comments:

The main areas of concern that Scarisbrick Parish Council would like to address include water management and traffic. The degree of uncertainty in relation to local water management is a major source of concern:

- Large areas of Scarisbrick are currently under threat of flooding due to the Environment Agency's intention to withdraw from the maintenance of water courses and satellite pumping stations in the Alt-Crossens catchment.
- A local solution put forward by the Alt-Crossens Advisory Group is not supported by either central or local government, neither of whom will commit to funding a local drainage board. There is considerable uncertainty as to the future, with the valuable agricultural area of Martin Mere being under threat.
- Waste water treatment in Burscough already has capacity issues. Funding for the necessary improvements has not yet been obtained.
- Surface water issues are to be addressed by SuDS. Baseline evidence is yet to be established. There is currently no evidence to inform the amount of land take required within the site in order to provide enough storage capacity for the sites surface water drainage needs and to meet the needs of the solution required to take existing surface water out of the system.
- The effect of the Environment Agency's plans for controlled inundation on the surrounding water table are unknown, as is the potential for increased water table levels to affect existing and proposed drainage schemes (such as SuDS). Lack of clarity on these important issues adds to the threat currently felt by residents of Scarisbrick. Road traffic links are also a source of concern. The B5242 already carries a good deal of heavy goods traffic with which it is not designed to cope. Heavy vehicles have difficulty negotiating the County Road/Southport Road junction and the B5242 is used as an alternative route. There are sections of the road where HGVs have to mount the pavement in order to pass. The Council is concerned that the development will put further pressure on this already busy "B" road.

Scarisbrick Parish Council is grateful for the opportunity to comment.

Attachments submitted?

Council Response

The issues associated with the Alt Crossens proposals are outside of the remit of this document.

The Council acknowledges that there are issues with surface water within Burscough and are committed to ensuring that surface water problems are not exacerbated. In addition, Policy SP3 of the Local Plan and the Masterplan both require that works are undertaken to remove some surface water from the existing system that runs through Burscough and deal with this on-site along with the developments own surface water. This will ensure that any additional waste water (foul) flows that must go into the system are offset by the removal of surface water flows. This may also result in some betterment to the surface water network in Burscough and result in improvements to the network as a whole. However, land drainage beyond the extent of the site is a complex issue and whilst the Masterplan will seek to ensure this site does not worsen the situation, planning cannot control all matters beyond the site in question. LCC will be required to approve all drainage systems prior to their adoption and so will ensure schemes meet their standards and are effective and efficient. This will include addressing any concerns over safety of attenuation ponds and culverts.

Highways assessments will be undertaken by Lancashire County Council, as the local Highways authority, in partnership with WLBC, and with consideration to the impact of traffic on surrounding areas. The recommendations of LCC in relation to traffic and transport will inform the decisions of WLBC. However, initial modelling does not suggest that much of the sites traffic will travel towards Southport via Scarisbrick.

Mr	Marcus	Hudson
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Organisation	Lancashire County Council
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Comments:

The following comments are made:

Strategic Highways

Option 1 – Radial The development pattern of Radial Masterplan option would provide a coherent extension to the surrounding urban area, and enable the integration of the site with existing facilities and services. The linear park cycle/footpath follows the existing Public Right of Way (PROW) footpath number 74 (Burscough) to the west of the Masterplan area. To the east of the Masterplan area, a cycle/footpath route connects into the PROW. However, there is only one dedicated cycle/pedestrian link from the Yew Tree Farm site to the A59 Liverpool Road South. LCC would expect the final Masterplan option to include further pedestrian and cycle only access points, to support sustainable movement to the local built up area and its amenities and, in particular, to the A59 Liverpool Road South which is a key public transport route. The Masterplan area is dissected by two east west routes that form the site's internal primary road network, connecting with the external highway network at a singular primary access with the A59 and two primary accesses on Tollgate Road, to the north and south. This arrangement would facilitate potential future public transport services through the site. The east west roads should include high quality joint pedestrian/cycle provision on one, or preferably, both sides. The alignment of the southern east west link road, which runs almost parallel to the A59, lends itself to use as an alternative route for industrial and employment traffic. Whilst this may provide a level of relief for the A59, the use of the route by HGV's and for through movements may not be considered appropriate for the Masterplan area. The alignment of the northern east-west link road would provide a direct route from the A59 to the employment area, avoiding Higgins Lane. However, as there is no direct vehicular connection from the Yew Tree Farm site, Higgins Lane is likely to continue being used as a route to Burscough Industrial Estate (Langley Road) and Swordfish Business Park (Swordfish Close) from Higgins Lane. To minimise the levels of traffic travelling through the 20mph zone on Higgins Lane, it would be advantageous to include a vehicular route from Higgins Lane, west of Hesketh Road, onto the northern east-west link road. The stopping up of Higgins Lane at its junction with the A59 would present opportunities to make highway changes to Higgins Lane. However, a further vehicular access may be required from the east of Higgins Lane to the northern east-west link road to provide a convenient route for traffic from the existing built up area to the A59.

Option 2 - Centre Focus The Centre Focus Masterplan option retains the primary accesses of Option 1; a singular access with the A59 and two accesses on Tollgate Road, to the north and south. The Centre Focus option includes an additional vehicular access route to Higgins Lane from the Yew Tree Farm site to the east of Truscott Road. A vehicular connection to Higgins Lane in this location would enable traffic from the existing residential area to access the A59 via Yew Tree Farm's primary road network, and thereby facilitate the closure of Higgins Lane at its junction with the A59. As indicated in the above comments for Option 1 (Radial), it may be advantageous to include another vehicular route from the Yew Tree Farm site that connects with Higgins Lane to the west of Hesketh Road. This would provide an alternative route for traffic that may otherwise travel through the 20mph zone, and would also release opportunities to make highway changes to Higgins Lane. Vehicular access points onto Higgins lane should be regarded as secondary accesses. Similarly to Option 1 (Radial), the route from A59 that runs in an east-west direction to Tollgate Road would provide a direct route from the A59 into the employment area, avoiding Higgins Lane. The alignment of the route that runs in a southerly direction from the A59 to Tollgate Road is less direct than the alignment of the southern east west link road in Option 1 (Radial). This could serve to discourage traffic using the route through the site as an alternative to the A59. The layout of the internal primary road layout would facilitate the potential future operation of a bus service through the site and/or a circulating service around the formal park. The linear park cycle/footpath follows the route of existing Public Right of Way (PROW) footpath number 74 (Burscough) to the west of the Masterplan area, although the southern section of the linear park cycle/footpath is interrupted by the site's primary road network. The site's primary road network should include high quality joint pedestrian/cycle provision on one, or preferably, both sides. To the north of the Masterplan area, further cycle/footpaths route connect into Higgins Lane from the northern east west link road. However, as for Option 1 (Radial), there is only one dedicated cycle/pedestrian link from the Yew Tree Farm site to the A59 Liverpool Road South. Again, LCC would expect the final Masterplan option to include further pedestrian and cycle only access points, to support sustainable movement to local amenities and, in particular, to the A59 Liverpool Road South which is a key public transport route.

Option 3 – Linear The Linear Masterplan has a similar development pattern to Option 1 (Radial), which would

provide a coherent extension to the surrounding urban area, and enable the integration of the site with existing facilities and services. The linear park cycle/footpath follows the existing Public Right of Way (PROW) footpath number 74 (Burscough) to the west of the Masterplan area. Approximately midway, the linear park cycle/footpath meets an adjoining cycle/footpath that provides a route through greenspace to the east of Higgins lane. However, as with Option 1 (Radial) and Option 2 (Centre Focus), there is only one dedicated cycle/pedestrian link from the Yew Tree Farm site to the A59 Liverpool Road South. LCC would expect the final Masterplan option to include further pedestrian and cycle only access points, to support sustainable movement to local amenities and, in particular, to the A59 Liverpool Road South which is a key public transport route. The site's primary road network should also include high quality joint pedestrian/cycle provision on one, or preferably, both sides. The Masterplan primary road network connects with the external highway network at three primary accesses, namely the A59, Tollgate Road and Higgins Lane. There are four additional direct vehicular connections from the Yew Tree Farm site to Higgins Lane. LCC does not consider it necessary to have more than two secondary vehicular accesses onto Higgins Lane; one to the east of Higgins Lane for the purposes of providing a convenient access route to the existing built up area from the A59, and another to west to provide a route which avoids the 20mph zone and is appropriate for use by HGV's. Ideally, the western vehicular access to Higgins Lane should be offset from the linear park cycle/footpath. As per the Option 1 (Radial) comments, the alignment of the southern east west link road, which runs almost parallel to the A59, lends itself to use as an alternative route for industrial and employment traffic. The northern east-west primary road does not penetrate the employment area, and therefore the southern east west link could be construed as the most direct route to Tollgate Road. It may therefore be preferable to maintain the primary access to the north of Tollgate Road as illustrated in the other Masterplan options to balance traffic movements through the site to the north and south of the employment area.

Option 4 - Clustered The Clustered Masterplan option has principles similar to the Central Masterplan option, in terms of primary access routes and vehicular connection between the site and Higgins Lane. However, the Clustered Masterplan option appears to have three isolated parcels of residential development that can only be accessed from the external highway network. Yew Tree Farm's entire estate road network should be served from limited vehicular accesses off the internal primary road network. Vehicular access into isolated pockets of development from the external highway network is not recommended, particularly along the A59. LCC does, however, support multiple dedicated pedestrian and cycle only access points that provide comprehensible safe routes from the Masterplan area to local amenities and public transport. With this, as stated in Options 1, 2 and 3, the site's primary road network should also include high quality joint pedestrian/cycle provision on one, or preferably, both sides

Applicable to all Options LCC would suggest that the following points are taken into consideration with the development of the final Masterplan. Please note that this is not an exhaustive list:

- The integration of the site with the existing built environment, taking into account distances to key facilities and the existing provision for sustainable movements.
- The inclusion of a network of legible pedestrian/cycle routes through the site and multiple pedestrian/cycle only access points connecting to footpaths, highways, recreational areas, open space, adjoining housing areas, public transport facilities, employment, local amenities etc
- The inclusion of high quality joint pedestrian/cycle provision on one, or preferably, both sides of the site's internal primary roads.
- The retention and enhancement of public rights of way across and adjacent to a development site
- Opportunities to provide new pedestrian and cyclist links, or enhance existing footways/cycleways external to the development
- Lancashire County Council's Draft West Lancashire Highway and Transport Masterplan, with particular reference to the VISIT project and The Burscough ~ Ormskirk Linear Link proposal.
- The inclusion of two east west link roads to provide the primary routes for development traffic to access the external highway network.
- Connections to the external highway network via a singular primary access with the A59 Liverpool Road South and

two primary accesses on Tollgate Road, to the north and south.

- The inclusion of two secondary vehicular accesses onto Higgins Lane; one to the east of Higgins Lane for the purposes of providing an access route to the built up area from the A59, and another to west to provide a route which avoids the 20mph zone and is appropriate for use by HGV's.
- The avoidance of vehicular accesses into isolated parcels of development from the external highway network.
- Opportunities to facilitate the operation of future public transport service through the site.
- Highway capacity.
- Improvements that may be needed to the local highways network in order to achieve safe access to the site.
- Mitigation measures to offset any potential adverse impact to the existing highways network.

Ecology

It is noted that an HRA has been undertaken. At a more detailed stage information accessible through the County Council's LERN service will be important in considering the impact on local ecology. Account should also be taken of the emerging Ecological Network.

Minerals and Waste

No reference has been made within the document to the mineral resource which is identified on the policies map and referred to within your adopted local plan. The requirement to satisfy the criteria set out in policy M2 of the adopted Minerals and Waste Local Plan has the potential to impact on the layout, phasing and density of the proposed development. The information indicates the resource is silica sand, which could enhance the viability of prior extraction. Your council should also make reference to how waste arising during construction and occupation is considered as part of the development.

Education

The education position will need to be reviewed to take into account the latest forecasts once these are available. LCC Education team will provide these once they have been updated.

Libraries

The residential led development proposals for Yew Tree Farm will aid the delivery of necessary new housing provision in this part of West Lancashire. It will see a significant expansion of the built form of the town and should ideally support the economic and social vitality of the town. Nevertheless the Masterplan Options document rightly draws attention to the inadequate library provision of the town and the increased pressure that the development of Yew Tree Farm will place upon the library service and other social infrastructure. The long term search for alternative, better library premises has so far failed to identify a viable and deliverable solution. The county council therefore welcomes the positive offer of support from West Lancashire in its search for an alternative site or premises. It should be acknowledged that the Yew Tree farm site would not be an acceptable location for a library as the provision should be in close proximity to the existing high street shops and amenities. The county council remains committed to improve and expand the library service in Burscough and welcomes the district council's stated intention that the development of Yew Tree Farm should be required to contribute to achieving that goal, either through its CIL contribution or via a S106 agreement.

As stated previously, LCC welcomes and supports the principle of a Masterplan for Yew Tree Farm, and I trust that the comments raised above will assist in its development and adoption.

Attachments submitted?

Council Response

Option 1 - All comments are noted and the final draft masterplan will ensure additional connections for pedestrians and cyclists to the A59 are included, as is a requirement for a cycle/pedestrian link on preferably both sides of the main internal road network and a connection to Higgins Lane from the north of the site to facilitate the potential closure of Higgins Lane to through traffic.

Option 2 - All comments are noted and particularly the concern over the practicality of a convoluted southern connection link which may discourage use through the site.

Option 3 - Comments regarding the preference to connect the northern east - west link road all the way through the employment area to Tollgate Road are noted and will be carried forward into the final draft masterplan. Connecting routes to Higgins Lane will also be limited to two.

Option 4 - The Council notes the comment "Yew Tree Farm's entire estate road network should be served from limited vehicular accesses off the internal primary road network. Vehicular access into isolated pockets of development from the external highway network is not recommended, particularly along the A59" and will adhere to this within the final draft masterplan.

All other detailed comments are welcomed and will be reflected within the final draft masterplan.

MR Mark James

Organisation

Comments:

I prefer the option 2 the centre focus, as there looks to be the least number of houses built, plus there is the larger green space in the centre.

Attachments submitted?

Council Response

Support for Option 2 noted.

jj jj jjj

Organisation

Comments:
[No comments received]

Attachments submitted?

Council Response

[No response required]

Mr Paul Johnson

Organisation

Comments:
I am instructed to make the following representations in response to the master plan supplementary planning document options report dated February 2014.

1. Mr and Mrs Ledson endorse the Stakeholder Group's views that the north west corner of the site is most suitable for employment purposes. Live/work units might form part of such development subject to evidence of demand. The types of business the employment land might attract is best dictated by market demand. Such allocation for employment use need not be incompatible with the siting of key drainage features within the north west corner of the site.

2. In order to accommodate the predominant movements of traffic to and from the employment site, provision should be made for a link through the site on a West-East axis as shown on options 1, 2 and 4. Alternatively so far as the vehicular access section of the options report is concerned, option 1 of the Tollgate Road access.

Attachments submitted?

Council Response

Support for development of the north-west of the site for employment use noted. Further comments noted.

Mr Les Jones

Organisation

Comments:

I have lived on Ellerbrook Drive in Burscough for the past 25 years. My house backs onto Junction Lane and is close to Briars Lane/Square Lane. Already we suffer from high noises levels from heavy goods traffic going to and from the M6 on what is clearly not an "A" road. Building a larger industrial site on the Yew Tree Farm site will only increase the level of traffic going past the end of our garden which will make the problem worse.

Also, how do you propose to get the traffic onto the new site? The only access at the moment is down Higgins Lane which is very narrow and has speed bumps and a chicane to stop heavy goods vehicles using that road. Do you then propose to dig this road up and make it into a main thoroughfare causing more misery to the residents already living on Higgins Lane? Alternatively it will have to go into the new estate from Pippin Street. This will cause considerably more traffic on the A59 , causing a lot more congestion due to traffic attempting to access the very narrow Pippin Street. So how on earth do you propose to solve these problems without causing considerably more disruption and discomfort to the existing inhabitants of Burscough?

In addition, after the flooding that was experienced in other parts of the country, Have no lessons been learned? Building on Yew Tree Farm could interfere with the water courses. These have already previously flooded in 2007, 2008 and 2012. How do you propose to handle that? Burscough has already expanded beyond belief over the last 20 years and any more expansion should be unthinkable as we are a community with only one major road running through it and no bypass.

Attachments submitted?

Council Response

Lancashire County Council, as the local Highways Authority have carried out initial strategic traffic modelling at the Local Plan site allocation stage, more localised traffic counts and modelling within Burscough, alongside the Masterplan process and have provided the Borough Council with their professional view in terms of the requirements of the Masterplan and how the site interacts with the highway, and both vehicular and sustainable transport. In addition, the Masterplan will require that all applications for development are supported by a full Transport Assessment and Travel Plan, the scope of which should be agreed with the Highways Authority in advance of submission. The Council is satisfied that the principles set out within the Masterplan, along with the additional detailed work required at planning application stage, will ensure measures are delivered to help mitigate the impacts of traffic on the local highway network and to encourage cycling and walking over car use.

In respect of heavy goods using Higgins Lane, the new road layout through the site lends itself to the closure of Higgins Lane to through traffic, with access taken through this site. This should reduce such inappropriate vehicular movements and improve the situation.

The Council acknowledge that there are issues with surface water within Burscough and are committed to ensuring that surface water problems are not exacerbated. In addition, Policy SP3 of the Local Plan and the Masterplan both require that works are undertaken to remove some surface water from the existing system that runs through Burscough and deal with this on-site along with the developments own surface water. This will ensure that any additional waste water (foul) flows that must go into the system are offset by the removal of surface water flows. This may also result in some betterment to the surface water network in Burscough and result in improvements to the network as a whole. However, land drainage beyond the extent of the site is a complex issue and whilst the Masterplan will seek to ensure this site does not worsen the situation, planning cannot control all matters beyond the site in question.

Mrs	Sandra	Jones
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Organisation	
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Comments:

The comment below is submitted on behalf of Newburgh Parish Council, in my role as Parish Clerk. Newburgh Parish Council is extremely concerned about the increased levels of traffic through the village, which are likely to be generated from this housing development and others such as Firswood Road in Skelmersdale, Grove Farm in Ormskirk and Whalleys in Skelmersdale. It is possible that hundreds of extra vehicles will travel on the A5209 through the village every day especially at peak times. This will impact not only on the quality of life for residents but will also affect the condition of the road which has suffered from flooding/surface water in recent years. It is acknowledged that additional housing is required in the Borough but it is essential that both the County Council and Borough Council make it a priority to address the impact that these housing developments are going to have on the local road network to mitigate the impact on local residents.

Attachments submitted?

Council Response

Lancashire County Council, as the local Highways Authority have carried out initial strategic traffic modelling at the Local Plan site allocation stage, more localised traffic counts and modelling within Burscough, alongside the Masterplan process and have provided the Borough Council with their professional view in terms of the requirements of the Masterplan and how the site interacts with the highway, and both vehicular and sustainable transport. In addition, the Masterplan will require that all applications for development are supported by a full Transport Assessment and Travel Plan, the scope of which should be agreed with the Highways Authority in advance of submission. The Council is satisfied that the principles set out within the Masterplan, along with the additional detailed work required at planning application stage, will ensure measures are delivered to help mitigate the impacts of traffic on the local highway network and to encourage cycling and walking over car use.

Mrs Andrea Mayer

Organisation

Comments:

I am one of the nearby residents who signed the petition against this development, not because I am a 'NIMBY' or opposed to change - I realise that future plans have to be made - but because there are several issues that concern and that I am not confident will be dealt with practically. I also dislike the need to build on Greenbelt but realise too that this is a current Government policy.

The infrastructure on the surrounding estates is prone during heavy rain to surface water problems, minor if you compare it to recent weather events (in particular Trevor Road and Hesketh Road to my knowledge). Given the age of this estate surely adding additional developments will make this problem worse there and for the Briar Rose(?) development we live on. Will post war drains which struggle to cope now be able to cope once the development is complete? I doubt it. I would be interested to see any plans United Utilities have to prove me wrong.

Secondly, the traffic on the A59 is already heavy and at peak hours, it is difficult and dangerous to turn right out of Higgins Lane towards Ormskirk, in addition to which, the entrance to Lordsgate school is very close to the proposed new exit on each plan option. I've been told (by one of the Council Leaders at the Wharf) that the school is likely to be in use until closer to 2027. This strikes me as a series of accidents waiting to happen unless traffic lights are installed as opposed to a roundabout, which would probably be more cost effective? I sincerely hope traffic lights will be installed early on in the development.

Attachments submitted?

Council Response

For clarity, National Policy does not support development of all types on Green Belt. The allocation of this site occurred through a review of the Local Plan when such land was required for release in order to meet local growth and development needs.

Lancashire County Council, as the local Highways Authority have carried out initial strategic traffic modelling at the Local Plan site allocation stage, more localised traffic counts and modelling within Burscough, alongside the Masterplan process and have provided the Borough Council with their professional view in terms of the requirements of the Masterplan and how the site interacts with the highway, and both vehicular and sustainable transport. In addition, the Masterplan will require that all applications for development are supported by a full Transport Assessment and Travel Plan, the scope of which should be agreed with the Highways Authority in advance of submission. The Council is satisfied that the principles set out within the Masterplan, along with the additional detailed work required at planning application stage, will ensure measures are delivered to help mitigate the impacts of traffic on the local highway network and to encourage cycling and walking over car use.

The Council acknowledges that there are issues with surface water within Burscough and are committed to ensuring that surface water problems are not exacerbated. In addition, Policy SP3 of the Local Plan and the Masterplan both require that works are undertaken to remove some surface water from the existing system that runs through Burscough and deal with this on-site along with the developments own surface water. This will ensure that any additional waste water (foul) flows that must go into the system are offset by the removal of surface water flows. This may also result in some betterment to the surface water network in Burscough and result in improvements to the network as a whole. However, land drainage beyond the extent of the site is a complex issue and whilst the Masterplan will seek to ensure this site does not worsen the situation, planning cannot control all matters beyond the site in question.

Stephen

McCloskey

Organisation

Comments:

Firstly, regarding the Grove Farm Site, i note that despite all council's previous literature stating the highest housing number at the site as being 250, the stated figure is NOW 300. I believe this recent increase is unfair and shows that WLBC has misled residents so far in the various consultation events. The figure should be reduced back down to 250 maximum.

Regarding Yew Tree Farm, i note in the latest Masterplan leaflet, the figure for YTF housing has similarly increased from "500" to "at least 500". Is council similarly trying to slip more housing in now that all previous 'consultations' have passed? This is another example of WLBC misleading residents. Council must abide by its own 'transparency' guidelines and be clear from the outset what the figure will be. This is fundamental to the creation of any masterplan option. From what i have been made aware, the recent Masterplanning exercise was seriously flawed, lacked meaningful contribution by the community and was seen by many as yet another 'tick box exercise'. Despite council's obligation, the masterplan has not been prepared in partnership with local communities, and i believe that the entire process should be done again, but correctly. As such, it is inherently flawed, and therefore not fit for purpose.

I don't believe that flooding issues will be dealt with effectively before construction of the site, regardless of which masterplan option model is used. Burscough has experienced serious flooding on occasion over recent years, especially around 2012. Increasing the size of Burscough by more than 25% in such a relatively short space of time will only make such problems massively worse, require huge countermeasures and improvements in infrastructure to such an extent that developers will be unwilling to satisfactorily address the problems due to the cost being detrimental to their desired profit margins. Burscough is being swamped with development. There is Tesco supermarket on the northern side of Burscough and the A59, the Booths retail development now appearing on the south side of Burscough and A59, at least 350 more properties will be built in the planning period, YTF itself will increase Burscough by around 25%, and indications that a large Crematorium will be built on Pippin Street also. Burscough is being absolutely bombarded with developments, and its character will be changed forever. It is absolutely WRONG for Burscough to lose its character in this way. It should not be happening. It is therefore more important than ever for WLBC to be 'upfront' and transparent about exactly what number of properties will be built, regardless of which masterplan option is used.

I fail to see how meaningful consultation can be obtained, when presented with the 4 masterplanning options, considering that just under half of the YTF site will be "safeguarded" and therefore not built on in the planning period. It is possible that government may change planning matters in the future and that the safeguarded land could return to 'Green Belt' status. As such, I do not favour any 1 option completely. Given that in all the maps/illustrations previously provided by WLBC, the safeguarded area was displayed as being to the east, south and south west of the YTF site, with development over the next 15 years being limited to the north and north west of the YTF site, then I believe that this 'model' should be implemented initially.

