



Kim Webber B.Sc. M.Sc.
Chief Executive
52 Derby Street
Ormskirk
West Lancashire
L39 2DF

21 December 2017

**TO: COUNCILLORS I MORAN, Y GAGEN, C COOPER, J FORSHAW, J HODSON,
K WILKIE, K WRIGHT AND A YATES**

Dear Councillor,

A meeting of the **CABINET** will be held in the **CABINET/COMMITTEE ROOM, 52 DERBY STREET, ORMSKIRK L39 2DF** on **TUESDAY, 9 JANUARY 2018** at **7.00 PM** at which your attendance is requested.

Yours faithfully

A handwritten signature in black ink, appearing to be "Kim Webber", written over a horizontal line.

Kim Webber
Chief Executive

AGENDA
(Open to the Public)

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

If, by virtue of the date by which a decision must be taken, it has not been possible to follow Rule 15 (i.e. a matter which is likely to be the subject of a key decision has not been included on the Forward Plan) then the decision may still be taken if:

- a) The Borough Solicitor, on behalf of the Leader, obtains the

agreement of the Chairman of the Executive Overview and Scrutiny Committee that the making of the decision cannot be reasonably deferred,

- b) The Borough Solicitor, on behalf of the Leader, makes available on the Council's website and at the offices of the Council, a notice setting out the reasons that the decision is urgent and cannot reasonably be deferred.

3.	DECLARATIONS OF INTEREST	899 - 900
	If a member requires advice on Declarations of Interest, he/she is advised to contact the Borough Solicitor in advance of the meeting. (For the assistance of members a checklist for use in considering their position on any particular item is included at the end of this agenda sheet.)	
4.	PUBLIC SPEAKING	901 - 904
	Residents of West Lancashire, on giving notice, may address the meeting to make representations on any item on the agenda except where the public and press are to be excluded during consideration of the item. The deadline for submissions is 10.00am on Friday 5 January 2018.	
5.	MINUTES	905 - 912
	To receive as a correct record the minutes of the Cabinet meeting held on 7 November 2017	
6.	MATTERS REQUIRING DECISIONS	
6a	Funding of Voluntary Bodies & Other Organisations Cabinet Working Group (Relevant Portfolio Holder: Councillor Cooper)	913 - 926
6b	Community Infrastructure Levy (CIL) Funding Programme 2018/19 (Relevant Portfolio Holder: Councillor J Hodson)	927 - 996
6c	Draft Housing Allocations and Pet Policy (Relevant Portfolio Holder: Councillor J Forshaw)	997 - 1064
6d	Corporate Performance Indicators Q2 2017-18 (Relevant Portfolio Holder: Councillor I Moran)	1065 - 1078
6e	Draft Revenue Budget 2018-2019 (Relevant Portfolio Holder: Councillor Yates)	1079 - 1082
6f	Medium Term Capital Programme (Relevant Portfolio Holder: Councillor Yates)	1083 - 1092
6g	Housing Account - Revenue and Capital Programme (Relevant Portfolio Holders: Councillor Forshaw)	1093 - 1104

6h	Equality and Diversity Update (Relevant Portfolio Holder: Councillor Gagen)	1105 - 1130
6i	General Data Protection Regulations (Relevant Portfolio Holder: Councillor I Moran)	1131 - 1150

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

FIRE EVACUATION PROCEDURE: Please see attached sheet.

MOBILE PHONES: These should be switched off or to 'silent' at all meetings.

For further information, please contact:-

Sue Griffiths on 01695 585097

Or email susan.griffiths@westlancs.gov.uk

**FIRE EVACUATION PROCEDURE FOR:
COUNCIL MEETINGS WHERE OFFICERS ARE PRESENT
(52 DERBY STREET, ORMSKIRK)**

PERSON IN CHARGE: Most Senior Officer Present
ZONE WARDEN: Member Services Officer / Lawyer
DOOR WARDEN(S) Usher / Caretaker

IF YOU DISCOVER A FIRE

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

ON HEARING THE FIRE ALARM

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

NOTES:

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

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

CHECKLIST FOR PERSON IN CHARGE

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

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

1. Ensure that the room in which the meeting is being held is cleared of all persons.
2. Evacuate via the nearest safe Fire Exit and proceed to the **ASSEMBLY POINT** in the car park.
3. Delegate a person at the **ASSEMBLY POINT** who will proceed to **HOME CARE LINK** in order to ensure that a back-up call is made to the **FIRE BRIGADE**.
4. Delegate another person to ensure that **DOOR WARDENS** have been posted outside the relevant Fire Exit Doors.

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

NOTE:

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

CHECKLIST FOR ZONE WARDEN

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

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

INSTRUCTIONS FOR DOOR WARDENS

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

Agenda Item 3

MEMBERS INTERESTS 2012

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

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

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

Please tick relevant boxes

Notes

	General		Notes
1.	I have a disclosable pecuniary interest.	<input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 below</i>
2.	I have a non-pecuniary interest.	<input type="checkbox"/>	<i>You may speak and vote</i>
3.	I have a pecuniary interest 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 20/09/16) or a pecuniary interest but it relates to the functions of my Council in respect of: (i) Housing where I am a tenant of the Council, and those functions do not relate particularly to my tenancy or lease. (ii) school meals, or school transport and travelling expenses where I am a parent or guardian of a child in full time education, or are a parent governor of