Attachments submitted?

Council Response

WLBC are not misleading residents as the site is still set to deliver 500 homes in this Plan period. Although its is acknowledged that the site is larger and so has capacity for more homes to be delivered on the site, later down the line, if need dictates. The Council have adhered to the consultation requirements of national legislation and the Statement of Community Involvement, and undertook considerable publicity to promote the consultation. Local communities have been given the opportunity to be involved, and to continue to be involved, in the Masterplanning proces should they choose to engage.

The Council acknowledges that there are issues with surface water within Burscough and are committed to ensuring that surface water problems are not exacerbated. In addition, Policy SP3 of the Local Plan and the Masterplan both require that works are undertaken to remove some surface water from the existing system that runs through Burscough and deal with this on-site along with the developments own surface water. This will ensure that any additional waste water (foul) flows that must go into the system are offset by the removal of surface water flows. This may also result in some betterment to the surface water network in Burscough and result in improvements to the network as a whole. However, land drainage beyond the extent of the site is a complex issue and whilst the

Masterplan will seek to ensure this site does not worsen the situation, planning cannot control all matters beyond the site in question.

The Local Plan was clear that the layout was indicative only and the safeguarded land would be determined through a masterplanning exercise which is currently underway. As this is the Options stage, the Council are unable to provide high level details for the site as these are created as the Masterplan progresses. The Options document made clear that the site plans show development of the whole site to ensure that the site will not be delivered as a piecemeal development with inadequate infrastructure in the long term. However, this does not mean all of the site will be developed prior to 2027 and the Council still intend that parts of the site will be safeguarded. A key element of the consultation was to ask the public which parts of the site should be safeguarded and all comments received in relation to this will be considered.

Mr

Stephen

McCloskey

Organisation

Comments:

Firstly, regarding the Grove Farm Site, i note that despite all council's previous literature stating the highest housing number at the site as being 250, the stated figure is NOW 300. I believe this recent increase is unfair and shows that WLBC has misled residents so far in the various consultation events. The figure should be reduced back down to 250 maximum.

Regarding Yew Tree Farm, i note in the latest Masterplan leaflet, the figure for YTF housing has similarly increased from "500" to "at least 500". Is council similarly trying to slip more housing in now that all previous 'consultations' have passed? This is another example of WLBC misleading residents. Council must abide by its own 'transparency' guidelines and be clear from the outset what the figure will be. This is fundamental to the creation of any masterplan option. From what i have been made aware, the recent Masterplanning exercise was seriously flawed, lacked meaningful contribution by the community and was seen by many as yet another 'tick box exercise'. Despite council's obligation, the masterplan has not been prepared in partnership with local communities, and i believe that the entire process should be done again, but correctly. As such, it is inherently flawed, and therefore not fit for purpose.

I don't believe that flooding issues will be dealt with effectively before construction of the site, regardless of which masterplan option model is used. Burscough has experienced serious flooding on occasion over recent years, especially around 2012. Increasing the size of Burscough by more than 25% in such a relatively short space of time will only make such problems massively worse, require huge countermeasures and improvements in infrastructure to such an extent that developers will be unwilling to satisfactorily address the problems due to the cost being detrimental to their desired profit margins. Having lived along the A59 for over 30 years, I am acutely aware of how bad the traffic is along this stretch. This planned development will exacerbate it hugely. The road can not be widened, and simply throwing the odd roundabout or traffic calming feature will do nothing to alleviate these problems. In fact, there is every likelihood that it would make the problems worse, by slowing down the traffic flow. Successive governments and councils have plainly shown that existing infrastructure can not be maintained, and the A59 (and roads generally) are pock-marked with damage-inducing, safety-reducing pot holes. More vehicular movements will worsen this problem. Massively more vehicular movements inevitably means more road traffic incidents, and a lowering of safety levels. This is patently unacceptable. The current level of planned development is simply unsustainable. Burscough is being swamped with development. There is Tesco supermarket on the northern side of Burscough and the A59, the Booths retail development now appearing on the south side of Burscough and A59, at least 350 more properties will be built in the planning period, YTF itself will increase Burscough by around 25%, and indications that a large Crematorium will be built on Pippin Street also. Burscough is being absolutely bombarded with developments, and its character will be changed forever. It is absolutely WRONG for Burscough to lose its character in this way. It should not be happening. It is therefore more important than ever for WLBC to be 'upfront' and transparent about exactly what number of properties will be built, regardless of which masterplan option is used. Just as the pub and shops failed to transpire on the Heathfields development, so there is an expectation by WLBC that a sustainable amount of service providers will magically appear in Burscough in the form of Doctors, Dentists and the like. People in Burscough can not get a Burscough Dentist NOW, and there is no guarantee such provisions will exist with a growth of 25%. Similarly, residents are unable to secure places in their first-choice primary schools now, let alone in a 25% bigger future. The provision of a school is essentially a red-herring. At a previous "consultation" event at Burscough Wharf, I asked Peter Richards if there really would be a school, as featured in all of the council's illustrations. He informed me that a school would only be built if it was required by the Local Education Authority. Seemingly, there is no such current requirement. I fail to see how meaningful consultation can be obtained, when presented with the 4 masterplanning options, considering that just under half of the YTF site will be "safeguarded" and therefore not built on in the planning period. It is possible that government may change planning matters in the future and that the safeguarded land could return to 'Green Belt' status. As such, I do not favour any 1 option completely. Given that in all the maps/illustrations previously provided by WLBC, the safeguarded area was displayed as being to the east, south and south west of the YTF site, with development over the next 15 years being limited to the north and north west of the YTF site, then I believe that this 'model' should be implemented initially, as it is what all residents have come to expect from WLBC.

Attachments submitted?

Council Response

[No response required - duplicate entry]

Mr

Lee

McNabb

Organisation

Comments:

Our preferred option is number 4. This seems to safeguard the current residential properties the most, ensuring there is green space immediately behind the majority of existing houses. I can only speak personally of this but as there has already been blatant disregard to the thoughts, views and opinions of the Burscough residents the least that can be done is to try and preserve what value people have in their homes.

Attachments submitted?

Council Response

Support for Option 4 noted. The Council do consider all comments received. House values are not a material planning consideration that can be used in determining development.

mr

gerard

neil

Organisation

Comments:

"Sustainable development is an organizing principle for human life on a finite planet. It posits a desirable future state for human societies in which living conditions and resource-use meet human needs without undermining the sustainability of natural systems and the environment, so that future generations may also have their needs met." This plan doesn't meet these requirements, but is more in line with our present conservative councils ethos on profit and gain for land developers.

Attachments submitted?

Council Response

Comments noted. National Planning Policy sets out the importance of sustainable development. The Council consider that this is being achieved through local policy and the Masterplan's Options.

MR

SIMON

PARKER

Organisation

Comments:

[Comments submitted via questionnaire]

Attachments submitted?

Council Response

[Have emailed NJL to check whether there has been an error in submitting their comments. Response received - comments submitted as a questionnaire]

Mr Simon Pemberton

Organisation NLP

Comments:

This letter and accompanying report sets out representation to the Yew Tree Farm Masterplan Options Report [the Masterplan] made by Nathaniel Lichfield and Partners [NLP] on behalf of Crompton Property Developments Limited [CPD].

As you are aware CPD has a significant interest in parts of the Masterplan area, owning and /or controlling around two thirds of the developable area extending to around 44 hectares (109 acres) as shown on the attached plan. This includes a large proportion of the fields to the south of Higgin's Lane and land to the north west and south west corners of the site. CPD have promoted the site through the Local Plan process and have engaged with the Council over the development potential of the site for the last 5 years or more and has compiled a significant body of expertise and technical evidence that has been shared and has and will no doubt assist the Council and their consultants in the assessment and realisation of the emerging proposals. We welcome the allocation of the site in the Local Plan and support the production of the Masterplan.

We have engaged more recently with the Council through the Stakeholder Group as part of the Councils wider community engagement. Whilst CPD welcome the progress indicated through the consultation on the emerging masterplanning process and see its formation as a positive step towards the future delivery of a sustainable extension to Burscough, they have representations regarding the form and content of the options set out for the Masterplan. These are set out in the accompanying report. We have worked with the Council sharing information whilst we have promoted the site through the plan process and it is notable that no other landowner has actively engaged in this process. CPD remains committed to the delivery of Yew Tree Farm and facilitating the delivery of infrastructure that is reasonably required in relation to the impacts arising from the delivery of the site, both as site specific issues and as a result of cumulative impacts. However, we have some reservations regarding the Masterplan specifically in terms of some of the details of the options and the lack of detail on potential phasing of the site which is considered a key consideration in bringing the development forward.

As set out above are detailed comments are set out in the report which accompanies this letter. We would welcome further opportunity to meet with the Council and discuss issues around the development of the Yew Tree Farm Masterplan.

FULL REPRESENTATION AVAILABLE ON THE COUNCIL'S WEBSITE AT www.westlancs.gov.uk/ytf

Attachments submitted?



Council Response

Comments relating to the Council's approach to the site within the Options document have been noted. However, given this is an early stage document considering all options for the site, much of the detail discussed within this representation, such as delivery and purpose of internal road layout and principles required for creating a "sense of place", will be addressed within the final draft of the masterplan.

Whilst the Council acknowledges that some landowners have been more actively engaged in promotion of the site than others, the key requirement for the Council is to ensure that land assembly i.e. which parcels come forward first and which will be safeguarded, will have a reasonable prospect of delivery and of delivering the required and essential infrastructure to ensure the development is sustainable.

A formalised landscape assessment has not been undertaken to inform the emerging masterplan but the Council is satisfied that the use of its existing bank of evidence relating to landscape sensitivity along with work carried out within the Stakeholder Group and internally within the Council, is sufficient enough to inform the indicative layout that will be proposed within the final draft of the masterplan.

Comments relating to the need for the masterplan to be consistent with the wording of the Local Plan are noted in respect of housing requirements and elderly housing provision. As are those relating to the preferable location for employment development and the uncertainty over the reality of live/work units. Actions will be carried forward to address these in the final draft masterplan.

Greater detail relating to how elderly accommodation should be delivered will also be included within the final draft masterplan.

Comments relating to highways and access are noted and welcomed, as are those relating to pedestrian and cycling access and rail and bus considerations. The Council has explored the potential of access to Burscough Junction Rail Station through Richmond Park. However, this has not been proved feasible to deliver due to sensitivities relating to the school use and land ownerships.

In respect of other matters of detail, additional detail relating to a drainage strategy are welcomed.

The final draft masterplan will require that existing landscape features such as trees and ponds are factored in to the design process as a starting point and by way of good practice but acknowledges that these do not warrant protection. Therefore, if necessary to enable delivery of development, some features need not be retained and this could include any existing ponds.

Comments relating to financial contributions and community facility delivery are noted and will be considered as the document develops into the final draft masterplan.

The requirement for open space will be worked out in accordance with the most up to date Open Space Supplementary Planning Document as the masterplan is finalised.

Comments relating to phasing and the individual options as put forward and the individual issues as set out within the options document are also noted and will be considered, along with all other consultation comments, during the final drafting of the masterplan.

Mrs

Leanda

Ponsonby

Organisation

Comments:

I have been a resident of Burscough all my life and work in the field of public health. W.Lancs has a higher than average number of Road Traffic Accidents. The A59 is a main through route and over many years the huge volume of daily traffic has added to and been responsible for these statistics. I would like to propose to the developers a small amount of space be allocated to parents of Lordsgate school to park their vehicles and escort their children to school safely across the A59 in an attempt to reduce further RTAs. Thank you.

Attachments submitted?

Council Response

WLBC have liaised with Lancashire County Council, as the local Highways authority, to identify such solutions to traffic congestion and ensure the safety of school pupils. Whilst LCC does not wish to contradict the Schools Travel Plan or support parents choosing to use a car for the school run, a requirement of the Masterplan document will be that if a solution is required to address school drop off issues then one should be included within any forthcoming proposals.

Mr George Pratt

Organisation

Comments:

Of the options listed, Number 1 is the least disruptive and provides the site with services and facilities at the earliest time. However some of the detail in this option are not the best. I would like to see a larger play area for children and some provision for older youths. There is a demand in the village for allotments, and they could be used to provide another buffer between employment and residential areas. Provision for elderly, if it is to be concentrated in one area, should be on the northern side of the access road, to avoid their having to cross main roads to visit the town centre. The local service provision should be sited further into the site, to help its take up by tenants who would be more able to assess business opportunities, and to ensure minimal impact on existing businesses.

Attachments submitted?

Council Response

Comments on all elements noted.

Mr Andy Pringle

Organisation Ideal Community Developments

Comments:

Please find following the comments from The Maharishi Community, Skelmersdale for the Yew Tree Farm consultation. My role within the community is as development manager and after consultation with our members, the comments have been set out as follows.

•Option1 - Neutral

oThis is similar to the surrounding area, but this is not necessarily a positive thing

oThe areas of public open space and social interaction are spread throughout the development and are less flexible for public usage

oThe size of the green areas are not considered sufficient to allow for improved biodiversity, merely wildlife corridors

oThe small bodies of water are less attractive and are far more likely to suffer from abuse, littering etc...

oThe worry for the facilities being set in the NE is that the SW corner of residential development will be like yet another a bland housing estate and have a long way to get to them and less likely to use them.

•Option 2 – Preferred Option

oThe centralized focus maintains a degree of the open nature of the site currently

oThe social experience of a large park acts a focal point for social activity across a wide range of groups

oThe large park allows for the positive experience of greenery and countryside at the heart of the development and will have a good effect on those living there that they just have to walk a short way to be in a well sized park.

OThe lake may be better to be one central lake that has a stronger impact positive impact. We all remember going to see great lakes, never the ponds in life!

OA large central lake will be a better habitat for wildlife given its size and the lesser disturbance from people.

OIt would be good to connect the green walkway from the south to the park also into the central park as this will give a better access from all residential areas, a more attractive access and egress for people and will be more likely to be used by surrounding areas.

OFocal points of activity are a very natural way of distribution as creating a disperse set of facilities merely dilutes their impact and creates characterless environments

oThis design has the most character of all the options.

OHaving the facilities opposite the park makes for an attractive area that is easier to reach by the new residents of this scheme

oThere needs to be weight restricted roads from the industrial estate to stop heavy traffic through a primarily residential area as this totally destroys the quality of calm that can be created in a development through traffic management. It would be best if heavy traffic could be limited to the uppermost road and there was green screening from it to the park along with an earth bund to deflect the sound and create a quality open space for people.

OCalm open spaces create calm happy people. We all get out into the countryside to unwind. Create the countryside in the development!

•Option 3 – Neutral

oThe worry for the facilities being set in the NE is that the SW corner of residential development will be like yet another a bland housing estate and have a long way to get to them and less likely to use them.

OThe green central corridor is not enough to improve biodiversity nor to give much of an experience of open space

oThe ponds are too small and open to abuse, litter etc...

oThe green connections to the rest of the

•Option 4 – Least Preferred Option

oThe worry for the facilities being set in the NE is that the SW corner of residential development will be like yet another a bland housing estate and have a long way to get to them and less likely to use them.

OThe green central corridor is not enough to improve biodiversity nor to give much of an experience of open space

oThe ponds are too small and open to abuse, litter etc...

oThe overall design is somewhat characterless and a mishmash of items

oThe sense of open space is lost

I hope that our comments are of value and can be implemented where possible.

Attachments submitted?

Council Response

Comments on each of the options noted.

Mr

Daniel

Robinson

Organisation

Comments:

As a resident of Burscough living on Liverpool Road south I am aghast at the proposed positioning of the entrance of the new housing development at Yew Tree Farm. On all four proposals there is a road opposite Lordsgate Drive. This is the busiest and most dangerous point of the A59 especially at School times due to Lordsgate school and the volume of traffic. I have studied your proposals and it appears to me the most obvious and natural point for an access road would be the land opposite 230 Liverpool Road South, in the gap between existing houses, which there has been no mention of. This land is equal distance between the congestion points of A59/Square Lane and A59/Higgins Lane so would help alleviate the congestion problems, not contribute to, if an access road was positioned here. I am very concerned that if the proposed road is positioned where planned it would be extremely dangerous to pedestrians and especially school children as there would be 4 roads onto the A59 within 100 yards, that area being a school drop off point.

Attachments submitted?

Council Response

The proposed entrance to the site is based on advice from the Highways Authority Lancashire County Council. WLBC have liaised with Highways authority to identify such solutions to traffic congestion and ensure the safety of school pupils. Whilst LCC does not wish to contradict the Schools Travel Plan or support parents choosing to use a car for the school run, a requirement of the Masterplan document will be that if a solution is required to address school drop off issues then one should be included within any forthcoming proposals.

mr steven seville

Organisation

Comments:

I cannot understand why you are still going to build on this land. We gave you our opinion overwhelmingly in the vote on this development. This village has done its bit for AFFORDABLE housing..... REES PARK!!!! If people want to live in a nice area they need to work for it like the rest of us i.e night school. As ive said we have affordable housing in this area. So why not build another council estate in m,m,m,m say rufford??? Its not a question of NOT IN MY VILLIAGE, its the fact of "we are a village so please lets leave it that way. Why not build a new town nearby with shops ect new jobs would be created. This village has voiced its opinion in a so call DEMOCRATIC society, so please tell me why its falling on deaf ears??

Attachments submitted?

Council Response

Consultation is not about a vote of popularity. Instead, consultation is about gathering evidence to determine the most suitable, or unsuitable, sites for development, and such reasons for the allocation of this site have been explained during the Local Plan process and its subsequent examination. Therefore focus now needs to be on the most suitable ways in which the development can be designed and delivered. A need for affordable housing has been demonstrated in the Borough, and its importance is set out within various policies of the Local Plan.

Mr Brian Sillett

Organisation

Comments:

It is not unknown that final detailed and approved development plans can contain attractive features (open spaces, community facilities, shops, a pub) only to find that they are not provided when building work has been completed. Burscough has suffered this in the past. I would hope that the YTF development is monitored for adherence to the final approved plan and not allowed to drift away from it. Can Burscough residents be assured that any such deviations will be constantly monitored and prohibited?

Attachments submitted?

Council Response

Where some developments have failed to deliver all that has been proposed in the past has usually been as a result of market forces and due to the fact these were development delivered via planning application only. This site differs in that a strategic masterplan has been developed and all forthcoming applications will be required to deliver all of the relative components of the development such as a linear park, a comprehensive cycle and walking network, and mixed uses.

	P	Simpson
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Organisation

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Comments:

I don't agree with any of the options put forward and believe more problems will be caused rather than solved regarding a number of issues especially drainage and traffic. My main concern is drainage, not at the site but further down the line. Surface /top water and the sewage system already struggle so, if this becomes more of a problem after the event who will be taking responsibility?

Attachments submitted?

Council Response

The Council acknowledge that there are issues with surface water within Burscough and are committed to ensuring that surface water problems are not exacerbated. In addition, Policy SP3 of the Local Plan and the Masterplan both require that works are undertaken to remove some surface water from the existing system that runs through Burscough and deal with this on-site along with the developments own surface water. This will ensure that any additional waste water (foul) flows that must go into the system are offset by the removal of surface water flows. This may also result in some betterment to the surface water network in Burscough and result in improvements to the network as a whole. However, land drainage beyond the extent of the site is a complex issue and whilst the Masterplan will seek to ensure this site does not worsen the situation, planning cannot control all matters beyond the site in question.

Mrs Veronica Sutherland

Organisation

Comments:

Please advise when residents received the leaflet advising them of the proposed plans? As we have not received one nor have my neighbours in lathom close. If this was delivered with the champion we have not received this free newspaper for some time! My concerns re this proposed development are the following: A primary school has been identified as being needed however there are no proposals for secondary school, Priory is at capacity and as usual this will be only addressed once the houses are built, too late for children having to attend schools out of the immediate vicinity. Likewise health facilities, health care facilities should be put in place before the build is completed! Many proposals were made for the Heathfields estate such as shop, footbridge etc but none of these materialised! Then we will have issues with drainage, surface water, sewage which are ongoing issues already in Burscough. If Yew tree goes ahead all supporting facilities should be set in place before, to prevent problems for current residents and new residents of Burscough.

Attachments submitted?

Council Response

Leaflets were delivered, or sent, to all residential and commercial properties in Burscough at the start of February. Whilst this was not delivered with the Champion newspaper, they were responsible for distribution. We will therefore notify them to ensure this does not happen again.

Lancashire County Council as the Education Authority has provided a high level analysis of the impacts of the site on both primary and secondary education. The analysis is clear that the assessment is a snapshot in time and may not be accurate as time progresses given the time-span of the delivery of the site. Therefore, assumptions may change in future. Nevertheless, at present, LCC have determined that there is no need for the addition of a new primary school until beyond this plan period i.e. 2028 or whenever the Local Plan is reviewed, and that secondary provision can be delivered through improvements and extension to the existing school.

The Council are aware that main health provision in Burscough is at capacity in terms of patient lists, and the impact of the YTF development is likely to lead to the requirement of 1 additional GP. The Masterplan will ensure that any development on the Yew Tree Farm site contributes to the delivery of improved health care provision.

The Council acknowledge that there are issues with surface water within Burscough and are committed to ensuring that surface water problems are not exacerbated. In addition, Policy SP3 of the Local Plan and the Masterplan both require that works are undertaken to remove some surface water from the existing system that runs through Burscough and deal with this on-site along with the developments own surface water. This will ensure that any additional waste water (foul) flows that must go into the system are offset by the removal of surface water flows. This may also result in some betterment to the surface water network in Burscough and result in improvements to the network as a whole.

Mr Robert Travis

Organisation

Comments:

Ref Yew Tree Farm Masterplan details of which we received by email from yourselves early February. Ref my phone call this morning with Mr Richards which was very informative in which he indicated that my previous thoughts and comments on the proposals as they then were would all be taken into a/c [account]. So I will not include photocopies of them but like to reiterate that they are still relevant. I will mention some sections of the project for which I and my family are particularly concerned. 1.Transport, 2. Drainage, 3. Future of schools etc

Transport Access to motorways to north/south/east are all relevant on existing overcrowded county roads totally unacceptable for modern heavy goods. The A59 is grossly overloaded at peak times especially when the schools are open and access to the west is only via country lanes.

Drainage This is a very serious issue. When we have periods of heavy rain the surface water collects in low lying areas very quickly because of more concrete and hard surfaced areas in current housing estates and then on to drains and ditches which eventually have to go under the Wigan/Southport railway line. There are enough problems getting water under that railway line at present between Crabtree Crossing to the east and Bescar Lane Railway Station, in particular to the west. Namely Langleys Brook which burst its banks north of the railway line in 2012 and the culverts to East and west of New Lane Railway station which take clean and foul water from Burscough village. THESE PROBLEMS can not be ignored. Continuing with water problems of the clean type: there is a totally inadequate sewerage works that is still short of capacity at times.

Referring to schools We have 5 primary schools and 1 secondary school within walking distance of the proposed development all with excellent OFSTED reports. There is room for copius expansion at Priory and Lordsgate and also at St Johns Catholic Chapel Lane/ The 3 other primary school in the village of Burscough make up the 6 school in total and the report from LCC @ [at] one of the stakeholder meetings stated no needs are required at present or until 2023 for secondary and 2028 for primary (Ben Terry facts figures 14/11/13).

Now to the options I SAY OPTION 1 (ONE) Because it is best suited for requirements of an extension to Burscough in the selected area. Namely 1.No new school in the plan – more room for other things at present 2.SUDS are placed along the S [south] side of Higgins Lane but there could to be an extra one to east of the 22 as shown in option 1 nearer to where existing culverts go under road opposite Truscott Road 3.If a new school was required post 2027 then the S west section of option 1 could be safeguarded until that date 4.Regarding infrastructure of internal road ways the one from E*W [east to west] if it were moved 100 yards to south in the central area it would allow more water to be collected in the SUDS and slow down traffic. 5.For a further area of post 2027 I suggest the SE Section of option 1 to go with the aforementioned SW corner and marked on the option 1 map from yourselves and enclosed with these 2 hastily written pages. Thank you. PS GO FOR OPTION ONE

Attachments submitted?

Council Response

Lancashire County Council, as the local Highways Authority have carried out initial strategic traffic modelling at the Local Plan site allocation stage, more localised traffic counts and modelling within Burscough, alongside the Masterplan process and have provided the Borough Council with their professional view in terms of the requirements of the Masterplan and how the site interacts with the highway, and both vehicular and sustainable transport. In addition, the Masterplan will require that all applications for development are supported by a full Transport Assessment and Travel Plan, the scope of which should be agreed with the Highways Authority in advance of submission. The Council is satisfied that the principles set out within the Masterplan, along with the additional detailed work required at planning application stage, will ensure measures are delivered to help mitigate the impacts of traffic on the local highway network and to encourage cycling and walking over car use.

The Council acknowledge that there are issues with surface water within Burscough and are committed to ensuring that surface water problems are not exacerbated. In addition, Policy SP3 of the Local Plan and the Masterplan both require that works are undertaken to remove some surface water from the existing system that runs through Burscough and deal with this on-site along with the developments own surface water. This will ensure that any additional waste water (foul) flows that must go into the system are offset by the removal of surface water flows.

This may also result in some betterment to the surface water network in Burscough and result in improvements to the network as a whole. However, land drainage beyond the extent of the site is a complex issue and whilst the Masterplan will seek to ensure this site does not worsen the situation, planning cannot control all matters beyond the site in question.

Lancashire County Council as the Education Authority have provided a high level of analysis of the impacts of the site on both primary and secondary education. The analysis is clear that the assessment is a snapshot in time and may not be accurate as time progresses given the time-span of the delivery of the site. Therefore, assumptions may change in future. Nevertheless, at present, LCC have determined that there is no need for an additional primary school until beyond this Local Plan.

Support for Option 1 noted.

Ms Sandra Tyrer

Organisation

Comments:

My job role includes managing the community space (Arts Centre) at Burscough Wharf. We offer affordable room hire to the community, music events, spot on Rural Touring performances, monthly jazz night and comedy club. We also provide a service to the community by offering daytime activities to adults with learning disabilities (Drama, Catering and work skills). We also work with the local schools and churches and Ormskirk Ukulele Club. Instead of considering building an additional community space could you consider giving some funding to ourselves to enable us to continue offering our facility.

Attachments submitted?

Council Response

Comments noted. Funding for community infrastructure may be secured through the development and will be noted.

Ms	Kate	Wheeler
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Organisation	Natural England
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Comments:

Yew Tree Farm Masterplan Thank you for your consultation received on 5 February 2014.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Green Infrastructure

We welcome the references to Green Infrastructure (GI) in the masterplan but suggest more detail is included. The Masterplan should provide a clear focus in relation to Green Infrastructure (GI) provision and where possible such provision should be incorporated into new development with assistance from developer contributions. As there are requirements for both physical and social infrastructure in the area, the Council should seek to address this issue in the plan. The NPPF defines green infrastructure (GI) as “a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities” and requires LPA to set out a strategic approach in their Local Plans, “planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure” (paragraph 114).

As well as amenity and recreational benefits, the Natural Environment White Paper highlights the natural environment importance of GI in planning; ‘We need urban green infrastructure to complete the links in our national ecological network. Urban green space allows species to move around within, and between, towns and the countryside. Even small patches of habitat can benefit movement. Urban green infrastructure is also recognised as one of the most effective tools available to us in managing environmental risks such as flooding and heat waves. It is part of the answer to the challenges posed by a changing climate.’ (para 2.78, White Paper), ‘We want urban green spaces to be recognised as an essential asset and factored into the development of all our communities. They will be managed to provide diverse functions for the benefit of people and wildlife. They will cool urban areas and reduce flood risk, helping communities to adapt to a changing climate. They will continue to play a key role in regeneration projects throughout England, supporting local economic growth. Greener neighbourhoods and improved access to nature will improve public health and quality of life and reduce environmental inequalities. Urban green spaces will provide varied ecosystem services and will contribute to coherent and resilient ecological networks’ (Para 2.80, White Paper) Natural England has developed a GI signposting document, which may be of assistance, it includes detail in relation to GI provision and provides some best practice example of LDF policies relating to GI.
http://www.naturalengland.org.uk/Images/GI-signposting_tcm6-11961.pdf

There may be significant opportunities to retrofit green infrastructure in urban environments. These can be realised through:

- ☐ green roof systems and roof gardens;
- ☐ green walls to provide insulation or shading and cooling;
- ☐ new tree planting or altering the management of land associated with transport corridors (e.g. management of verges to enhance biodiversity).
- ☐ The protection of natural resources, including air quality, ground and surface water and soils needs to be considered in all urban design plans. Natural England’s Accessible Natural Greenspace standards (ANGSt) ANGSt aims to address the spatial distribution of natural greenspace, its accessibility at different size limits and the hectareage of Local Nature Reserve per head of population with the aim of securing access to natural greenspace close to where people live. These standards recommend that people living in towns and cities should have an accessible natural greenspace: (ANGST)
 - ☐ Of at least 2 hectares in size, no more than 300 metres (5 minutes walk) from home;
 - ☐ At least one accessible 20 hectare site within two kilometres of home;
 - ☐ One accessible 100 hectare site within five kilometres of home;
 - ☐ One accessible 500 hectare site within ten kilometres of home;
- ☐ Statutory Local Nature Reserves at a minimum level of one hectare per thousand population It is important that the plan seeks to conserve and enhance landscape (and townscape) character, quality and local distinctiveness, including of course the historic landscape.

Biodiversity

Proposals for new development will naturally need to consider environmental impact. Development should avoid

adverse biodiversity impacts and mitigate only when this is not possible, in line with NPPF paragraph. We recommend that development proposals should seek opportunities to create and/or enhance ecological networks, linkages and corridors that permeate through the site.

Biodiversity Duty

Biodiversity is of course a core component of sustainable development, underpinning economic development and prosperity, and has an important role to play in developing locally distinctive and sustainable communities. All local authorities and other public authorities in England and Wales have a Duty to have regard to the conservation of biodiversity in exercising their functions. The Duty aims to raise the profile and visibility of biodiversity, to clarify existing commitments with regard to biodiversity and to make it a natural and integral part of policy and decision making. The Duty is set out in Section 40 of the Natural Environment and Communities Act (NERC) 2006 and states that: "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity". Guidance is available in the Defra publication, Guidance for Local Authorities in Implementing the Biodiversity Duty, <http://www.defra.gov.uk/environment/biodiversity/documents/la-guid-english.pdf>

Habitats Regulations Assessment

The conclusions reached in the assessment are that amendments should be made to the SPD in order that a conclusion of no likely significant effects can be determined for Martin Mere SPA/Ramsar and the Ribble and Alt Estuaries SPA/Ramsar through the pathways of reduced water quality, and disturbance to bird species using habitats outside of European sites. As stated the SPD does currently include a commitment that land promoters will work in partnership to address drainage issues on site. It is recommended that this text be expanded to state that a similar approach will be committed to in order to address waste water treatment also, and that development may not proceed until solutions are confirmed.

Natural England agree you must ensure the production of a detailed ornithological survey report takes place, and to the exploration and provision of mitigation and avoidance measures that may arise. Natural England recommend these measures are included within the SPD, at this point the SPD should be rescreened to ensure that no likely significant effects would occur on the Martin Mere SPA/ Ramsar sites or the Ribble and Alt Estuaries SPA and Ramsar sites, either alone or in combination with other plans and projects.

Attachments submitted?

Council Response

Support for Green Infrastructure within the development is noted and will be a fundamental principle within the Masterplan as is the duty to conserve and promote biodiversity. The recommendations of the Council's HRA (carried out by URS consultants) will be carried forward into the final Masterplan.

Mrs Doreen Williamsn

Organisation

Comments:

Our bungalow is unique in that the front door is on Liverpool Road South, despite our address being Meadowbrook. Therefore our garage and drive (main entrance) is at the back meaning that our small piece of back garden is not very private. At present this is not a problem as we only have two neighbours beyond our home and no passing traffic. If an access road to the planned estate were to come from Meadowbrook all this would change and our privacy would be compromised. The main road is terribly noisy but this is offset by the fact that we have some peace on Meadowbrook and are able to see plenty of sky as well as hear birds in the hedgerows. This will all change. We do need to preserve the wildlife in whatever way possible. Despite the fact that it includes an access road, I much prefer option 4 - clusters, as it has a more pleasing layout. We do not want a school as shown in option 2.

Attachments submitted?

Council Response

Support for option 4 noted, alongside objections to school (as shown in option 2) and creation of access from Meadowbrook.

Mr Michael Williamson

Organisation

Comments:

We are most concerned that Option 2 will increase the traffic feeding onto the A59 between Square Lane and pippin St. The provision of a school adjacent to the proposed road and the estate will greatly agrivate [sic] the situation. Option 1 & 3 will mean houses being built right next to Meadowbrook where old people are residents in bungalows. Although we would prefer no development at all, we would prefer Option 4 as long as adequate parking is provided on the entry to the site & traffic lights are provided on the Meadowbrook / A59 junction. Even without the development, sometimes we have to turn left then to turn round in Platts Lane to enable us to turn right.

Attachments submitted?

Council Response

Support for Option 4 noted, alongside concerns over traffic and parking.



draft masterplan SPD

Yew Tree Farm

September 2014

John Harrison, DipEnvP, MRTPI
Assistant Director Planning
West Lancashire Borough Council

www.westlancs.gov.uk

WEST LANCASHIRE



LOCAL PLAN

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Introduction

Purpose of the Yew Tree Farm Masterplan

The Yew Tree Farm Masterplan Supplementary Planning Document (SPD) has been prepared by West Lancashire Borough Council in consultation with the wider community and key stakeholders. The purpose of the Masterplan is to provide a useful framework to guide developers on the planning and design requirements when bringing the site forward for development. This will ensure a sustainable Yew Tree Farm development is delivered that complements the environment of Burscough, strengthens the local community and contributes to the growth of the economy in West Lancashire.

Scope of the Masterplan

This Masterplan document confirms the amount and type of development to be delivered within the Yew Tree Farm site, as set out in West Lancashire Local Plan Policy SP3. It also provides further detail on the delivery of important issues such as main access points, primary internal road network, drainage improvements and the location of various elements of development within the site. The Masterplan will establish which part of the site should come forward first and which part will be safeguarded from development to potentially meet future growth needs. This document also includes objectives for the development site and a vision for the site once the development is complete in its entirety, and if the safeguarded land is never ultimately developed.

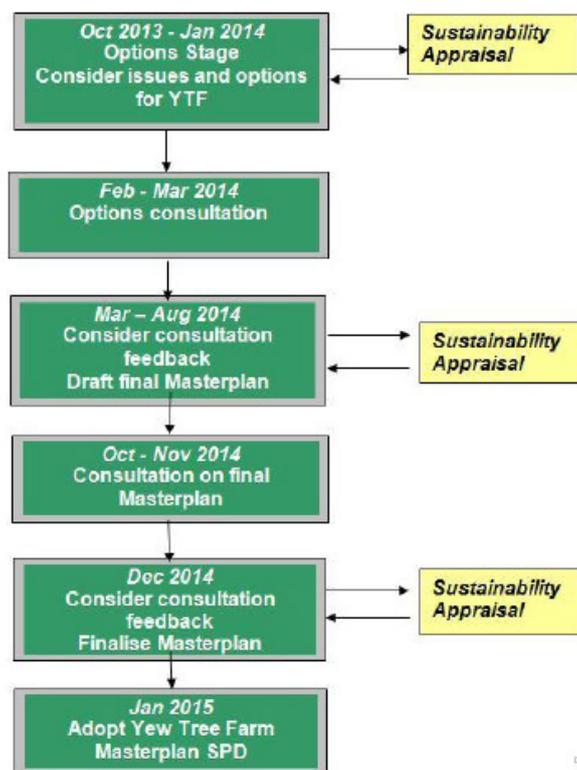
In terms of guidance, the Masterplan includes a set of principles to assist in achieving the objectives and the overall vision for Yew Tree Farm. It also includes site specific design guidance to ensure that the development addresses all of the localised issues associated with the site and that the site delivers the best possible development for Burscough and West Lancashire.

Whilst the above detail is included along with an indicative layout, the Masterplan does not include a site specific layout relating to each parcel of development, nor does it include details setting out how each home, business or plot will look.

These details will form part of future planning applications for the site.

How the Masterplan has been produced

The Masterplan builds on Policy SP3 of the Local Plan and Figure 1 sets out how the Masterplan has been produced, including the timescales from draft options to adoption. The Masterplan has been developed through engagement with a wide range of stakeholders including the local community, business, land owning and developer parties, along with the main statutory planning bodies and environmental, utilities, highways and infrastructure delivery agencies.



The document began as an 'Options Document' which included four planned options for how the site might look once complete. The 'Options Document' also included numerous questions and suggestions regarding the important issues that affect the site such as highways access, delivery of open space, sustainable access for pedestrians and cyclists, community facility provision and drainage of the site.

This document is the second stage in the development of the Masterplan and is known as the 'Draft Final Masterplan'. It has been published

for consultation in order to seek the views of the community, stakeholders and other interested parties and comments on all aspects of the document are welcome.

Following consultation, all views will be considered and a 'Final Masterplan' will be published and adopted by the Council.

Status

The Masterplan has been produced by West Lancashire Borough Council in partnership with key stakeholders. Once adopted (expected January 2015), the Council will use the Masterplan, along with any other relevant development plan policies, to assist in determining any forthcoming planning applications in relation to the Yew Tree Farm site. Such applications must conform to the requirements of the Masterplan in order to deliver a high quality and sustainable development for Burscough.

Community and Stakeholder Engagement

Whilst the Council is the responsible body for delivering the Masterplan, it is important that the community and all relevant stakeholders are engaged in the process. In order to assist in this, a Stakeholder Group was established in October 2013 and consists of representatives from the local community, including residents and the clerk to the parish council, landowners, infrastructure providers, Lancashire County Council, ward councillors, third sector voluntary groups and other agencies such as the Environment Agency.

Although the group was not a decision making body, their engagement in each step of the Masterplan development has assisted in shaping how the document has developed.

In addition, and through formal consultation on the Masterplan Options Document in February and March 2014, the following feedback was noted as important in the development of this site:

- Accessibility through the site
- Retention of green views
- Separation of employment / housing uses
- Use of land and efficiently maximising existing landscape features (hedges, ditches)

- To ensure the new development is well integrated with Burscough
- New development supports, not undermines the Burscough centre
- To focus on accessibility to ensure the site is as sustainable as possible
- Landscaping along the periphery and within the site
- Creation of a gateway and attractive landscaped entrance to site

What will the Yew Tree Farm Development Deliver and When?

The key requirement of the Yew Tree Farm development is to deliver 10 hectares of land for new employment uses, which will generate new jobs, at least 500 new homes, which should include a mix for all local needs including affordable homes to rent and buy, homes to meet the needs of the increasing elderly population and high quality market housing to complement the Burscough housing market. This development is not likely to commence in advance of 2015 and the first phase should be completed by 2027.

The site will also enable the delivery of new community services, facilities and infrastructure both on the site and in Burscough more generally. On-site this would include small-scale retail and community uses to serve the new development and employment areas, new public open space and a linear park / cycle route. Off-site the development should also contribute towards the community facilities in the existing centre including health, education and library facilities. By prioritising the existing centre rather than seeking to create a new on site centre, this will assist in ensuring the vibrancy of Burscough is maintained.

The development must also ensure that the impacts on Burscough's infrastructure are limited and, where possible, improvements are made through careful design of highways access to the site, highways improvements in general to accommodate additional traffic movements and improvements to the existing and new drainage network.

Context

Burscough

Located almost centrally in the Borough, Burscough is the third largest settlement after Skelmersdale and Ormskirk. With a population of around 9182 (Census, 2011), Burscough is home to just over 8% of the people who live in West Lancashire and although locally Burscough is known as a village, the Council identifies it as one of West Lancashire's Key Service Centres. This helps to define its position in the Borough in respect of the size of the settlement and the availability of services and facilities and also gives an indication of what is acceptable within the settlement in respect of new development.

Originally an agricultural area, Burscough developed as an industrial centre building on the opportunities driven by the construction of the Leeds – Liverpool Canal which passes through the settlement. In addition, Burscough is located on the A59, one of the main arterial routes through the Borough, connecting Liverpool with Preston, and also benefits from two rail stations, Burscough Junction on the Ormskirk to Preston line and Burscough Bridge on the Southport to Manchester line. Whilst the service on the Ormskirk to Preston Line is currently low frequency (less than hourly), both the Borough and the County Council are in support of plans to improve this service through electrification of the Liverpool line beyond Ormskirk to Burscough. This has the potential to improve connectivity with Liverpool through the Merseyrail service and with Preston as a more frequent service may then be possible between Burscough and Preston.

There are many essential facilities located in and around the settlement including health, education and community / leisure facilities, two post offices, a supermarket and some retail and leisure provision. For greater choice, many look to Ormskirk and Southport before venturing further to Preston, Wigan, Liverpool or Manchester for even greater choice and city centre facilities.

In recent years Burscough has benefitted from an £11.5 million physical regeneration project to revitalise the centre of the settlement through significant environmental improvements.

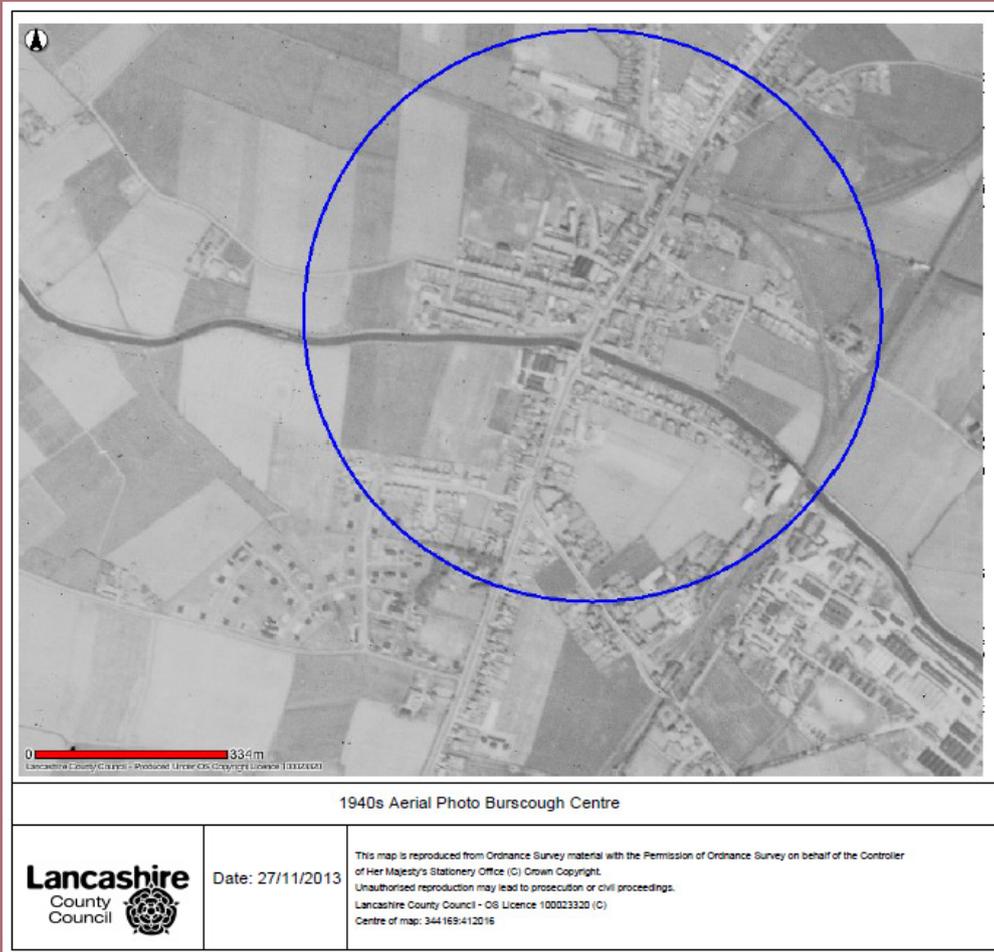
In addition, the regeneration of Burscough Wharf retail and leisure development has provided a good mix of leisure, retail and community uses and further bolstered the vibrancy of Burscough. Therefore, additional growth should support the existing centre and not threaten it.

Growth

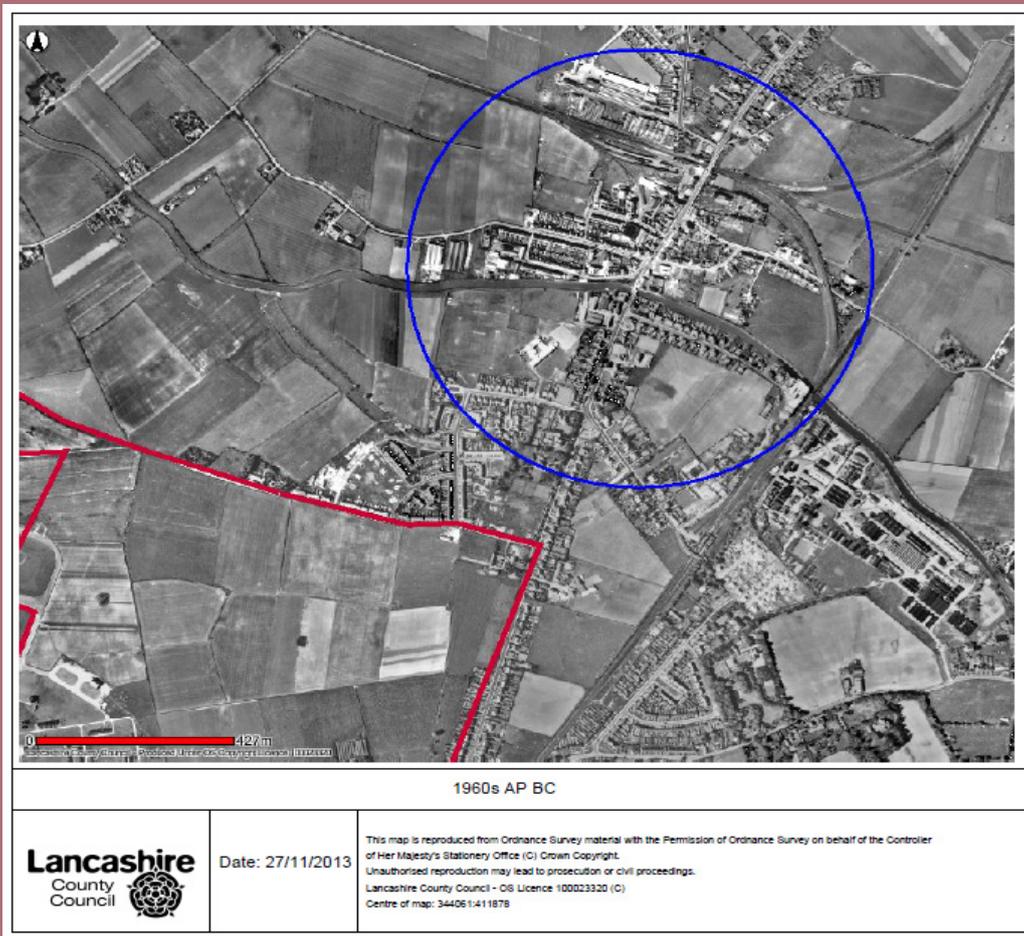
Burscough was originally an agricultural area, evidenced by the surrounding farm land and many farmsteads around the settlement. The development of the railway and canal then placed Burscough in a prime position for transporting produce and growth during the industrial age.



The majority of the oldest residential development is located around the A59 between the canal and the railway lines which have acted as physical barriers to development. Following the war, the population increase and housing needs have resulted in growth of the settlement in a southerly direction along the A59 with later growth infilling between the Ormskirk to Preston rail line and the A5209.



1940s Burscough - Aerial photograph



1960s Burscough - Aerial photograph

Growth

The West Lancashire Local Plan 2012-2027 sets out the expected growth within the Borough and how these development needs will be met. It identifies a requirement for 4860 new homes and 75 hectares of land for new employment uses to meet the growth needs of the Borough. Policy SP1 of the Local Plan further disaggregates this growth across the settlements and allocates at least 13 hectares of employment land and 850 new homes to the Burscough area, many of which are already under construction.

Within the Local Plan, Policy SP3 identifies land to the west of Burscough, known as Yew Tree Farm, to meet some of the Borough's housing and employment needs over the Local Plan period to 2027. This includes 500 new homes and 10 hectares of employment land for jobs. Some of the site may also be required to meet potential future growth requirements and so will remain safeguarded from development during the life of this Local Plan to ensure it is available if needed for development in the future.

Policy SP3 is clear that the specific location of the land to be developed during this plan and that which will remain safeguarded will be identified in a separate 'masterplan' document that should be prepared in consultation with local residents.

Yew Tree Farm Site

The Yew Tree Farm site covers 74 hectares of greenfield land that lies to the south west of Burscough, within the Burscough West Ward. The site sits between the residential area of Liverpool Road South to the east and south, the Truscott Estate and Higgins Lane to the north and the Burscough Industrial Estate to the west. The site has direct access to the A59 and is within reasonable walking distance of Burscough Centre, both rail stations and the bus stops located along Liverpool Road South. Although the site is bounded on most sides by development there are some open aspects to the north across Higgins Lane and open countryside lies beyond the industrial estate to the west.

Site characteristics

The following features characterise the Yew Tree Farm site and set the context for developing good design solutions for well planned development:

Rural Higgins Lane – This bounds the site to the north and, whilst fairly well populated with housing development to the east, a large proportion of the Lane has a rural character with open views across the landscape towards the canal and a dense hedgerow lining the entire northern boundary of the Yew Tree Farm site. This Lane should maintain its rural character where possible and build on the positives the Lane has to offer such as the views through to the north.



Photographs of Higgins Lane



Field Demarcation - the Yew Tree Farm site is currently carved up into a number of smaller parcels due to the presence of existing drainage ditches, hedges and tree lines. These features are typical of the surrounding landscape and, whilst they are not protected, they should be considered as a starting framework for the site design where possible.

Landscape – The site lies within landscape area 2D, as set out within the Council’s Natural Areas and Areas of Landscape History Importance Supplementary Planning Guidance (1996/2007). The area is slightly undulating in contrast to the flatter landscapes further north in the Borough and predominantly arable farmland. The surrounding landscape is typified by farmsteads and nucleated settlements around historical centres. These key features should be borne in mind when devising site specific design guidance to ensure the development fits within the context.



Photograph of the junction of Liverpool Road South and Higgins Lane from Higgins Lane



Photograph of hedging and landscape features typical of the site

Topography – Land at Yew Tree Farm appears almost flat but in fact falls away to the north, with natural drainage of the site to the north west. The natural topography should be worked into the final design with a view to maximising the natural fall of the land for sustainable drainage features.

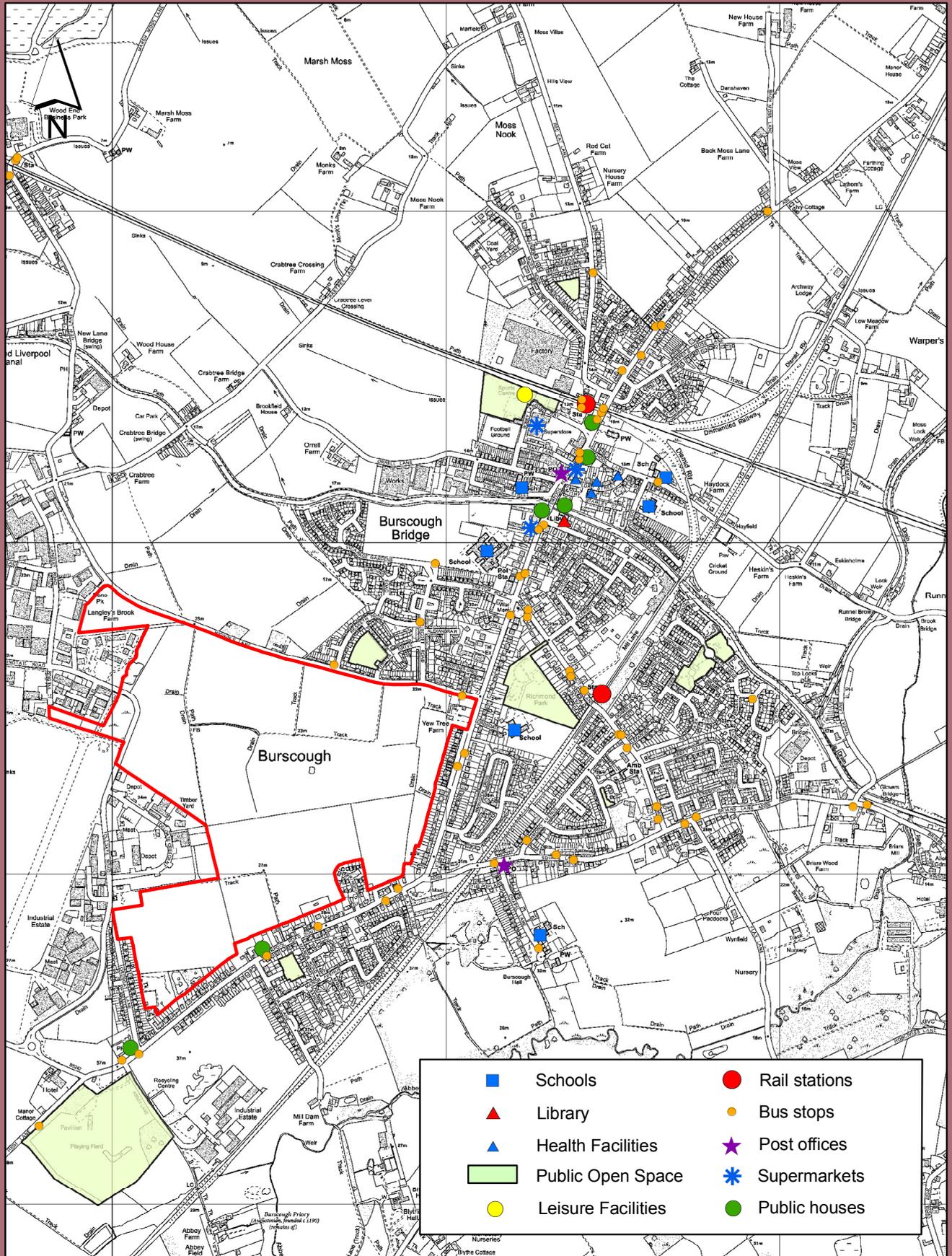
Higgins Lane and Liverpool Road Junction – This corner provides the main point of vehicular access from the existing residential area of Burscough. Along the A59 this is the only portion of the site that is clearly visible and therefore provides an opportunity to act as a gateway to the site and set the tone for the quality of development at Yew Tree Farm.

Burscough Industrial Estate – In 1942 land to the west of the Yew Tree Farm site was compulsory purchased to be developed by the RAF as HMS Ringtail Airfield. The facility had 4 runways, a control tower and a total of 34 hangars. The Burscough Industrial Estate has evolved around this former airfield which is now derelict with only remnants of the former runways and a couple of hangars remaining. The Yew Tree Farm site lies directly between the Burscough Industrial Estate in the west and residential areas to the north, east and south, which provides an opportunity to create a development that provides a comfortable transition between the two uses through sensitive design, while filling in the gap between the two.

Minerals and Waste

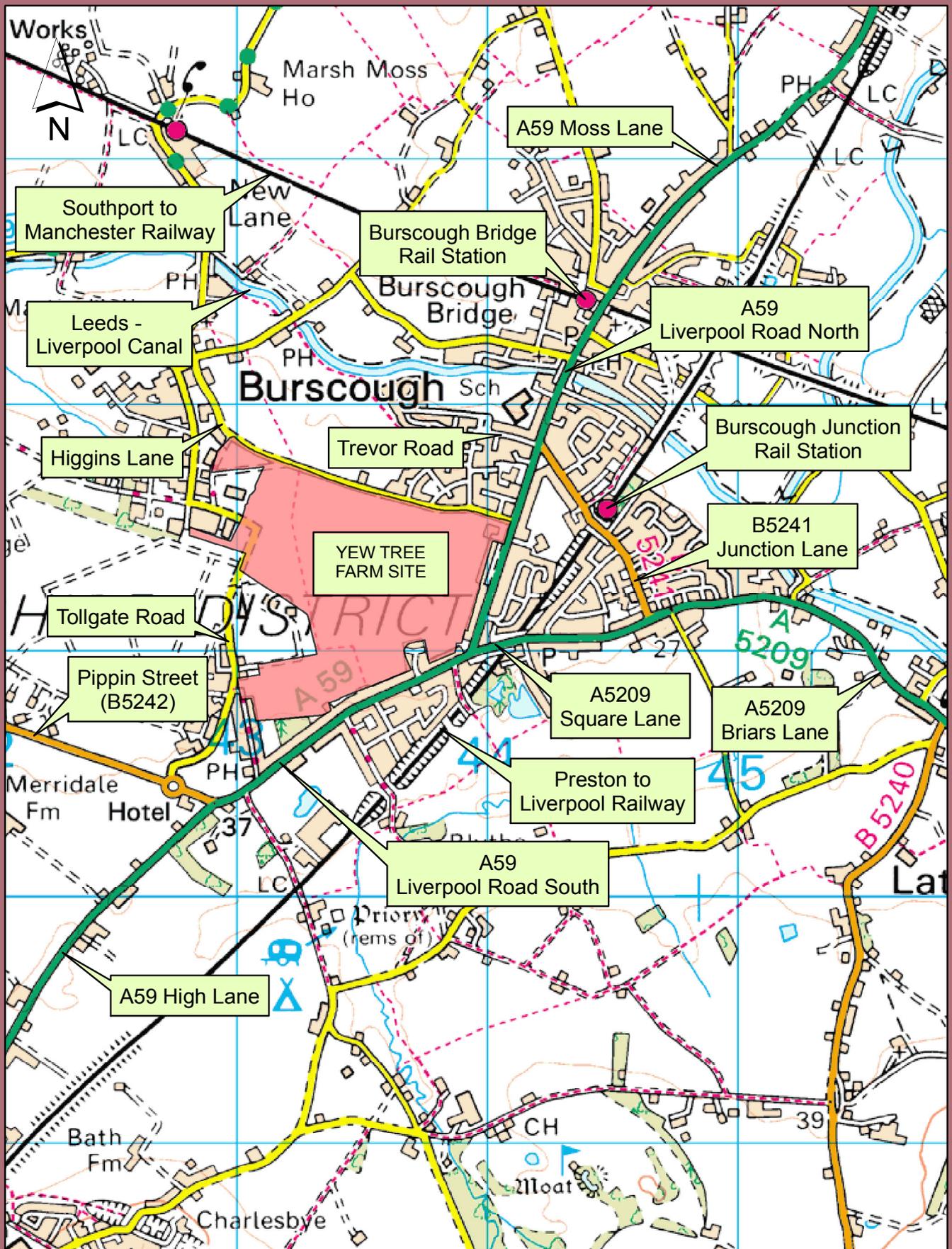
Around two thirds of the Yew Tree Farm site is designated as a Minerals Safeguarding Area within the Adopted Joint Lancashire Minerals and Waste Development Framework. Therefore, proposals for development on the Yew Tree Farm site are required to consider the potential impact that development may have on sterilising those minerals and whether it is feasible or necessary to extract them in advance of development. The constraints map on page 14 shows the part of the site designated as a Mineral Safeguarding Area.

Context Plan



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Local Highway Network Plan



Local Highway Network and Access

Burscough has grown up around the important transport links that pass through the settlement, including the canal, rail lines and main roads. Given the A59 is one of the main arterial routes through West Lancashire and is a trunk road connecting Liverpool to Preston, a degree of congestion is inevitable, particularly where the route is constrained through built up areas.

The immediate local highway network consists of the A59 Liverpool Road South to the east of the site which is a single carriageway strategic route, Pippin Street (B5242) to the south of the site connecting the A59 with the industrial / business area of Tollgate Road, Ringtail Road and Langley Road to the west of the site and Higgins Lane, which is essentially a country lane with some traffic calming measures bounding the northern edge of the site.

Lancashire County Council (LCC), the Highways Authority, undertook an initial review of the local highway network in the vicinity of the Yew Tree Farm site, during the strategic Local Plan preparation stage. A further detailed review of the existing traffic conditions has been carried out in preparation of this Masterplan. This underlying work is available on the Council's website www.westlancs.gov.uk/YTF alongside the other evidence base assessments which informed the development of the Masterplan.

LCC were able to gain an appreciation of the existing local highway network performance and the extent of congestion occurring during peak hours. LCC's review of the highway network indicated that, at this moment in time, without the additional development of Yew Tree Farm, the stretch of the A59 between Mill Dam Lane and Square Lane Junction (A5209) was currently operating above capacity during the AM peak traffic flows. Therefore, the greatest level of congestion would be experienced along this stretch of the A59 route through Burscough during the morning peak (8.00am – 9.00am). During the PM peak, the route was currently operating within capacity, although this should not be interpreted as a continuous flow of traffic throughout the evening peak (16.30 – 17.30).

When factoring in the additional traffic associated with the Yew Tree Farm development until 2027, it is anticipated that the impact of the growth will result in this stretch of the A59 operating above capacity during both AM and PM peaks. In addition, the section of the A59 between Square Lane and Higgins Lane may also, in parts, be operating above capacity during the AM peak hour only.

The above findings indicate that at this current time, traffic in Burscough flows freely for the majority of the time. Local knowledge of the area suggests that this free movement of traffic is generally only hindered in the event of a blockage such as a parked car, bus or delivery vehicle.

The findings of the review also demonstrated that the delivery of an east to west link through the Yew Tree Farm site would do little to improve or worsen the traffic situation and that its main purpose would be to ensure the site was well connected to the surrounding network with good levels of permeability.

Although traffic moves freely through Burscough for the majority of the time, new housing and employment development in the area will inevitably lead to traffic increases and network capacity pressures at both AM and PM peak travel times, as noted above. However, LCC have indicated that there is no single solution for this and that the focus for mitigation measures must be on improvements to sustainable transport measures and targeted highway improvements to the wider network, as set out within the 'Connectivity' section of this document.

Drainage

The surface and foul water drainage network in Burscough suffers from capacity issues, as does the waste water treatment works at New Lane which serves Burscough, most of Ormskirk and some of the outlying areas towards Scarisbrick and Rufford.

Land drainage within and around Burscough is also unsatisfactory in parts as a result of unmanaged local culverts and pinch points in the drainage network where physical barriers, such as the rail line and canal, cause obstruction in the flow of water to the outfall (Martin Mere / Boat House Sluice).

Through consultation with stakeholders and the wider community, the Council is aware that the issue of drainage is one of the key local concerns and that this development must do all that is possible to avoid worsening the situation and, where possible, make improvements.

One of the main complexities when managing drainage and flood risk is understanding who is responsible. Whilst United Utilities are responsible for ensuring that the public sewerage network is maintained and improved to support growth and development, LCC as the Lead Local Flood Authority (LLFA) are responsible for managing flood risk, including that from surface water, within the County. In addition, many of the natural drainage watercourses which are the cause of concern are in multiple private ownerships.

In respect of United Utilities' responsibilities, they have confirmed that they are currently in the process of securing funding to make improvements at the waste water treatment works. However, such improvements may take as long as 2020 to be delivered. In terms of ensuring the overall volume of flows to the waste water treatment works is acceptable up until this point, United Utilities have confirmed that a potential solution could be to remove a volume of surface water out of the existing system and to divert it through Yew Tree Farm and then into the natural drainage network. Whilst this is necessary to ensure that the development does not make this situation any worse, the improvements could actually result in some improvement to the existing system and overall betterment.

The LLFA will be involved in the development of a Sustainable Drainage System (SuDS) for the entire Yew Tree Farm site and are likely to be the approving body of such a scheme. The SuDS will ensure that none of the surface water from the development can be discharged into the public network and that it must be discharged into the natural drainage network at an appropriate rate to ensure no additional flood risk results from the newly developed site.

In respect of the condition and capacity of the natural drainage network, this will ultimately be the responsibility of the riparian owner i.e. the land owner adjacent to or beneath the watercourse. Where the watercourse falls within the Yew Tree Farm site, control over the condition of these watercourses will be reasonably straightforward. However, beyond the site it becomes more complex and beyond the realms of planning control.

Notwithstanding this issue, the requirements of the SuDS will include an appropriate attenuation rate to mimic the existing greenfield rate. This means that once the development is complete, the rate at which surface water leaves the site will be the same as it currently does whilst the site is undeveloped and in its greenfield state. Therefore, no greater impact will result in terms of flood risk.

Finally, the Yew Tree Farm Site, along with much of Burscough, falls within a Groundwater protection zone (Zone 3 Source Catchment Protection Zone). This zone is defined as the area around a source within which all groundwater recharge is presumed to be discharged at the source. Therefore, whilst the aquifer is further south within Ormskirk, consideration must be given to groundwater protection in the design of any SuDS scheme.

Topography

The topography of the Yew Tree Farm site is broadly flat with the land falling away slightly to the north. This is where the site naturally drains to. This topography is typical of the West Lancashire landscape which is characterised by flat, low-lying areas intercepted by a network of drains to assist with the farming of the land. There are no areas of the site where the topography will prevent or limit the development of this site.

Adjacent land uses and sensitivities

To the east, south and west the site is surrounded by built development, residential to the eastern and southern boundaries and employment land to the west. The location of the employment land constrains the types of uses that are most appropriate along the western boundary to ensure that there are no noise or bad neighbour issues which could lead to negative impacts on the amenity of the inhabitants of the new residential development within the site.

Equally it is important that any proposed new employment land is located sensitively, having regard to the location of adjacent existing residential development.

Whilst there are no significant heritage assets within the site, two heritage assets are located adjacent to the site boundary. Mill Dam Lane End Farmhouse (Grade II Listed) is located along the southern boundary on Liverpool Road South and Yew Tree House (Grade II Listed) is also located on Liverpool Road South, albeit further north.

Along the northern boundary (Higgins Lane), housing is located along almost half of this boundary, closest to Liverpool Road. The remaining 50% of the northern boundary is dominated by adjacent arable farmland which offers open views to this aspect.

Landscape features

The main landscape features are hedgerows located within the site, defining the field boundaries, and along the northern boundary of the site. Other features include lines of trees and a number of ponds located in the northern portion of the site. Whilst none of these features are protected, all will require consideration in the early design stage of any forthcoming development.



Photograph of hedges on Yew Tree Farm Site

Views through the site

Although the topography of the site is reasonably flat and the boundaries reasonably well surrounded by development, a portion of the northern boundary along Higgins Lane remains

open with views across the open countryside to the north. These views will need to be factored in to the overall design.



Photograph of view into the site from Higgins Lane

Existing Footpaths and Connections

One public right of way crosses the site (P74) and this should remain integral to the proposed site layout. However, there are a number of public rights of way in the vicinity adjacent to the north, south and east of the site. Where possible, connections should be made to this wider public network.

Flood Risk

Whilst there are no areas of land at risk from fluvial flooding within or adjacent to the site, there are a number of areas susceptible to surface water flooding both within and adjacent to the site. Mitigation will be required and should be captured through the Sustainable Drainage System requirements.

Biodiversity

Martin Mere near Burscough is one of the largest and most important of the biodiversity sites in West Lancashire and is located to the north west of the Yew Tree Farm site. It is home to a variety of bird species of European importance and is designated as a Special Protection Area (SPA), Site of Specific Scientific Interest (SSSI) and a RAMSAR site. Other small sites of local importance can also be found in and around Burscough including Abbey Lane Brick Pits and Platts Lane Pits.

The RSPB identifies a large area of land to the north and west of the of the Yew Tree Farm site, within 1km of the site, as sensitive habitat for pink-footed geese and whooper swans. As Yew Tree Farm currently supports arable farmland, this appears to meet the basic habitat requirements for wintering pink-footed geese and whooper swans. However, the existing Burscough Industrial Estate does not meet the basic habitat requirements for qualifying species.



Photograph of Martin Mere

Whilst the development of the site could result in noise and / or visual disturbance to wintering birds using the nearby sensitive area, the land at Yew Tree Farm itself is not currently identified as supporting habitat for Martin Mere. However, this will require monitoring to ensure that any required mitigation can be put in place in the event the site does become supporting habitat.

Within the Yew Tree Farm site there is a single pond that was identified through the Habitats Regulation Assessment (HRA) at the Local Plan stage as having average potential for Great Crested Newts.

In addition the remnant farm buildings may also offer some minor potential for bats, albeit the presence of bats has so far not been identified through existing survey work.

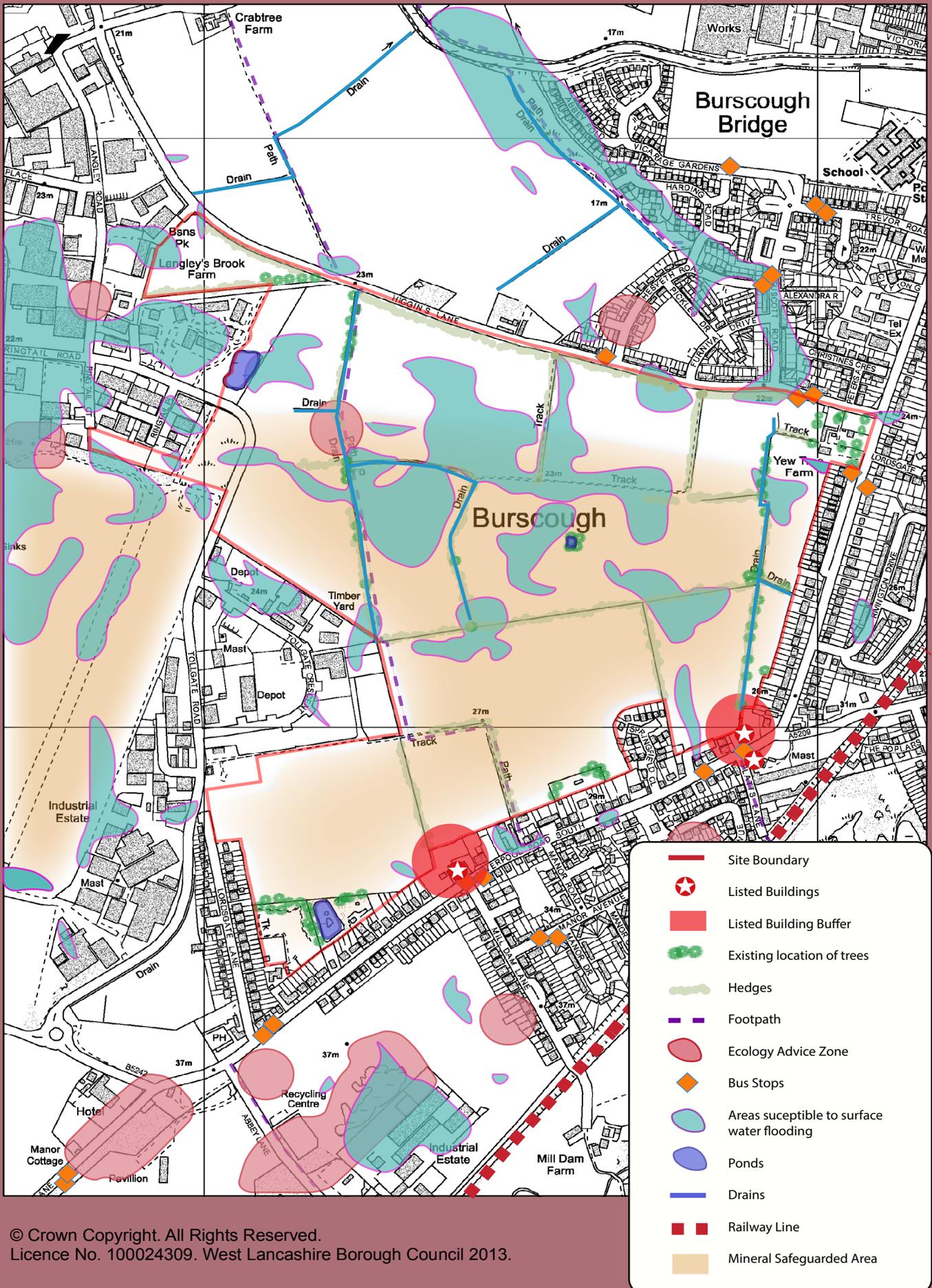
Given the dynamic nature of ecological issues, the Masterplan is unable to identify the exact issues and matters which will require specific mitigation measures. This would be inappropriate given the likely timeframe for delivery of this site.

Alongside the development of the Masterplan a HRA has been carried out and has concluded that, in addition to the supporting habitat matter, the following issues could arise as a result of development at the site:

- Increased levels of housing and business can lead to reduced water quality.
- New buildings have the potential to disturb species outside of the SPA and RAMSAR site.
- Waste water treatment infrastructure is vital to ensure that no negative implications arise that could impact on protected species.

The above matters will need to be considered through the planning process and will be a requirement of the site specific guidance within this Masterplan.

Site Constraints and Features



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Yew Tree Farm Design Objectives

Objectives - What does Yew Tree Farm need to achieve?

- To create a sustainable, well planned, distinctive and interesting place that has its own identity and becomes a positive and integral part of the town and community of Burscough.
 - To help meet the future housing, employment and community needs of Burscough and the surrounding area with land for at least 10 ha of employment and 500 dwellings.
 - To use land efficiently and creatively, making the most of existing landscape features, creating new ones and minimising the impact of site constraints.
 - To safeguard 10 ha of land for employment use and land sufficient for 500 dwellings for future development needs.
 - To reduce the need for long distance car journeys by providing good sustainable transport links from residential areas to local employment areas, community facilities, the town centre and to the public transport network for journeys to employment and other services beyond the town.
 - To provide a range of social and community facilities including small scale local facilities and allowing for the provision of a primary school if required beyond 2027.
 - To ensure, through good design, that the residential environment is not dominated by cars.
 - To be based on a network of well designed, attractively landscaped and interconnected streets, paths and walkways through the Linear Park and open spaces which encourage walking and cycling into Burscough and the surrounding areas.
 - To develop the Linear Park, providing a multifunctional green space for walking and cycling between Burscough and Ormskirk.
- To enhance native biodiversity (the number and variety of plant and animal species) and range of habitats within the area and address the impact of development on the biodiversity and environmental quality of the surrounding countryside.
 - To promote an energy efficient new development that has minimal impact on the causes of climate change, and which takes advantage of appropriate renewable technologies.

Local Plan Policy SP3 identifies a number of objectives required to be delivered through the development of the Yew Tree Farm site. This masterplan will reflect National Planning Policy Framework (NPPF) Guidance on extending settlements in order to deliver housing land supply and will seek to address these issues through development principles and requirements of any subsequent planning applications.



Photograph of modern housing

Vision for Yew Tree Farm

Vision – How will Yew Tree Farm look and feel?

The vision for the Yew Tree Farm site should complement the overall vision for Burscough, as set out within the West Lancashire Local Plan (2012-2027), and has been developed through consideration of public engagement on the Masterplan so far.

Burscough in 2027 will have retained its role as an attractive Key Service Centre, providing a range of facilities for local people. The town's role as a local employment hub for surrounding rural areas will be reinforced with sustainable growth of the industrial and business areas linked to the town centre.

Yew Tree Farm will be a natural extension of the existing urban area and will bring a mix of housing types and styles to support the local housing market. The homes will be sustainable by design and meet the needs of the local population including elderly, first time buyers, those wishing to rent and those wishing to move up the housing ladder.

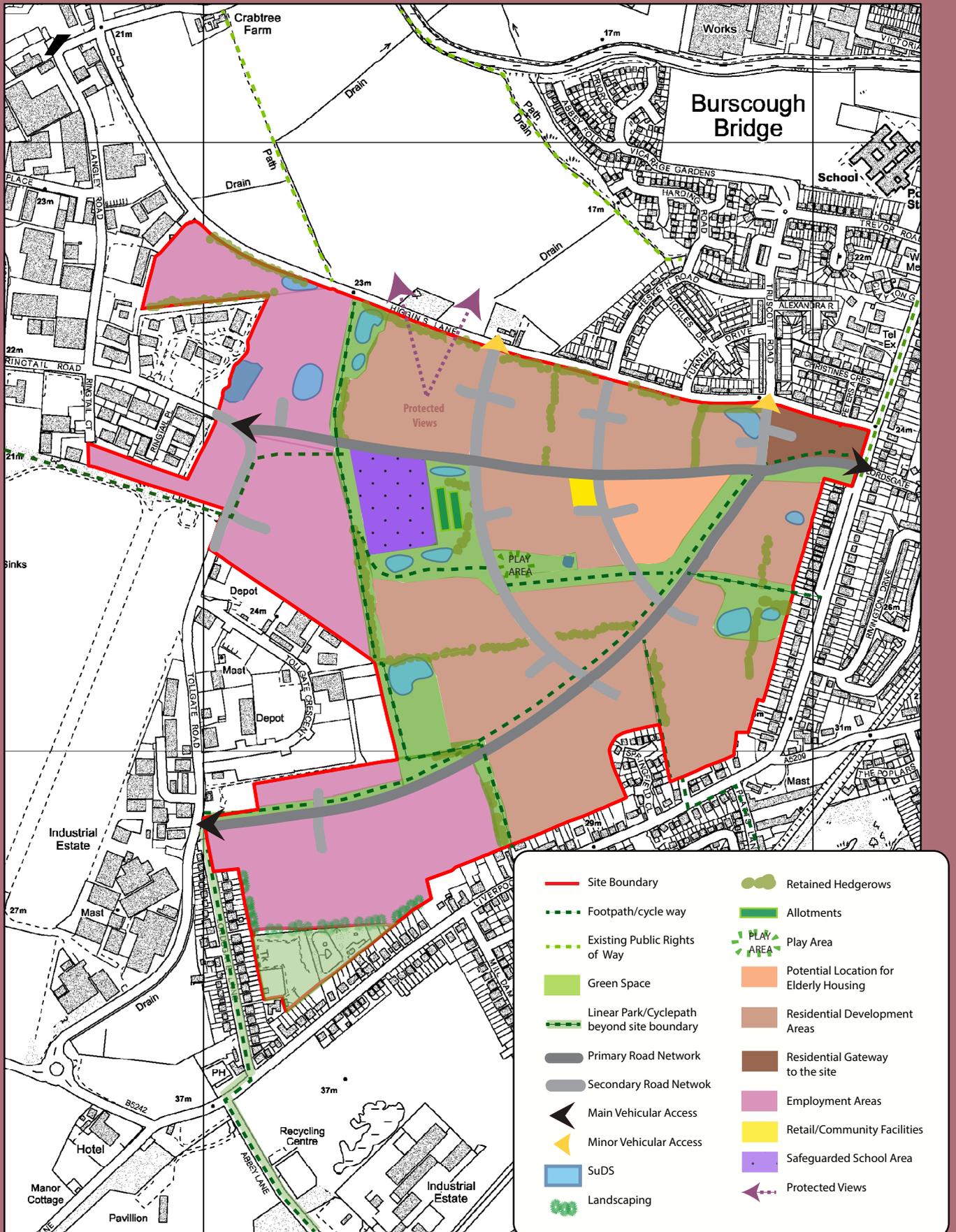
The development will maintain a sense of openness and green to it as a result of the extensive network of green corridors crossing the site, providing a mix of functions such as access, biodiversity, recreation and flood risk management.

New employment opportunities will be linked to the existing Burscough Industrial Area and connections to the wider area opportunities, in Burscough, Ormskirk and beyond, will have been improved through the delivery of a linear park and numerous cycle and walking routes that link the Yew Tree Farm site to the rest of the borough and other important transport links.

Working with utilities providers and developers, the Council will ensure that appropriate infrastructure improvements will be in place to support new development and in particular, highways and drainage measures will be in place.

Local and community facilities will primarily be focused within Burscough's existing centre with only limited on-site provision to support the very local needs of the surrounding housing and employment area.

Indicative Layout



Place Making Principles

Planned growth in West Lancashire provides an opportunity to create sustainable, well planned and vibrant new communities. It also provides an opportunity to direct this growth to support existing settlements and help to build on the successes already realised in many of the Boroughs towns and villages.

It is crucial that new developments complement the context within which they will grow and that we build high quality new homes and businesses that will provide visually pleasing environments where people will want to live and work.

Yew Tree Farm should be designed to be a distinctive and attractive place in its own right, and also one that integrates with Burscough. To ensure both distinctiveness and integration, the Yew Tree Farm Masterplan is based upon four important place making principles known as the four C's:

- Character
- Connectivity
- Climate
- Community

Mineral Resource Assessment

In addition to the above key place making principles, proposals for development located on the Yew Tree Farm site must have full regard for the implications of the designated mineral safeguarding area that covers around two thirds of the site (see context plan). Applications should be accompanied by a minerals resource assessment. This is to ensure sufficient information is available on mineral resources to enable the Borough Council to determine the applications conformity to Joint Lancashire Minerals and Waste Local Plan Policy M2 – Safeguarding Minerals.

The mineral resource assessment should specify whether there are minerals present and, if so, whether it is practicable or sustainable to extract them. Information should be informed by desk based or intrusive surveys and could be provided on:

- The depth of overburden,
- The quantity and quality of any mineral present,
- The height of the water table,
- The proximity and nature of any surrounding land uses,
- The size of the site.

Character

The Yew Tree Farm Masterplan must guide the overall development to meet the needs of the Borough whilst having regard to the existing context of the Yew Tree Farm site.

The design concept for the site has regard to the most important features within the context of the site including:

- The rural nature of Higgins Lane and land to the north.
- The existing landscape framework (field demarcation).
- The primary access to the site via the A59 and the creation of a "Gateway" area.
- Burscough Industrial Estate to the west and the countryside beyond.

Burscough follows the townscape principles of a traditional English townscape with its organically evolved village, lively street frontages and natural hierarchy of development with decreasing densities towards the countryside interface.

The following character focused place-making principles provide a basis for ensuring that the Yew Tree Farm site will be a well-designed and attractive place:

- Existing landscape features should be identified and used to create a locally distinctive place and to ensure a strong synergy with the surrounding countryside.

- Densities and massing should be in keeping with policy RS1 of the Local Plan to vary to reflect the immediate surrounding area but the general pattern should be in keeping with the townscape principles that the higher density development should be located towards the north east of the site with decreasing densities towards the linear park and open space area. This will echo the move from urban to countryside.
- Creative but simple designs are often the most successful and durable approaches.
- Whilst varying architectural styles may be appropriate, a limited palette of good quality materials will enhance the overall design of the site and create a well-connected development that links well to the existing urban area as well as between phases of development.



Photograph of high quality housing

- Open space should be designed to be integrated with buildings and good landscapes are as important as good buildings.
- All buildings should be designed to be flexible and adaptable.
- Car and cycle parking, storage and waste recycling should be integrated into the design process of all buildings.
- Areas of shared space and public realm should be open and accessible locations at clear nodes across the development to support legibility throughout the site and a sense of place.

The materials used should be high quality and in keeping with the wider townscape.

- The “Gateway” to the site at the north eastern corner and junction of Higgins Lane and the A59 presents an opportunity to create a quality entrance to the development. Whilst this parcel of land has been identified for residential use, the quality of development and accompanying landscaping should be inspiring and of the greatest quality, protecting and enhancing the views through to the green corridor which runs east to west through the site creating appealing vistas across the site.
- Development should capitalise on the attractive green corridors and water features by encouraging buildings to face on to such features.
- Primary Road Network – The creation of attractive boulevards with street trees and the potential for green corridors either side of the roadway for SuDS and walking and cycling paths. The tallest building heights would most acceptable along the primary road frontages with a maximum of three storeys.
- Secondary Road Network – Narrower routes than the primary network which allow access to parcels for development. Building heights along the secondary road frontages could go up to 2.5 stories and some on street parking would be appropriate.
- Access routes into parcels should maintain the same architectural language on both sides of the road to ensure consistent street design.
- Architectural language – The development is large enough to accommodate gradual changes in architectural approaches but sudden changes should be avoided.
- The character of each phase will relate to the architecture and character of the location by incorporating local forms, materials and detailing.
- Enduring townscape may draw from the local vernacular but with a contemporary interpretation. This will ensure the new development creates its own sense of place.

Connectivity

Whilst cars are fundamental to any development they should not over-dominate the design process or the finalised development. However, highways and transport were noted as a key local issue and therefore will need to be factored in to the outset of the design process of all applications for the site to ensure any site solutions address the nature of the problems associated with highways through Burscough.

The place-making principle of 'Connectivity' incorporates the following:

- Overarching Connectivity Principles
- Proposed Connections
- Promoting Sustainable Movement
- Site Specific Highways and Transport Guidance



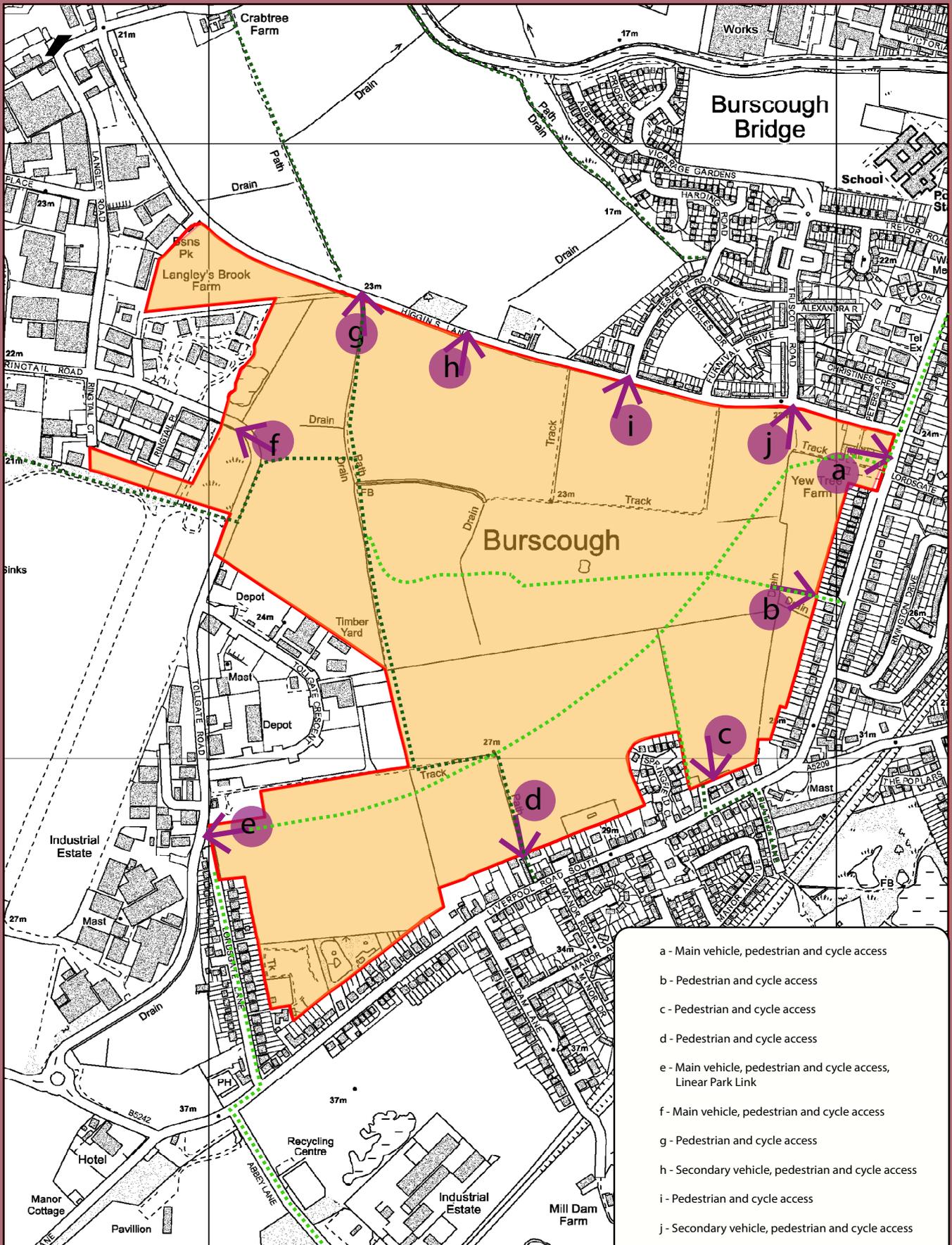
Photograph of sustainable transport - train

Overarching Connectivity Principles

The following connectivity principles provide a basis for ensuring that the Yew Tree Farm site will be well connected within and beyond itself by a range of transport choices and opportunities to safely walk and cycle:

- The development should create an environment that is accessible to all sectors of the community including children, elderly people and people with disabilities to ensure a barrier free environment. Particular attention must be given to the layout and dimensions of footways, taking into account the availability and suitability of crossing facilities for the visual and mobility impaired.
- Development should enhance the feasibility of walking and cycling and should prioritise the convenience of pedestrians, cyclists and public transport over car users, where appropriate.
- Suitable provision should be made, where appropriate, for public transport including bus stops and shelters.
- Bus stops should be well designed and should provide information on services and local facilities.
- The development must incorporate suitable and safe vehicular access and road layout design, in line with latest standards.
- When the West Lancashire Highways and Transport Masterplan (WLHTM) is published, it is expected that there will be continuity between both the WLHTM and the Yew Tree Farm Masterplan.
- Road designs should include permeable surfaces and service infrastructure should go into green space corridors or service ducts.

Connections Plan



- a - Main vehicle, pedestrian and cycle access
 - b - Pedestrian and cycle access
 - c - Pedestrian and cycle access
 - d - Pedestrian and cycle access
 - e - Main vehicle, pedestrian and cycle access, Linear Park Link
 - f - Main vehicle, pedestrian and cycle access
 - g - Pedestrian and cycle access
 - h - Secondary vehicle, pedestrian and cycle access
 - i - Pedestrian and cycle access
 - j - Secondary vehicle, pedestrian and cycle access
- Existing Public Rights of Way
 - - - - Proposed Rights of Way

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Connections

a - Main vehicle, pedestrian and cycle access to the site onto the A59 Liverpool Road South, with connections to either Burscough or Ormskirk.

b - Pedestrian and cycle access only onto Liverpool Road and access to public transport.

c - Pedestrian and cycle access only onto Liverpool Road South and connections to existing footpaths on Platts Lane.

d - Pedestrian and cycle access only onto Liverpool Road South and links to the public transport network.

e - Main vehicle, pedestrian and cycle access and a link to the wider Linear Park via Lordsgate Lane.

f - Main vehicle, pedestrian and cycle access onto Ringtail Road accessing the Industrial areas.

g - Pedestrian and cycle access, via an existing footpath onto Higgins Lane and further footpaths towards the canal and Crabtree Farm.

h - Secondary vehicle, pedestrian and cycle access onto Higgins Lane.

i - Pedestrian and cycle access onto Higgins Lane.

j - Secondary vehicle, pedestrian and cycle access onto Higgins Lane and access from the site into Truscott Road and beyond.

Promoting Sustainable Movement

Development proposals should meet the objectives of the National Planning Policy Framework (NPPF) to support sustainable transport and communities. Any development of this site must be able to exist and be promoted as a sustainable community and demonstrate that all required movements (health, leisure, education, retail, employment and public transport) can be satisfied by using sustainable transport modes.

The following principles should be applied to all development proposals within the site:

- The development should integrate well with the surrounding area and provide safe, convenient and attractive pedestrian and cycle access. Therefore, all opportunities that provide advantages for sustainable modes and reduce trips on the network must be actively pursued.
- The Masterplan area requires a network of legible pedestrian/cycle routes, with multiple pedestrian/cycle only access points connecting to existing and proposed footpaths, highways, adjoining housing areas, public transport facilities, employment, local amenities and other desirable destinations.
- Each developer is expected to deliver their element of the comprehensive pedestrian/cycle network, ensuring that all routes and accesses are safe, attractive, direct and convenient. This may involve the upgrading, extension and/or creation of routes both within and external to the development.
- Footway improvements along the A59 to the centre of Burscough are required to support the integration of the Yew Tree Farm site with the existing settlement.
- New and improved junctions will be expected to incorporate pedestrian/cyclist facilities, with final designs based on an analysis of current and predicted pedestrian/cyclist flows.
- It is important that the Public Right of Way (PROW) network is fully considered. There is an existing PROW (footpath number 74) running through the Yew Tree Farm site. The PROW allows pedestrian access from Liverpool Road South and Higgins Lane, and should be improved and maintained. Any proposed stopping-up or diversion of a right of way will be the subject of an Order under the appropriate Act.
- Development of the site should ensure delivery of the Burscough to Ormskirk Linear Park link. The proposal is for a dedicated cycling

and walking link between Burscough and Ormskirk which will provide a direct off-road route via a new linear park. It is anticipated that the link will also require a Toucan Crossing at the point where the route crosses the A59 to the east of the junction with B5242 Pippin Street.

- Pedestrian and cycle routes should be provided to a high standard, in line with latest guidance, with some landscaping to ensure an attractive environment, good connections to internal road layout and quality signing. In addition, there should be appropriate lighting and surfacing to ensure maximum usability.
- Improved / additional cycle parking provision may be required within Burscough Centre and at rail stations.
- Development delivered within the Yew Tree Farm Masterplan area will be expected to include multiple pedestrian and cycle only access points to support journeys by sustainable modes to the existing built up area, local amenities and public transport provision. These should intercept desire lines and be regarded as primary access routes with at least equivalent importance as the access roads carrying motorised traffic.

- The A59 is a principal bus route and is likely to be maintained with the development of the Yew Tree Farm site. Development proposals should incorporate suitable measures and/ or infrastructure to promote the use of public transport, such as comprehensible safe walking and cycling links, bus stop improvements and additional bus service provision. The Yew Tree Farm site is well placed for penetration by existing or new bus services and therefore, developers will be encouraged to design development in a manner that will facilitate the potential future operation of a frequent bus service through and/or around the site. The provision of new bus stops and the operation of a bus service through the site would be subject to negotiations between the bus operator, LCC, WLBC and developers, to ensure that an acceptable level of service could be achieved and funded.
- Developers will need to take into account distances to key facilities and the existing provision for sustainable movements. Table 1, below, refers to recommended desirable and acceptable walking distances and their source. It is important, where reasonably possible, that all elements of the development satisfy 'Desirable' distances.

CIHT Document	'Providing for journeys on Foot'			'Guidelines for Planning for Public Transport in Developments'
	Town Centres (m)	Commuting/ School/ Sight Seeing (m)	Elsewhere/ Local Services (m)	Distance to Bus stop (m)
Desirable	200	500	400	300
Acceptable	400	1000	800	
Preferred Maximum	800	2000	1200	400

Table 1 – Recommended Walking Distances

Site Specific Highways and Transport Principles

In order to ensure the development at Yew Tree Farm is delivered to a high standard whilst minimising the impact on the local highway network, the following site specific highway and transport principles must be applied when considering future development of the site:

Proposals must be supported by a Transport Assessment in line with Department for Transport (DfT) guidance

This is required to identify the impacts that each phase of the development will make on the existing highway network, and the need for off-site highways and transport mitigation that may be required to realise the Yew Tree Farm site as a whole. LCC will work closely with WLBC and each developer (or their agent) to provide support and ensure satisfactory development can be designed and delivered. It is vital that LCC is engaged in pre-application discussions at the earliest opportunity.

Each application will be considered on its merits and its ability to be fully and adequately integrated into the environment. Measures, or infrastructure, that support development should result in a positive influence on the local and wider network, providing benefits for specific modes and ensuring that congestion and air quality impacts are minimised. It is recommended that LCC, as the Local Highway Authority, is consulted when taking forward the development of specific individual parcels of the site, when there is a greater level of detailed information and when the impacts of a proposal can be quantified.

Proposals must be supported by a Travel Plan, in line with Department for Transport (DfT) guidance

An overarching Travel Plan will need to be prepared by the applicant at outline planning stage in order to provide guidance to developers in their detailed planning. The Travel Plan will set out a broad approach and key actions to be taken forward by developers. Due to the size of the Yew Tree Farm site and land ownership, it is anticipated that the development of Yew Tree Farm will be progressed in parcels by individual

developers and/or landowners. Given that each parcel may differ in land use (employment, residential, community, retail) separate Travel Plans will be required. These will need to be developed for the specific characteristics of each plot and the respective end users.

The purpose of an overarching Travel Plan is therefore to describe the broad requirements for the development and implementation of individual Travel Plans. The respective detailed Travel Plans will need to be produced in liaison with, and to the satisfaction of West Lancashire Borough Council and LCC, the Highways Authority.

Within the Travel Plans it will be essential to establish objectives, targets for monitoring, travel surveys and dissemination of information on travel choices. Travel Plans must also have regard to the safety implications of any level crossings in the locality. Measures implemented through Travel Plans must support the sustainability of development, and provide assurance that impacts identified in Transport Assessments can be accommodated.

A clear and legible internal road network is required

It is anticipated that the primary road network within the Masterplan area will consist of two east-west link roads, connecting to the external highway network at a singular primary access with the A59 and two primary accesses on Tollgate Road, to the north and south. The east-west links should be constructed as single two lane roads, with high quality joint pedestrian/cycle provision on both sides. The number of vehicular access points along the east-west link roads into the estate road network should be limited. Both link roads are necessary in terms of the site planning and legibility, and to enable emergency vehicles to gain access to all parts of the Masterplan area.

Although the link roads through the site are not necessarily for providing relief to the A59, each connection must be delivered and completed alongside the relative phase of development. Specific timing of completion will be determined by the Highways Authority at the time of application and conditioned as part of any planning approval.

Where the link roads cross through multiple land ownerships and development phases, delivery of the route must be ensured alongside the relevant phase of development and planning conditions will be used to ensure that delivery of the wider site is not stagnated. These will also be applied to any relevant planning consents which may be granted.

The alignment of the northern east-west link road is intended to provide a direct route from the A59 to the employment area, avoiding Higgins Lane. However, without a direct vehicular connection from the Yew Tree Farm site, Higgins Lane may continue being used as a route to Burscough Industrial Estate (Langley Road) and Swordfish Business Park (Swordfish Close). Therefore, it would be appropriate to have 2 secondary routes that caters for HGV movements between Higgins Lane and the northern east-west link to minimise the levels of traffic entering the 20mph Zone on Higgins Lane. This would facilitate the potential closure of Higgins Lane at its junction with the A59 by providing an alternative convenient vehicular route to the A59 for traffic from the existing built up area.

New highways within the Masterplan area will need to be carefully considered and should not be designed to direct traffic onto unsuitable routes or encourage 'rat-running' by providing short cuts for through traffic. Sympathetic highway layout, routeing strategies and speed reduction measures can minimise the levels of through movements. Traffic Regulation Orders can be useful to guide traffic, such as large vehicles along recommended routes, and for removing the likelihood of rat-running along unsuitable routes. The DFT's documents 'Manual for Streets' (March 2007) and "Manual for Streets 2" (Sept 2010), and LCC's document 'Creating Civilised Streets' (Feb 2010) provide valuable advice on reducing vehicular domination in residential areas.

Appropriate vehicular access

All vehicular access points will need to be approved by LCC and must satisfy design, safety and capacity requirements for all movements. However, vehicular access into isolated parcels of development from the external highway network is not recommended, particularly along the A59. Access to the highway network from the Masterplan area will be via three primary accesses, namely the A59, Tollgate Road and Higgins Lane.

It is recommended that the new access junction on the A59 is located opposite Lordsgate Drive and is signal controlled. Signalised junctions provide safe opportunities for vehicles to enter/exit the development and pedestrians to cross.

A roundabout at this location is not considered suitable as it would require a large land take (especially to accommodate HGV's from industrial land uses) and additional measures to support pedestrian/cycle movement. Roundabouts are not suitable for all locations or environments, and are most efficient with balanced flows.

LCC does not consider it necessary to have more than two accesses onto Higgins Lane; one to the east of Higgins Lane for the purposes of providing a convenient access route to the existing built up area from the A59, and another to the west to provide a route for traffic that may otherwise travel through the 20mph Zone. Vehicular access points onto Higgins Lane should be regarded as secondary accesses.

Developers will need to take account of any restricted capacities on the local highway network as the ability to enter/exit the site may ultimately be influenced by the operation of existing network and not junction design. This is a concern particularly for the latter stages of delivery of the housing requirement as the network must be able to sustain the cumulative impact of additional movements in future years.

Mitigating the impacts of development on the external highway network

As development builds out, offsite mitigation measures will be necessary to offset any potential adverse impact to the existing highways network and to achieve safe access to the site.

This includes consideration of the following junctions:

- A59 Liverpool Road South/A5209 Square Lane, which is likely to require significant changes with pedestrian and cycle facilities.
- A59/B5241 Junction Lane/Trevor Road. The installation of pedestrian facilities across Trevor Lane and alterations to improve capacity at this signalised junction would be appropriate.

- Proposed new roundabout at the junction of the A59 with Pippin Street. This roundabout has already been granted planning consent and will be delivered alongside the retail development located to the south of the Yew Tree Farm site and Lordsgate Lane.

Any new infrastructure linking into the overall highway network would be expected to benefit the whole network, including sustainable movement, and have a positive effect on local amenity. It is crucial that access to existing residential properties is retained and developers must ensure that accesses are not restricted by their proposals.

The completion of the Yew Tree Farm internal road network would release opportunities for highway changes to Higgins Lane, such as the closure of Higgins Lane at its junction with the A59. The implications of this arrangement would require careful consideration as all traffic from the existing built up area to the north of Higgins Lane would either pass through the new development or use the signalised junction at Trevor Road to access A59 Liverpool Road.

Parking Provision

Parking provision is to be made in line with the thresholds set out in Local Plan Policy IF2.

In addition to the requirements of the parking standards contained within the Local Plan, all Traffic Regulation Orders (TRO's) need to be reviewed and revised where necessary within the influenced area, to better manage network operation and efficiency.

The implementation of a signalised junction at the A59/Yew Tree Farm access should incorporate Lordsgate Drive which is the access road to Lordsgate Township CE School. Parking is therefore likely to be restricted on this approach.

The inclusion of a dedicated parking and drop off point within the Yew Tree Farm site for Lordsgate Township CE School is not considered appropriate. Therefore, opportunities to provide parking provision at convenient locations should be considered that will not impede movements by vehicular or sustainable modes on the A59 during the peak hours.

Climate

Ensuring the sustainability of new places is vital so regard must be had to how development interacts with the environment and influences the climate. The place-making principle of 'Climate' incorporates the following:

- Overarching Climate Change Principles
- Environmental Impact Assessment
- Drainage
- Green Infrastructure
- Biodiversity
- Waste and Recycling

Overarching Climate Change Principles

All new development and environmental infrastructure at the Yew Tree Farm site will be built to meet the latest environmental standards, using the following climate change focused place-making principles:

- Decentralised energy and / or heat should be investigated in line with Policy SP3 of the West Lancashire Local Plan (2012-2027).
- Generally, the pattern of development should allow people to easily adopt sustainable lifestyles.



- Parts of the development should aim to achieve the highest standards and act as examples of good practice as the development proceeds. In particular, the “Gateway” would be a prime location to set the standard high.
- New development should not be located in areas liable to environmental risks such as localised flooding.
- If possible, sustainable waste management systems should be built into new developments to make recycling easy and unobtrusive and encourage people to waste less.
- All buildings should be designed to maximise energy efficiency and anticipate the potential impacts of climate change while having the capability to be easily adapted.
- Biodiversity and wildlife should be encouraged through a network of green spaces and SuDS that are specifically designed to foster greater ecological variety.
- Trees and planting should be used to provide shading and cooling in summer and to soak up rain as well as providing attractive landscapes.

Environmental Impact Assessment

In advance of any applications for outline planning consent, the applicant must request an Environmental Impact Assessment “screening opinion” and / or a “scoping opinion” from the Council in order to establish the appropriate level of environmental information required to support an application.

Drainage

The Yew Tree Farm site must deal with land drainage from the site itself as well as surface water drainage from the new development and surface water drainage to be extracted from the existing network in order to assist with the management of flows through the wider network.

The importance of this issue means that the Council would favour a comprehensive drainage scheme to serve the entire site. However, given the multiple land ownerships and the fact that only

part of the land will be delivered in this plan period, the reality of this being delivered is less likely.

Therefore, it will be important to ensure that as each part of the site comes forward it does not prejudice the delivery of (SuDS) on the remainder of the site and, where practical, it connects to the wider SuDS system that may already have been delivered elsewhere on the site.

SuDS are systems designed to reduce the potential impact of new and existing development on surface water drainage in order to reduce the risk of surface water flooding. The purpose of SuDS is to replicate the natural drainage system so that dirty and surface water run-off may be collected, stored and cleaned before being released back into the environment via a natural watercourse and at a controlled rate that replicates the speed of the natural greenfield run-off rate.

The indicative masterplan layout shows where some of the attenuation ponds could go and envisages that movement of surface water through the site could be through swales. However, the precise location and make up of these SuDS components can only be determined through the more detailed planning application stages.



Photograph of SuDs

As part of any outline planning application for the Yew Tree Farm site an overall drainage strategy is required. The strategy should include the following:

- How the proposal will accord will Policy SP3 and deliver a solution to the network capacity issue in order to reduce flows to the New Lane Waste Water Treatment Works that will accommodate the level of foul flows proposed.
- A phasing plan setting out the type and quantum of development expected in each phase.
- A drainage design code – to be used by individual developers in the event plots are developed separately – setting out agreed discharge points, flow rates, storage requirements and programme of works for each plot / phase.
- How the proposed SuDS accords with any necessary criteria set out within the National SuDS guidance and / or / guidance established by LCC as the Lead Local flood Authority (LLFA) who are likely to be the approving body of such schemes.
- How the proposed phase / phases of development will not prejudice the delivery of SuDS on any remaining undeveloped parcels of the Yew Tree Farm Site.
- How the proposed SuDS is future proofed against the impacts of climate change on storm events.
- How the strategy has taken full account of any water mains which pass through the site within the design of the development.
- How the SuDS supports the infiltration of surface water in order to protect groundwater resources.
- How the SuDS will be managed and maintained in the future once complete (if not by the LLFA).
- Details of any off-site drainage infrastructure required to support the development.
- How the design of the built development will assist with water efficiency requirements.

- Applicants should make early contact with both United Utilities and the LLFA to ensure that any proposals are feasible and in accordance with necessary criteria.

As part of the SuDS, this site will be required to incorporate attenuation ponds to ensure that the rate at which the surface water flows from the site is no greater than it is before development.

Attenuation or storage ponds could assist on the site with the following functions:

- Store surface water to ensure the run-off rate is attenuated.
- Assist in improving water quality (filtration).
- Provide a natural habitat for wildlife and support aquatic biodiversity.
- Provide on-site storage for irrigation and rainwater harvesting assisting with water efficiency.

Green Infrastructure

Green Infrastructure can be defined as a “multifunctional resource capable of delivering a wide range of environmental and quality of life benefits for local communities” (Natural England).

The requirements for green infrastructure run right through this Masterplan and encompass the network of high quality green spaces and environmental features that can be used for many reasons including:

Recreation – outdoor relation and play

Biodiversity – a space for wildlife to live and travel

Climate Change Adaptation – flood alleviation and cooling

Environmental education

Food Growing – Allotments

Health and wellbeing – access to a green network for all

Transport – a network of footways and cycleways

Green infrastructure at Yew Tree Farm should begin with the existing framework, incorporating, where possible, hedgerows, tree lines and ponds. Any application for planning permission should include a strong and distinct green infrastructure network which incorporates the following:

- Cycling routes – these should be provided to a high standard, in line with latest guidance with some landscaping set back to an appropriate distance and lighting where necessary to ensure an attractive environment with multifunctional uses.
- Walkways should be safe desirable routes provided to a high standard in line with latest guidance. Any associated landscaping should enhance the attractiveness of pedestrian routes and preserve adequate natural surveillance.
- An appropriate amount of publicly accessible open space to meet the requirements of the adopted Provision of Public Open Space in New Residential Developments Supplementary Planning Document (July 2014).
- Provision of play space to meet varying age ranges including an equipped play area, skate park and multi-use games area to the standard of the Borough Council.
- Appropriate maintenance arrangements for the management of such open spaces.
- Flood alleviation measures as part of SuDs to be approved by the LLFA.
- A Landscaping Masterplan to support any outline planning consent to include landscaping buffers, structural planting, a landscaped gateway to the site at the A59 access point, tree and species planting list to be agreed with the Council through the planning application process.
- Food growing through the incorporation of allotment provision.
- Biodiversity promotion through a well connected GI network.

Biodiversity

The Yew Tree Farm site is within close proximity to Martin Mere SPA and Ramsar. In order to address any potential issues that could arise from the development of the site leading to an impact on ecology, applications for development at the site are required to:

- Provide a Habitat Regulation Assessment alongside any application for outline planning consent, demonstrating the potential impacts of the development on protected species, designated sites, priority habitats and geological conservation.
- Have regard to the detailed information accessible through the Lancashire Environment Record Network (LERN) in considering the implications of the proposed development on the local ecology. Consideration should also be given to the emerging Lancashire Ecological Network.
- Be supported by an Ornithology Report containing sufficient information to demonstrate that consideration has been given to the potential effects of development on the SPA birds associated with Martin Mere and, if necessary, that suitable mitigation measures will be implemented to address this to the satisfaction of the Council. This is in line with Policy EN2 of the West Lancashire Local Plan (2012-2027) and will ensure no adverse effect on the integrity of Martin Mere.
- Accord with Policy SP3 and deliver a solution to the network capacity issue in order to reduce flows to the New Lane Waste Water Treatment Works that will accommodate the level of foul flows proposed. This is an interim measure to allow the sewerage undertaker, United Utilities, the opportunity and time to upgrade the waste water treatment works at New Lane, Burscough. This is necessary to support water quality.

- Minimise the risk to and avoid unnecessary loss of valuable ecological habitat including trees, hedgerows, ponds and any woodland. Not only do these elements already provide good sources of habitat for biodiversity, they act as readymade landscaping and help to integrate new development in to the natural environment. Increased tree planting may be appropriate in parts of the site to encourage biodiversity and hedgerows should be considered for retention and managed for their properties in providing wildlife corridors.



Waste and Recycling

The Masterplan for Yew Tree Farm facilitates development for residential and employment uses. In order to address any issues, development will be required to:

- Ensure that residential development allows for adequate and appropriate means of storing refuse and recyclable materials.
- Where suitable provide communal waste collection, separation, recycling and storage facilities.
- Provide adequate access arrangements for collection vehicles and personnel.
- Provide storage arrangements that are not visually intrusive but rather are visually integrated with buildings and the hard and soft landscaping.

Community

Ensuring Yew Tree Farm is developed to create a community of its own whilst blending with the existing Burscough community is important for the overall success of the development.

The place-making principle of 'Community' incorporates the following:

- Overarching Healthy Community Principles
- Land Use Principles

Overarching Healthy Community Principles

The following community focused place-making principles provide a basis for ensuring that the Yew Tree Farm site will be a well-designed and successful place to live and work with a healthy and inclusive community that has the best chance to thrive:

- Consult the community on any relevant planning applications.
- A range of housing tenures should be available to meet all needs including first time buyers, those wishing to rent or buy, affordable homes, aspirational homes and homes for the elderly.
- Homes should be flexible and built in a way that allows adaptation to different stages of life.
- There should be a mix of formal and informal greenspace and safe, high quality links between them to encourage active lifestyles and sustainable modes of movement through the site and to the surrounding area.
- Community activities should be encouraged by the provision of places to meet informally and formally. Shared spaces and well-designed public realm will assist with this.
- Public space should promote social interaction and healthier lifestyles by design.
- Any required community facilities should be located in the existing central areas of Burscough with good connections to the Yew Tree Farm site unless there is a need or demand for the facility on-site.

- The local retail facilities should provide a focal point with landmarks to ensure a legible sense of place is created that allows community interaction.
- Shared open spaces such as allotments should be accessible for all to encourage healthier lifestyles.
- Any required improvements to health infrastructure should be in place in a timely fashion in order to meet the needs of the inhabitants of the new development.
- Links between the employment area and open space and site facilities should be strengthened to support the health and wellbeing of the local workforce.
- Residential amenity should be considered through the allocation of landuse.



Land Use Principles

The Yew Tree Farm site presents an opportunity to create an attractive mixed-use development and community providing a mix of homes for all needs including first time buyers, homes to rent and elderly provision. The development will also seek to grow the employment opportunities in the local area, building on the existing employment offer in the locality. In addition, a number of complementary uses such as small scale retail and local community facilities may be developed at the heart of the site and land has been set aside in the event a primary school is required to support the long term delivery of the site. Finally, the entire site will be held together by a strong network of open space spaces which connect the site with the surrounding area as well as providing a high quality environment for the on-site development.

The indicative Masterplan layout shows where the following land uses should be located:

- Housing
- Employment
- Local Facilities / Retail
- Community Facilities

Housing

Homes to meet a cross section of needs shall be provided and shall include high quality market housing. In response to the local needs of the Borough, a degree of the housing should be considered affordable and a proportion should be suitable for meeting the needs of the elderly population.

The requirement for affordable homes and elderly provision is founded in policies RS1 and RS2 of the West Lancashire Local Plan (2012-2027).

Therefore, on the Yew Tree Farm, site, 35% of the overall housing provision should be classed as affordable homes and 20% of the homes should be designed for the elderly. These figures have been established taking into account the West Lancashire Housing Needs Study (2010) and population and household projections.

The Council will have regard to the impact of these and other policy requirements on the viability of the overall scheme and there may be scope for cross over between the two requirements i.e. some of the affordable need could contribute towards the elderly need. Below is a table setting out how the housing mix could be split:

	Affordable Housing General Needs	131	} 35% affordable housing requirement
	Affordable Housing Older Persons Needs	44	
} 20% elderly housing requirement	Market Housing Older Persons	56	
	Market Housing General Needs	269	
	Overall Total	500	

The breakdown shows how the housing requirements could be split between the different types of need based on the most up to date evidence. The Council recommend that any applicant should consult with the Housing Strategy and Development Programme Manager in order ensure that any proposal is supported by the latest available information.

Specialist Housing for the Elderly

Given the total number of older persons units that could be provided at Yew Tree Farm, this site lends itself to the development of an Extra Care Type Scheme and sheltered housing provision. Therefore, a portion of the site has been identified within the indicative plan that could be set aside for such development. In the event an end user of such a facility is unavailable then this land will continue to be zoned as residential use and the elderly provision may be delivered on a phase by phase basis across the site.

The location of any elderly accommodation provision should be accessible and convenient and, if possible, be located within a suitable walking distance of shops and/or public transport. The typical perception of elderly persons' accommodation is bungalows or sheltered housing. However, this need not be the case, and such types of development may not always be appropriate, e.g. from a density point of view. Elderly persons' housing could simply be individual private dwellings that contain features designed specifically for the elderly (as opposed to Lifetime Homes, which are able to be adapted to suit older or disabled people).

A hierarchical approach should be applied to delivery of elderly housing as follows:

1. Extra Care / Assisted Living Scheme
2. Sheltered Housing
3. Bungalows and smaller scale apartment developments.

Each approach should comply with Housing our Ageing Population: Panel for Innovation (HAPPI) principles.

Employment

The location of the employment development at Yew Tree Farm has been driven by its compatibility with surrounding uses i.e. adjacent to other commercial uses. The Council wishes to support a variety of employment uses at the site and welcomes innovation and variation on the current offer.



Photograph of Merlin Park

New employment proposals should follow the below principles:

- Be focused on the areas within the site designated as employment.
- Be designed with good access in mind, making use of the main vehicular, cycling and walking routes through the site and beyond to key transport links.
- In areas of the employment land towards the south and east of land designated for employment, consideration should be given to neighbouring uses such as residential properties, linear park, education and amenity open space. Lighter clean industrial units and other B1 use classes along with live / work units will be promoted in this location.
- General Industrial (B2) development is not appropriate immediately adjacent to residential uses and should be concentrated towards the existing employment area.
- Low Carbon building design to minimise energy consumption through site layout, construction material and building design will be promoted.

- The amenity of employees will be considered through the site design by maximising connections to the local service facilities to be developed on the Yew Tree Farm site and areas of open space.

Local Facilities / Retail

Through consultation and Stakeholder engagement it is clear that whilst some limited local convenience retail is required on the Yew Tree Farm site, connections and strong access links to the existing centre of Burscough is favoured.

This is to ensure that the vitality and viability of Burscough centre is not threatened as a result of new development. However, there is potentially a market for some small scale retail to serve the local population and employment area (A1) which could consist of convenience goods, sandwich bar, hairdressers or other localised facility.

Whilst the delivery of the local facilities is likely to be driven by market requirements enabling an end user to invest, the facilities should be developed at an appropriate point within the lifetime of the Yew Tree Farm Masterplan. They should be in place in time to serve the growing population on site but not required in advance of such growth. The timing of the delivery of the local facilities may be conditioned as part of any outline planning application for the site.

Community Facilities

Through the development of the masterplan and engagement with all stakeholders a range of community facilities have been identified as requiring improvement or expansion to support local growth and include:

- Health Centre
- Education
- Youth facilities and Play Areas
- Allotments
- Library

Health Centre – Expansion of the existing health facilities in Burscough is required to support the increased growth associated with this site and other sites in the settlement. Financial contributions will be required through the delivery of this site to support such an expansion which may take place at the existing Burscough health centre or another purpose built ‘hub’ style building with multifunctional uses, located towards the existing centre of Burscough.

Education

Primary education - Lancashire County Council, as the Education Authority for West Lancashire, has confirmed that the delivery of up to 500 homes on the Yew Tree Farm site can be accommodated until approximately 2023. Thereafter, additional growth is likely to result in a shortfall of primary school places in the Burscough area. As a result, LCC has requested financial support to assist in meeting this demand through improvement and expansion at existing primary schools. Given the requirements for education provision are driven by birth and migration rates as well as housing growth, LCC monitor education provision regularly and so this requirement could increase or reduce.

Any applications for planning permission for the Yew Tree Farm site consisting of housing will be required to engage with the Education Authority (LCC) at pre-application stage. This will inform an assessment of the likely impact of the phase / phases of development proposed on primary education provision. If there is a demonstrated demand arising from the proposal, applicants will be required to contribute financially, subject to development viability, to assist in meeting the identified needs. Any such financial contribution is likely to be through the use of a Section 106 Agreement to ensure it is related directly to the impact of the specific phase or phases of development proposed and should be in line with the Planning Obligations in Lancashire Methodology - Contributions towards education places - Update March 2014 document, or any subsequent replacement document.

Secondary education - provision of secondary school places are also likely to come under pressure as a result of the growth at Yew Tree Farm. As with the primary school provision, any applications for planning permission consisting of housing will be required to engage with the

Education Authority (LCC) at pre-application stage.

This will inform an assessment of the likely impact of the phase / phases of development proposed on secondary education provision. If there is a demonstrated demand arising from the proposal, applicants will be required to contribute financially, subject to development viability, to assist in meeting the identified needs. Any such financial contribution is also likely to be through the use of a Section 106 Agreement to ensure it is related directly to the impact of the specific phase or phases of development proposed.

Safeguarded Land - Beyond 2027, if the safeguarded land at the Yew Tree Farm site is further developed to meet future growth needs, the implications are likely to result in a requirement for an additional primary school. A parcel of land has been identified as safeguarded for such a use within the Yew Tree Farm Masterplan indicative site layout. This land should be safeguarded for development as a primary school unless it can be demonstrated that there is no longer a requirement for such a need and no further land remains to be developed.

Youth Facilities / Play Areas – The Council engaged with LCC Young Persons Services and a proportion of the young people within Burscough through an engagement session with Year 9 pupils at Burscough Priory School. LCC have advised that The Grove Youth Centre, located adjacent to Burscough Bridge Rail Station in the centre of Burscough, provides services for 8-13 year olds and offers a variety of activities. However, feedback from the young people at Burscough Priory School suggested that there was a lack of activities and things to do in the local area. This is potentially as a result of the Grove programme being aimed at children to a maximum of 13 years old.

Through the delivery of the onsite open space requirements, the Council would expect to see the development of a comprehensive play area. This could include a Multi-use Games Area (MUGA), Skate Park and equipped play area. The precise make-up of the large open space facility should be discussed with the Council’s Leisure Team in advance of any planning application for the site to ensure its delivery is timely, alongside the delivery of specific phases of development and to the necessary standards required.

Allotments – In order to support community food growing initiatives, the Yew Tree Farm site is required to deliver allotments. This will assist in reducing the number of people on the waiting list for allotments locally (approximately 50-60 during spring 2014). Allotments provide a number of benefits including:

- Bringing together the community
- Improving physical and mental health
- Providing a source of recreation
- Making a wider contribution to the green infrastructure network
- Economic development – through the growth of skills and exploration of commercial options
- Education – through connections with schools to encourage greater understanding of food growing and healthy eating



Photograph of Public Realm in Burscough

Applicants should engage with West Lancashire Borough Council Leisure Services in advance of any application to ensure the size and quality of the proposed allotment provision is appropriate. The recommended standards for quality are as follows:

Essential Facilities	Desirable Facilities
Appropriate access routes	Managed landscape and well-kept grass
Level surfaces	Toilets and water supply
Litter bins / recycling facilities	
Wildlife area for biodiversity	
Security	

Library – In order to serve the growing community of Burscough, improved library facilities are required to ensure adequate provision of this important community resource. This should be provided through the improvement of the existing building on Mill Lane to ensure it is accessible and of an appropriate size to meet local need. This may include improvements to the building to utilise the first floor and the installation of a lift. Alternatively, it may be appropriate to consider the relocation of a library facility within a new ‘hub’ style building to be located in the existing centre of Burscough. Applicants are required to engage with the Council regarding this community facility in advance of any planning application and will be required to contribute financially to its development.

Developer Funding

The Yew Tree Farm site is a significant development opportunity that can contribute to the sustainable growth of Burscough. However, the development could also result in potential impacts on local infrastructure so will require co-ordination and funding to ensure any required mitigation measures are secured and delivered in a timely fashion. Funding may be secured through the Community Infrastructure Levy (CIL), Section 106 and/or Section 278 Agreements, subject to the most appropriate mechanism.

All development at Yew Tree Farm will be expected to contribute towards the following infrastructure:

- Sustainable transport measures, access requirements and the mitigation of any highway impacts, both on and offsite.
- Sustainable Drainage System and any required works to remove existing surface water from the wider network in order to reduce flows to the local waste water treatment works and reduce risks to water quality.
- Health provision improvements.
- Library facility improvements.
- Open space, sports and recreation provision both on and off-site if required.
- Education provision, both primary and secondary.
- Plus any other infrastructure requirements that may become apparent through the planning application process.

Phasing and Delivery

The Yew Tree Farm site consists of two separate development areas, one to the north and west of the site, which will deliver homes and employment land to meet the growth needs of the Borough as set out within the current West Lancashire Local Plan (2012 – 2027), the second to the south and east of the site (with an isolated parcel of employment in the north west), which will remain safeguarded from development until such a time as West Lancashire’s growth needs require the release of this land.

Development Area One

Development Area One consists of land to the north and west of the site that is not hatched on the Safeguarded Land plan. Any application for planning consent should cover the entire Development Area One or show how it relates to and does not prejudice the delivery of all parts of Development Area One. All applications for planning consent in Development Area One should also show how the proposal relates to and does not prejudice the delivery of Development Area Two and the wider Masterplan site as a whole. All planning applications for the site should accord with the requirements of this Masterplan and embody the guiding principles that have been set out to help achieve a sustainable and inclusive development.

Development Area One consists of land for the following uses, all figures are net developable areas:

- Housing – 15 ha net (450 dwellings at 30 dph)
- Potential Elderly housing – 2 ha net (between 100 and 200 dwellings)
- Employment – 11 ha net
- Public Open Space – Approximately 2.5 ha in accordance with the Open Space and Recreation Provision in New Residential Developments SPD
- Linear Park
- Retail / community facilities

The above measurements are approximate in light of the indicative nature of the Masterplan layout.

It is important that Development Area One looks and feels like a complete development in its entirety whilst ensuring future linkages may still be

made to Development Area Two to create a single coherent and integrated development.

Planning applications for Development Area One should be supported by a Phasing Plan to be submitted to and approved in writing by the Council (the Local Planning Authority). The Phasing Plan must include details of the maximum number of dwellings and other development to be implemented within each phase of Development Area One, how each phase relates to and supports the next phase and how Development Area One relates to and supports the future delivery of Development Area Two (currently safeguarded).

The development shall only be implemented in accordance with the approved Phasing Plan.

The Phasing Plan may be amended from time to time with the written approval of the Council (the Local Planning Authority) subject to appropriate justification for making such amendments, including, but not limited to, the potential for any significant environmental effects which have not been assessed under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Such amended Phasing Plans shall be accompanied by an Environmental Statement prepared in accordance with the said 2011 Regulations.

Development Area Two

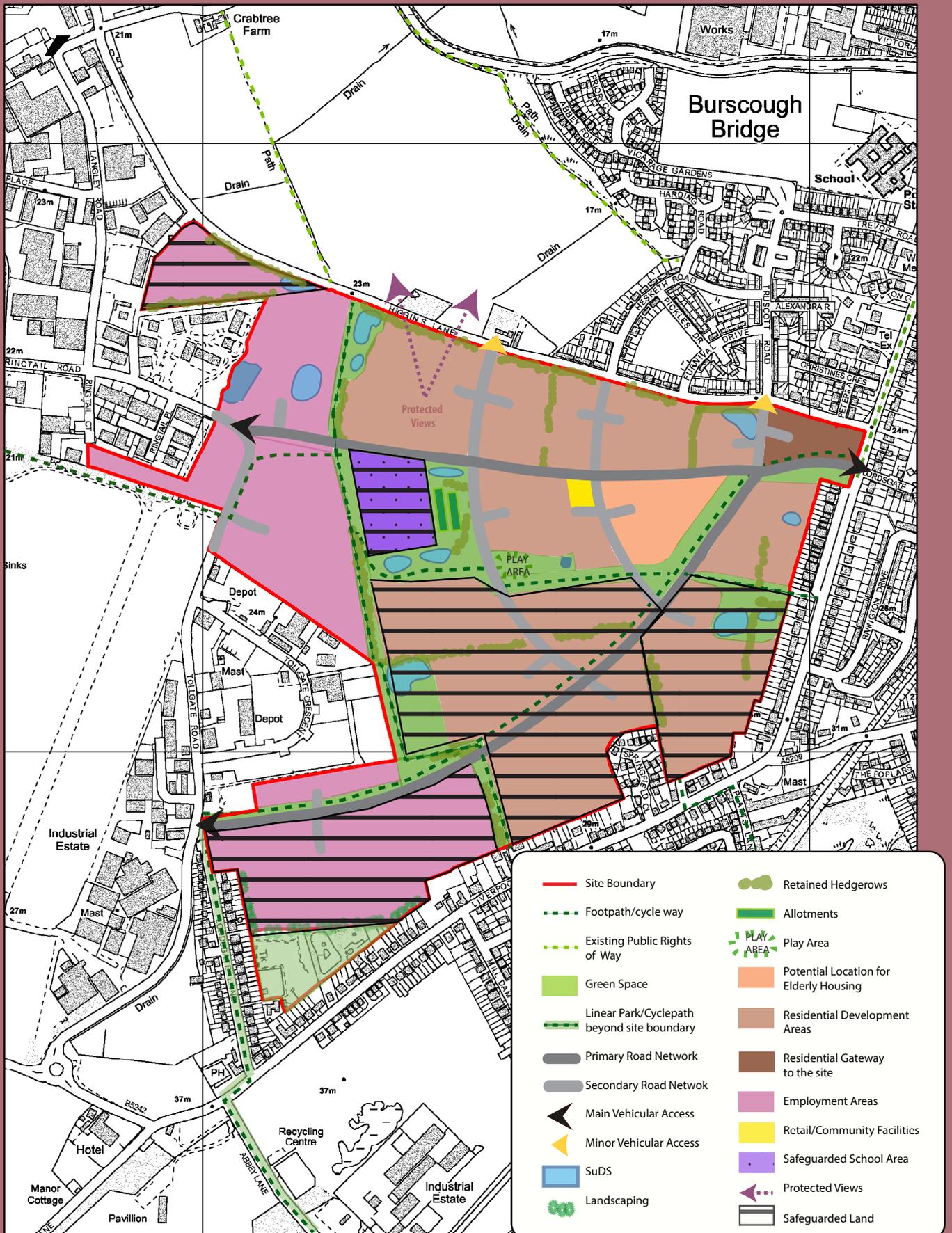
Land to the south of the site (and an isolated parcel of employment to the north west) will be safeguarded from development until such a time as West Lancashire’s growth needs require the release of this land. It is important that until this land is required, it should remain open and free from development, without sterilisation so that it may continue to be used for agricultural purposes, but be available for potential future development needs.

In the event this land is required to meet future development needs, the above requirements for Development Area One will be applicable and the site should be delivered in accordance with the guiding principles set out within the Masterplan. This will ensure a complete and cohesive development in its entirety.

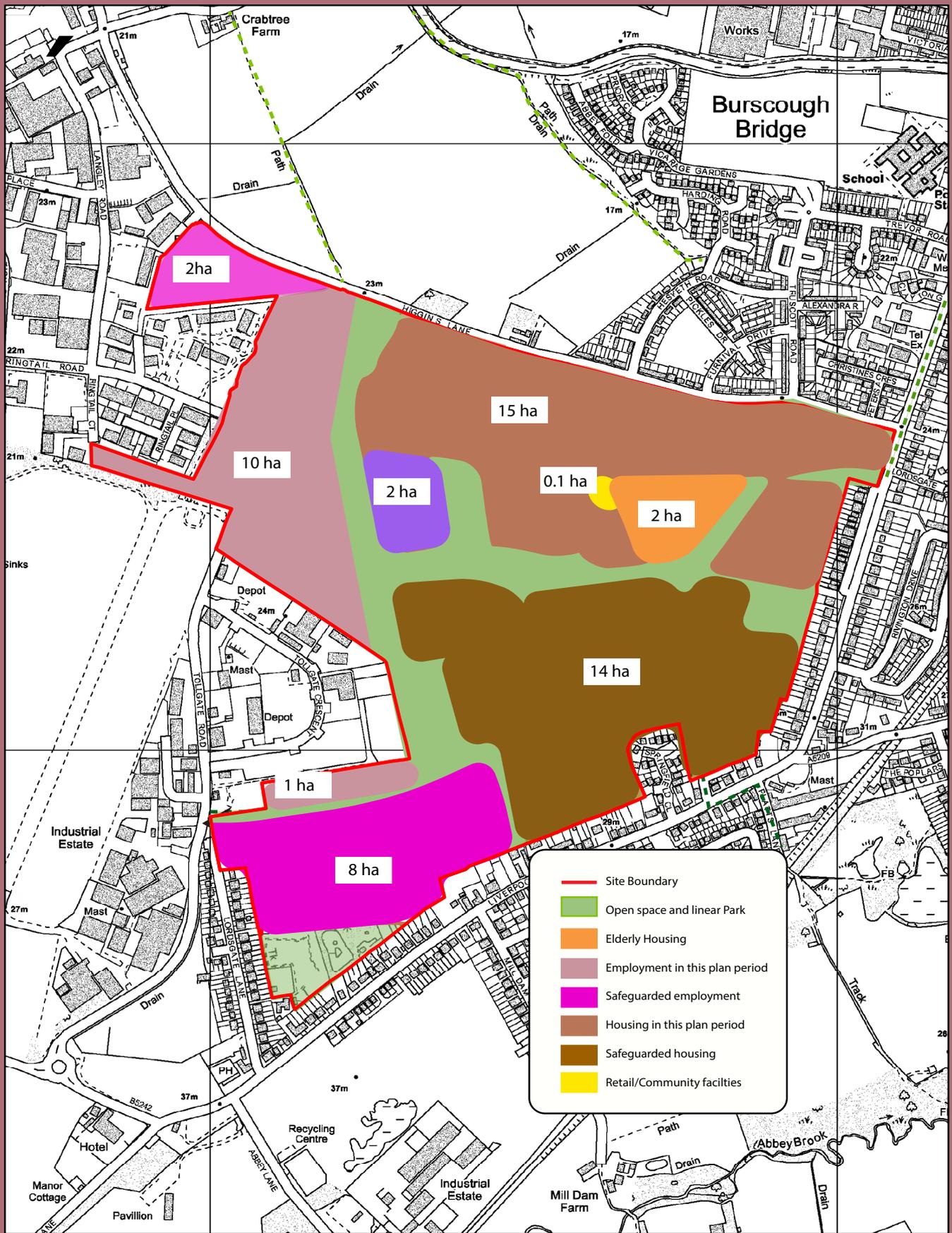
Development area two consists of land safeguarded for the following potential uses, all figures are net developable areas:

- Housing – 14 ha net (420 dwellings at 30 dph)
- Employment – 10 ha net
- Primary School – 2 ha net
- Public Open Space – Approximately 2.5 ha in accordance with the Open Space and Recreation Provision in New Residential Developments SPD

Safeguarded Plan



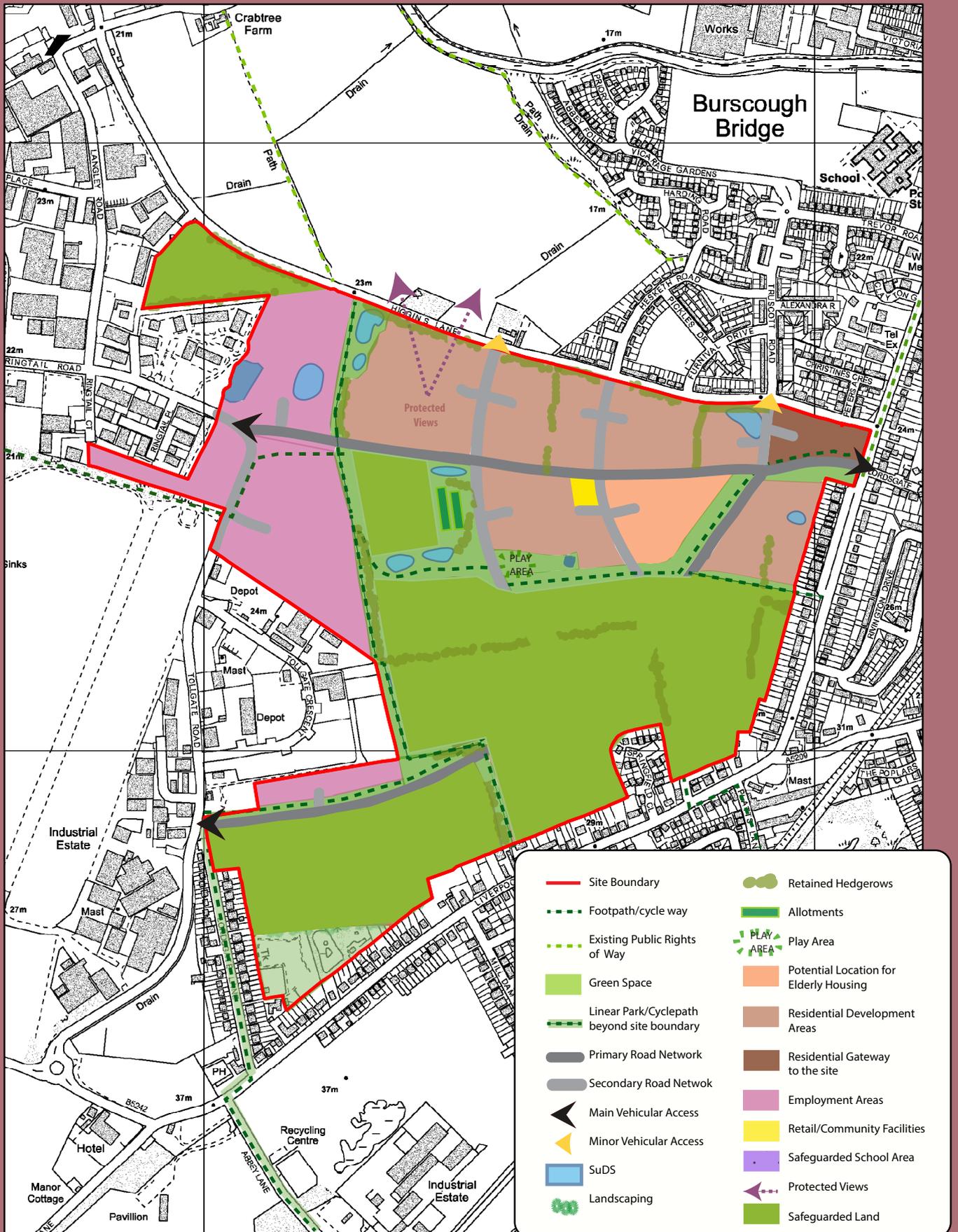
Phasing Plan - Net Development Areas



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1:8,000

Yew Tree Farm site if safeguarded land not developed



Other Planning Policy

The wider Development Plan and relevant planning policies should be considered alongside the Masterplan in all applications for planning permission relating to the Yew Tree Farm site. However it is not appropriate for this Masterplan to repeat the content of guidance and policies, but to guide developers, investors and their design teams to operate within the context of appropriate national and local policy guidance.

The main policies are summarised below:

National Planning Policy Framework

At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking.

The NPPF supports growth of areas to supply new homes, stating that this can be best achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns.

Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Development should:

- Function well and add to the overall quality of the area,
- Have a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit,
- Accommodate development whilst creating and sustaining an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks,
- Respond to the local character and history, whilst reflecting the identity of the local surroundings and materials, and not preventing or discouraging appropriate innovation,
- Create safe and accessible environments where crime, disorder, and the fear of crime, do not

undermine quality of life or community cohesion; and

- Be visually attractive as a result of good architecture and appropriate landscaping.

Local Planning Policy

The West Lancashire Local Plan 2012-2027 was adopted by Council on 16th October 2013. Policy SP3 allocates Yew Tree Farm as a strategic development site for mixed development including residential and employment uses assisting in the delivery of 4,860 homes across the Borough over the period 2012-2027.

The following policies of the Local Plan are the most relevant to development at Yew Tree Farm:

- SP3 Yew Tree Farm, Burscough – A Strategic Development Site
- EC1 The Economy and Employment Land
- GN3 Criteria for Sustainable Development
- RS1 Residential Development
- RS2 Affordable Housing
- IF2 Enhancing Sustainable Transport Choice
- IF3 Service Accessibility and Infrastructure for Growth
- IF4 Developer Contributions
- EN1 Low Carbon Development and Energy Infrastructure
- EN2 Preserving and Enhancing West Lancashire's Natural Environment
- EN3 Provision of Green Infrastructure and Open Recreation Space
- EN4 Preserving and Enhancing West Lancashire's Built Environment, Cultural and Heritage Assets

Design Guidance

Developers, investors and their design teams should also be aware of design best practice and this should be referred to in the preparation of proposals for this site. Particular attention should be paid to the WLBC Design Guide Supplementary Planning Document (SPD) 2008 or any subsequent replacement document. In addition, reference should also be made to national guidance such as Building for Life 12 (Design Council CABE 2012).

Provision of Public Open Space in New Residential Developments SPD

The Open Space SPD is designed to provide more detailed guidance on the Borough Council's approach to the protection and enhancement of existing open space and the provision of additional open space and associated facilities as part of new housing developments. This document should be referred to in the production of any planning application for the site.

Required Supporting Information

Aside from the usual Planning Statement and Design & Access Statement, the following evidence will be required to support any planning application in accordance with Policy RS1 of the Local Plan on the Firwood Road site:

Affordable Housing Statement – providing details relating to the provision of affordable housing, including the number and mix of residential units with numbers of habitable units, plans showing the location of units and the number of habitable rooms and/or bedrooms and the floor space of the units. If different levels or types of affordability or tenure are proposed for different units this should be clearly and fully explained.

Ecological Survey – as a minimum, a Phase 1 Habitat Survey, with more detailed assessments required depending on what the Phase 1 Survey identifies.

Coal Mining Risk Assessment – the presence of a Coal Mining Referral Area and Mineral Safeguarding Area will require close liaison with the Coal Authority on any development proposals and potentially a Coal Mining Risk Assessment Report.

Contaminated Land Report – where a development proposal includes a particularly vulnerable use (e.g. a care home) or where there is any suspected history of contamination on any part of the site, a Contaminated Land Report is required in line with the latest national guidance.

Crime Impact Statement – to consider whether the development can help avoid / reduce the adverse effects of crime and disorder. This can be provided as part of the Design & Access Statement.

Draft Section 106 Agreement – depending on the precise requirements at the time of application and what is outlined on the Council's Regulation 123 list, this may address the provision of affordable housing, the provision / improvement of open space and / or contributions towards highways and transport improvements.

EIA Screening - Seeking the Council's opinion on Scoping for Environmental Impact Assessment.

Flood Risk Assessment – provide a Flood Risk Assessment in line with the latest national guidance to assess any implications development may have on all forms of flood risk on the site and in the wider area, and address how sustainable drainage systems will be utilised in the development proposal.

Foul Sewerage Treatment Statement – all new buildings need separate connections to foul and storm water sewers and applications for such development should therefore be accompanied by a foul sewage assessment.

Heritage Statement – ensuring that the impacts on nearby Heritage Assets have been considered in the preparation of development proposals.

Landscape & Visual Impact Assessment – to ensure that the landscape and visual impacts of proposals are fully considered in the preparation of development proposals.

Landscaping Scheme – identifying the main areas and types of planting and hard surfaces (existing and proposed).

Parking & Access Arrangements – all applications requiring the provision of off-street parking and servicing will be required to demonstrate adequate on-site parking and servicing provision, including mobility spaces and provision for cycling and motorcycles as appropriate, in line with Policy IF2 of the Local Plan.

Renewable Energy Statement – an opportunity for the applicant to show how the consideration of energy efficiency and sourcing energy from a renewable source, together with the use of sustainable resources, has influenced the development proposals. In line with Policy EN1 of the Local Plan, low carbon design should be incorporated into the development proposals as required by Building Regulations and the potential for renewable, low carbon or decentralised energy schemes serving the site should be considered thoroughly.

Site Waste Management Plan – should contain details of the types of construction waste to be removed from the site, the identity of the person who will remove the waste, and the site that the waste will be taken to. The plan should also include details of how waste will be minimised and materials re-used on site.

Statement of Community Involvement – setting out how the applicant has complied with the requirements for pre-application consultation provided in the Council’s adopted Statement of Community Involvement and demonstrating that the views of the local community have been sought and taken into account in the formulation of development proposals.

Transport Assessment – required where any proposal would be likely to result in a material increase in traffic movements on roads, whether adjacent to or remote from the site.

Travel Plan – should outline the way in which the transport implications of the development are going to be managed in order to ensure the minimum environmental, social and economic impacts. The travel plan should have a strategy for its implementation that is appropriate for the development proposal under consideration.

Tree Survey – in line with Policy EN2 of the Local Plan, consider the potential adverse effects of the development proposals on any existing trees or hedges on, or adjacent to, the site. This should be undertaken by a suitably qualified arboriculturist and in line with BS.5837:2012.

Utilities Statement – to indicate how the development will connect to existing utility infrastructure systems.

Yew Tree Farm Draft Masterplan

MINUTE OF PLANNING COMMITTEE HELD ON 4 SEPTEMBER 2014

27. YEW TREE FARM DRAFT MASTERPLAN

Consideration was given to the report of the Assistant Director Planning on pages 601 to 745 of the Book of Reports the purpose of which was to update Members on the progress of the Yew Tree Farm Masterplan Supplementary Planning Document (SPD) and to recommend the “Draft” version of the document for a period of public consultation from 9 October – 21 November 2014.

RESOLVED That the following agreed comment be forwarded to Cabinet:

To include a requirement within the draft Masterplan for any drainage strategy to be future proofed in relation to any potential impacts as a result of proposals for the Alt Crossens drainage catchment in a way that is similar to that done for the impacts of climate change on storm events in the 6th bullet point on page 28 of the draft Masterplan.

24. YEW TREE FARM DRAFT MASTERPLAN

Councillor Forshaw introduced the report of the Assistant Director Planning which provided an update on the progress of the Yew Tree Farm Masterplan Supplementary Planning Document (SPD) and recommended that the “draft” version of the document be approved for public consultation.

The Assistant Director Planning circulated revised recommendations and additional appendices (E & F).

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

- RESOLVED
- A. That the contents of the Yew Tree Farm Options Consultation Feedback Report set out at Appendix A of this report be noted.
 - B. That having had regard to the agreed comments of the Planning Committee (provided at Appendix C to the report) the Yew Tree Farm Draft Masterplan document (Appendix B to this report) be approved for public consultation from 9 October to 21 November 2014, subject to any amendments made by the Assistant Director Planning in consultation with the Portfolio Holder, following consideration of the Draft Masterplan Document by Executive Overview and Scrutiny Committee, as per recommendation C below
 - C. That the Assistant Director Planning, be authorised, in consultation with the Portfolio Holder, to make any necessary amendments to the Yew Tree Farm Draft Masterplan document, in the light of agreed comments from the Executive Overview and Scrutiny Committee, before the document is published for consultation.
 - D. That it be noted that Cabinet also had regard to the Sustainability Appraisal and Habitats Regulations Assessment provided as additional Appendices E and F in reaching their decision at B above, which will also be publicly available for comment as part of the consultation on the Yew Tree Farm Draft Masterplan document.
 - E. That call-in is not appropriate for this item as this report is being submitted to Executive Overview and Scrutiny Committee on 2 October 2014.

Appendix D - Equality Impact Assessment

Equality Impact Assessment - process for services, policies, projects and strategies

1.	<p>Using information that you have gathered from service monitoring, surveys, consultation, and other sources such as anecdotal information fed back by members of staff, in your opinion, could your service/policy/strategy/decision (including decisions to cut or change a service or policy) disadvantage, or have a potentially disproportionately negative effect on, any of the following groups of people:</p> <p><i>People of different ages – including young and older people</i> <i>People with a disability;</i> <i>People of different races / ethnicities / nationalities;</i> <i>Men;</i> <i>Women;</i> <i>People of different religions/beliefs;</i> <i>People of different sexual orientations;</i> <i>People who are or have identified as transgender;</i> <i>People who are married or in a civil partnership;</i> <i>Women who are pregnant or on maternity leave or men whose partners are pregnant or on maternity leave;</i> <i>People living in areas of deprivation or who are financially disadvantaged.</i></p>	No
2.	<p>What sources of information have you used to come to this decision?</p>	<p>The masterplan seek to provide a policy framework to deliver sustainable development for all including affordable housing and infrastructure provision. Consultation feedback through the Local Plan has helped inform this understanding.</p>
3.	<p>How have you tried to involve people / groups in developing your service / policy / strategy or in making your decision (including decisions to cut or change a service or policy)?</p>	<p>Engagement relating to the allocation of the Yew Tree Farm site took place through the Local Plan consultation and examination. The Stakeholder Group has provided feedback to directly inform the options presented and public consultation has been factored in to earlier versions of the document and this version.</p>
4.	<p>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:</p> <p><i>Eliminate discrimination, harassment and victimisation;</i> <i>Advance equality of opportunity (removing or minimising disadvantage, meeting the needs of people); and</i> <i>Foster good relations between people who share a protected characteristic and those who do not share it.</i></p>	<p>Could help as it will seek to provide a policy framework that will, amongst other things, deliver affordable housing and housing for elderly (minimising disadvantage).</p>
5.	<p>What actions will you take to address any issues raised in your answers above?</p>	N/A

Agenda Item 6(c)

Yew Tree Farm Draft Masterplan

REVISED RECOMMENDATIONS

- 3.1 That Cabinet consider the contents of the Yew Tree Farm Options Consultation Feedback Report set out at Appendix A of this report.
- 3.2 That Cabinet approve the Yew Tree Farm Draft Masterplan document (Appendix B to this report) for public consultation from 9 October to 21 November 2014, having regard to the agreed comments of Planning Committee (provided at Appendix C to this report) and subject to any amendments made by the Assistant Director Planning in consultation with the Portfolio Holder, following consideration of the Draft Masterplan Document by Executive Overview and Scrutiny Committee, as per recommendation 3.3 below.
- 3.3 That the Assistant Director Planning, be authorised, in consultation with the Portfolio Holder, to make any necessary amendments to the Yew Tree Farm Draft Masterplan document, in the light of agreed comments from Executive Overview and Scrutiny Committee, before the document is published for consultation.
- 3.4 That Cabinet have regard to the Sustainability Appraisal and Habitats Regulations Assessment provided as additional Appendices E and F in their decision on the recommendation at 3.2, which will also be publicly available for comment as part of the consultation on the Yew Tree Farm Draft Masterplan document.
- 3.5 That Call In is not appropriate for this item as this report is being submitted to Executive Overview and Scrutiny Committee on 2 October 2014.



AGENDA ITEM: 12

CABINET: 16 September 2014

**EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:
2 October 2014**

Report of: Borough Treasurer

Relevant Managing Director: Managing Director (People and Places)

Relevant Portfolio Holders: Councillors D Whittington and A Fowler

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

SUBJECT: CAPITAL PROGRAMME OUTTURN 2013/2014

Wards affected: Borough wide

1.0 PURPOSE OF REPORT

1.1 To provide a summary of the capital outturn position for the 2013/2014 financial year.

2.0 RECOMMENDATIONS TO CABINET

2.1 That the final position, including slippage, on the Capital Programme for the 2013/2014 financial year be noted and endorsed.

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 2nd October 2014.

3.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

3.1 That the final position on the Capital Programme for the 2013/2014 financial year be noted.

4.0 BACKGROUND

4.1 Members have been kept informed of the financial position of the Capital Programme with regular monitoring reports. The last such Report was presented to Cabinet in March 2014 and Executive Overview and Scrutiny in April and

reported on a Capital Programme of £19.503m. This report provides Members with the final position on capital schemes for the 2013/2014 financial year.

- 4.2 It should be noted that the final accounts for the 2013/2014 year are subject to audit and the figures contained in this report are, potentially, subject to change. However, the Audit is nearing completion and no issues have been raised on the capital programme to date. Members will be informed in due course of any significant matters arising from the Audit.
- 4.3 The position on the current year's Programme for 2014/2015 is discussed elsewhere on this Agenda.

5.0 CAPITAL PROGRAMME

- 5.1 The Capital Programme of £19.503m at the end of the 2013/2014 financial year is analysed by Service in Appendix A. The key result for the year is that good progress has been made in delivering schemes and that a much larger capital spend has been achieved compared to previous years.
- 5.2 The total capital expenditure for 2013/2014 was £15.129m which represents 78% of the total Budget for the year. This compares to recent programmes as indicated in Table 1:

Table 1: Capital Expenditure against Budgets			
Year	Expenditure £m	Budget £m	% Spend against Budget
2013/2014	15.129	19.503	78%
2012/2013	10.241	13.362	77%
2011/2012	8.845	12.659	70%
2010/2011	8.097	11.043	73%

- 5.3 In total spending was £4.9m more than 2012/2013 and £6.3m more than 2011/2012. This increase in expenditure is largely due to the increased investment in the Housing Public Sector Programme, and reflects the delivery of the HRA Business Plan and the massive investment in improvements and refurbishment of the Council's Housing stock. Heads of Service comments on the progress with their capital schemes are set out in Appendix B.

6.0 SLIPPAGE OF EXPENDITURE APPROVALS

- 6.1 100% spend against the Budget is never anticipated due mainly to reasons beyond the Council's control. For example, some schemes are reliant on a significant amount of match funding and external contributions, and others are demand led or dependant upon decisions made by partners.
- 6.2 Schemes that are not completed within the financial year for which they are scheduled are slipped into the following financial year along with their unused expenditure and resource approvals. The total slippage figure for capital schemes

from 2013/2014 is £4.593m. An analysis of schemes with a significant amount of slippage is provided in Appendix C.

7.0 SIGNIFICANT VARIANCES

- 7.1 There will always be some variances between the original estimated cost of a capital scheme and its final position and the Council has established budgetary management and control procedures in place to minimise such variances. While there have been a number of over and under spends this year, in total expenditure was £0.219m above budget, which is a small variance of around 1%. An analysis of significant variances by scheme is provided in Appendix D.
- 7.2 This additional expenditure has been partly financed through increased external funding and partly through reducing expenditure budgets on relevant schemes in future years within the context of the managed three year capital programme process. Consequently it is not expected that this position will cause any problems in delivering the agreed Capital Programme in future years.

8.0 CAPITAL RESOURCES

- 8.1 A breakdown of the resources of £19.503m identified to fund the programme is shown in Appendix A. The main area of the capital resources budget that is subject to variation is in relation to capital receipts. These are the useable proceeds from the sale of Council assets (mainly houses under Right to Buy sales) that are available to fund capital expenditure. These receipts can vary significantly depending on the number and value of assets sold. A significant increase in the level of capital receipts being generated took place this year compared to recent years and, as a consequence, budget targets were exceeded.
- 8.2 48 Right to Buy Council House sales were generated against the target of 12 for the year along with 4 other asset sales arising from the Strategic Asset Management Plan. This is analysed in Table 2 below:

Year	Estimate £'000	Actual £'000	% Received against Budget
Right to Buy Sales	120	307	256%
Other Sales	50	29	58%
Total	170	336	198%

- 8.3 Estimates for the year are based on historical averages as the actual pattern of sales is volatile. However, following a change to the government rules relating to Right to Buy sales, although the average receipt from each sale has reduced, it has led to an increase in the number of sales and an increase in the total value of receipts generated.
- 8.4 In addition to the Usable Capital Receipt figures shown above, the Council is also able to retain a proportion of the proceeds generated by Council House sales for specific purposes. In this respect, by the end of the financial year £0.42m had been generated for "One for One Replacement Funding" and £0.544m was generated for "Debt Funding".

9.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

9.1 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.

10.0 RISK ASSESSMENT

10.1 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.

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 Expenditure and Resources Compared to Budget
- B Heads of Service Comments
- C Analysis of Significant Slippage
- D Analysis of Variances
- E Minute of Landlord Services Committee held on 11 September 2014
- F Minute of Cabinet (Executive Overview and Scrutiny Committee only)

**2013/2014 CAPITAL PROGRAMME
EXPENDITURE AND RESOURCES BUDGET
AT OUTTURN**

Service	Budget Approval	Actual		Variance		Slippage	
	£'000	£'000	%	£'000	%	£'000	%
EXPENDITURE							
Housing and Regeneration							
Public Sector Housing	15,082	12,165	81%	0	0%	2,917	19%
Housing Strategy	657	0	0%	0	0%	657	100%
Property Management	272	224	82%	0	0%	48	18%
Regeneration	184	30	16%	0	0%	154	84%
Community Services							
Private Sector Housing	692	823	119%	131	19%	0	0%
Other Community Services	1,378	983	71%	83	6%	479	35%
Planning	82	60	73%	3	4%	25	31%
Street Scene	758	672	89%	0	0%	86	11%
Corporate Services							
Financial Services	60	42	70%	0	0%	18	30%
Transformation	338	131	39%	2	1%	209	62%
	19,503	15,129	78%	219	1%	4,593	23%
RESOURCES							
Capital Grants	857	988	115%	213	25%	81	9%
HRA Financing	14,673	12,165	110%	0	-68%	2,508	70%
GRA	1,374	815	59%	-122	-9%	437	32%
Capital Receipts	2,599	1,161	45%	129	5%	1,567	60%
	19,503	15,129	78%	220	1%	4,593	23%

CAPITAL PROGRAMME OUTTURN 2013/2014
HEADS OF SERVICE COMMENTS

<p>Public Sector Housing</p>
<p>This is the most ambitious programme of investment that the Council has undertaken and this year's Budget for Public Sector Housing is £15m. Of this, £12.1m (81%) has been spent and £2.9m (19%) has been slipped into the new financial year. This is a significant improvement on the 74% spend (£6.7m against a Programme of £9.1m) in the previous financial year.</p> <p>Explanations for significant slippage have been included in Appendix C. Slippage has also occurred on Drainage due to on-going discussions with the utilities company and there has been minor slippage on Failed Double Glazing, Electrical Upgrades, Structural Works, Binstores, Gutters, and Gullies due to planning and design issues along with retentions.</p> <p>Issues were resolved on the Communal Door and Community Heating Programmes meaning the anticipated overspend did not materialise. There was, however, an overspend on Sheltered Accommodation where additional fire equipment and lift works were identified and as a result of additional expenditure on a new Housing Computer System that was added to the Programme. These overspends have, however, been offset by a saving in Professional Fees.</p>
<p>Housing Strategy</p>
<p>This budget has been earmarked for contributions to various sites that have attracted HCA funding and/or will be provided by our registered provider partner. Each site is different and delivery and timing is affected by various issues. However, the first development using this budget will commence early in the new financial year meaning that budgets have been slipped.</p>
<p>Regeneration and Estates</p>
<p>Demolition works at Gorsey Place were completed in year.</p> <p>Plans are being put into place for procurement and appointment of consultants for the Greenshoots project and scoping work for the Culvert Debris Screens is scheduled to start early in the new financial year. Budgets for both have, therefore, been slipped.</p>

CAPITAL PROGRAMME OUTTURN 2013/2014
HEADS OF SERVICE COMMENTS

<p>Property Management</p>
<p>The Corporate Property Programme comprises a number of projects within Property Services which were mostly completed within the financial year. Slippage comprises those schemes scheduled for locations with uncertain future plans.</p>
<p>Planning</p>
<p>The Planning ICT System is progressing with phase 2 being slipped into the new financial year.</p> <p>The remaining Planning schemes are demand led. The Free Tree Scheme has been hugely popular and is complete for the year with the small overspend against budget being financed from a Revenue contribution. However, demand for both Conservation Area Enhancement Grants and Buildings at Risk has been lower than anticipated and unused budgets have been slipped into the next financial year.</p>
<p>Street Scene</p>
<p>Replacement Blue Bins have been purchased and distributed to households and the scheme is expected to be completed early in the new financial year. The remaining budget for this has, therefore, been slipped.</p>
<p>Corporate Services</p>
<p>Progress made on delivering Parish Capital Schemes rests with individual Parishes and is not within the direct control of the Borough Council. The unspent balance on this budget has, therefore, been slipped into the new financial year.</p> <p>A new ICT strategy has been drawn up to ensure that risk is effectively controlled and expenditure will increase significantly once the strategy has been put in place. Work on the new Website Content Management System has also commenced and a number of purchase orders have been raised for this project. Remaining budgets on both have been slipped into the new financial year.</p>

CAPITAL PROGRAMME OUTTURN 2013/2014
HEADS OF SERVICE COMMENTS

Community Services - Private Sector Housing

Both Disabled Facility Grants and Renovation Grants are demand led. Demand for Renovation Grants was lower than anticipated and demand for Disabled Facility Grants was significantly higher than anticipated. The Clearance Programme was completed within its budget.

The unused budgets on the Clearance Programme and Renovation Grants have helped to offset the overspend on Disabled Facility Grants and the balance of funding has been brought forward from the Medium Term Programme. There has, therefore, been no slippage for this area.

Other Community Services

The Leisure Trust funding is part of an on-going agreement and the budget has been fully spent. Parish Play Area Schemes are completed for the year as is the extension to Sandy Lane Car Park and the resurfacing of the car park at the Robert Hodge Centre.

Additional cameras have been included in the CCTV Programme and schemes are mostly completed for the year with an element of slippage for the Parish area allocation.

Additional works on the Flood Alleviation schemes at both Calico and Dock Brooks have been funded by additional grant. Works at Abbey Brook have commenced and will continue into the new year and the budget has been slipped.

A contribution to survey works on Playing Pitch Improvements is dependent on our partner's external bid application which has been delayed. The budget has, therefore been slipped into next year as has the budget for Moor Street where there have been delays in our partner's consultation process.

Works have commenced on various Play Areas and Parks and the remaining budgets have been slipped into the new year.

**2013/2014 CAPITAL PROGRAMME OUTTURN
HEADS OF SERVICE ANALYSIS OF SIGNIFICANT SLIPPAGE**

Scheme	Amount of Slippage	Reason for Slippage
	£'000	
GENERAL CAPITAL PROGRAMME		
ICT Development Programme	160	Various ongoing ICT schemes that will be completed in the next financial year.
West Lancs Play Strategy	80	Delayed start to the rolling programme due to re-prioritising Parish and other Play Areas.
Moor Street Enhancements	253	Delay in public consultation process with Lancashire County Council.
Economic Regeneration	150	Delayed start to scheme.
Affordable Housing	657	Expenditure dependent on external partners.
Blue Bin Scheme	86	Final implementation phase due April 14.
HOUSING CAPITAL PROGRAMME		
Environmental Improvements	112	Delayed start to works now progressing.
Windows and Doors	664	Main contract delayed due to technical/specification issues.
Bathrooms	115	Year one of a five year Programme started late in the year. Budget fully committed.
General Contingency	66	Contingency for works which are identified as a result of other works..
Energy Efficiency Works	51	Savings achieved on tendering slipped to finance subsequent programmes.
ReRoofing	203	Works deferred until the new year to acheive savings by combining projects.
Professional Fees	210	Fully committed programme that will be expended in the new financial year.
Adaptations for the Disabled	141	Ongoing, demand led, rolling Programme. Slippage due to delays in architect design on extensions.
Lifts	174	Delay due to problems appointing specialist consultants.
Affordable Housing	68	Retention for the Elmstead New Build Programme.
Firbeck Revival	1,043	Ongoing Programme of Estate remodelling. Works progressing.

2013/2014 CAPITAL PROGRAMME OUTTURN
HEADS OF SERVICE ANALYSIS OF SIGNIFICANT VARIANCES

Scheme	Amount of Variance	Reason for Variance
	£'000	
<u>GENERAL CAPITAL PROGRAMME</u>		
Parishes Children's Play	32	New s106 funded schemes previously approved but not included in the programme due to unknown timing.
Flood Alleviation Schemes	38	Additional works identified at Calico and Dock Brooks fully funded by Government Grant.
Housing Renewal Grants/Loans Financial Assistance	-22	Spending in this area is demand led and the programme was not fully utilised in the year.
Disabled Facilities Grants (DFGs)	154	DFG spending is demand led and can vary significantly from year to year. Expenditure this year was greater than anticipated but will be managed through the three year capital programme process
Other Schemes	15	Net total of other schemes with small variances.
<u>HOUSING CAPITAL PROGRAMME</u>		
Sheltered Housing/Cat II Upgrades	86	Additional lift works and equipment.
Housing Computer Systems	29	New computer system implementation.
Professional Fees	-113	Savings due to delay in staff recruitment.
Total Variance	219	

Agenda Item 6(h)

Capital Programme Outturn 2013-2014

**LANDLORD SERVICES COMMITTEE (CABINET WORKING GROUP) – 11 SEPTEMBER
2014 CONSULTATION ON RELEVANT DRAFT CABINET REPORT**

8. CAPITAL PROGRAMME OUTTURN 2013-2014

Consideration was given to the draft report of the Borough Treasurer that set out details of the capital outturn position for the 2013/14 financial year. The Group Accountant – Public Sector Housing attended the meeting and gave an overview of the final position on capital schemes for the period, particularly as it related to Public Sector Housing, referring to details as set down in the report and appendices.

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

- Public Sector Housing – Slippage (reasons).
- Affordable Housing – Slippage related to Retention for the Elmstead New Build Programme (impact on the Business Plan, waiting list, houses sold / replacements).
- Rights to Buy – sales generated; data analysis; effect of change in government rules.
- Impact of 'self-financing' (value placed on properties; receipts from sales)
- Progress relating to lift works (Sheltered Housing).

RESOLVED: That, as a consequence of the discussion on this item it was agreed, the report be noted.

(Note: Councillor Nolan left the meeting during consideration of this item and was not present for the remaining items of business.)

8. CAPITAL PROGRAMME OUTTURN 2013-2014

Consideration was given to the draft report of the Borough Treasurer that set out details of the capital outturn position for the 2013/14 financial year. The Group Accountant – Public Sector Housing attended the meeting and gave an overview of the final position on capital schemes for the period, particularly as it related to Public Sector Housing, referring to details as set down in the report and appendices.

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

- Public Sector Housing – Slippage (reasons).
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- Rights to Buy – sales generated; data analysis; effect of change in government rules.
- Impact of 'self-financing' (value placed on properties; receipts from sales)
- Progress relating to lift works (Sheltered Housing).

RESOLVED: That, as a consequence of the discussion on this item it was agreed, the report be noted.

(Note: Councillor Nolan left the meeting during consideration of this item and was not present for the remaining items of business.)



AGENDA ITEM: 13

CABINET: 16 September 2014

**EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:
2 October 2014**

Report of: Borough Treasurer

Relevant Managing Director: Managing Director (People and Places)

Relevant Portfolio Holders: Councillors D Whittington and A Fowler

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

SUBJECT: CAPITAL PROGRAMME MONITORING 2014/2015

Wards affected: Borough wide

1.0 PURPOSE OF REPORT

1.1 To provide an overview of the current progress on the Capital Programme.

2.0 RECOMMENDATIONS TO CABINET

2.1 That Members note the progress on the Capital Programme as at the end of July, 2014.

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 2nd October 2014.

3.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

3.1 That Members note the current progress on the Capital Programme.

4.0 BACKGROUND

4.1 It is an agreed policy and best practice that monitoring reports are produced on a regular basis to ensure that Members are kept informed of the financial position of the Capital Programme. This is the first such report for the 2014/2015 financial year.

5.0 CAPITAL PROGRAMME BUDGETS

- 5.1 A Capital Programme totalling £20.238m was approved at Council on 26th February 2014. Slippage totalling £4.593m from the 2013/2014 Programme is included for consideration elsewhere on this Agenda and has been added to the 2014/2015 Programme. The Capital Programme for 2014/2015 is, therefore, now £24.831m and this is analysed by Service in Appendix A.

6.0 CAPITAL EXPENDITURE

- 6.1 Normally, new 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. Other schemes are dependant on external partner funding and these schemes can only begin once their funding details have been finalised.
- 6.2 This pattern has been repeated in the current year with £2.15m of expenditure having been incurred by the end of July. This compares to £2.058m at the same point in 2013/2014 and £1.653m in 2012/13.
- 6.3 It is anticipated that most schemes will progress and spend in line with their budget targets by the year end. All schemes, however, will be reviewed over the coming months and a Revised Medium Term Programme will be reported to Members in the Autumn taking into account new information and recent developments.

7.0 CAPITAL RESOURCES

- 7.1 Total budgeted resources for the year are £24.831m. This is analysed in Appendix A and includes funding for slippage.
- 7.2 The main area of the capital resources budget that is subject to variation is in relation to capital receipts. These are the useable proceeds from the sale of Council assets (mainly houses under Right to Buy legislation) that are available to fund capital expenditure. These receipts can vary significantly depending on the number and value of assets sold. The budget for usable capital receipts to be generated from Council House sales in the year is set at £0.325m from 50 sales. By the end of July, 11 sales have completed generating £0.078m of useable capital receipts.
- 7.3 Retained proceeds generated by Council House sales are now split between general usable capital receipts (detailed above), One for One Replacement Funding, and Debt Funding. At the end of the quarter 1, £0.05m had been generated for One for One Replacement Funding and £0.126m generated for Debt Funding.
- 7.4 In addition to receipts from council house sales the Council also has a programme to sell plots of its land and other assets under the Strategic Asset Management Plan. The budget for this in the 2014/2015 Programme is £0.25m (including the

sale of the house adjacent to the Civic Hall). To date, there have been 2 land sales and the house at the Civic Hall has been sold. This has generated a total of £0.188m.

- 7.5 Overall budgeted capital receipts from in year asset sales provide a relatively small proportion of the funding for the Capital Programme. Options for the use of any additional receipts generated over and above the budget will be reviewed over the medium term and will be reported to Members in due course

8.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 8.1 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 monitors progress against the plans.

9.0 RISK ASSESSMENT

- 9.1 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.

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 Service Budgets
- B Minute of Landlord Services Committee held on 11 September 2014
- C Minute of Cabinet (Executive Overview and Scrutiny Committee only)

2014/2015 CAPITAL PROGRAMME
EXPENDITURE AND RESOURCES BUDGET
as at July 2014

Service	Budget
	£'000
EXPENDITURE	
Public Sector Housing	19,849
Housing and Regeneration	
Housing Strategy	657
Property Management	212
Regeneration	1,032
Community Services	
Private Sector Housing	669
Other Community Services	1,031
Planning	224
Street Scene	126
Corporate Services	
Financial Services	63
Transformation	478
Environmental/Centre Improvement Fund	490
	24,831
RESOURCES	
HRA	11,078
HRA Borrowing	8,362
Capital Grants	535
GRA	551
GRA Borrowing	850
Capital Receipts	3,455
	24,831

Agenda Item 6(i)

Capital Programme Monitoring 2014/2015

**LANDLORD SERVICES COMMITTEE (CABINET WORKING GROUP) – 11 SEPTEMBER
2014 CONSULTATION ON RELEVANT DRAFT CABINET REPORT**

9. CAPITAL PROGRAMME MONITORING 2014/2015

Consideration was given to the draft report of the Borough Treasurer that set out details of current progress on the Capital Programme. The Group Accountant – Public Sector Housing attended the meeting and gave an overview of progress as it related to public sector housing, referring to details as set down in the report and appendices.

RESOLVED: That, as a consequence of the discussion on this item it was agreed, the report be noted.

30. CAPITAL PROGRAMME MONITORING 2014/2015

Councillor Whittington introduced the report of the Borough Treasurer which provided an overview of the current progress on the Capital Programme.

Minute no. 9 of the Landlord Services Committee (Cabinet Working Group) held on 11 September 2014 was circulated at the meeting.

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

- RESOLVED
- A. That the progress on the Capital Programme as at the end of July 2014 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 2 October 2014.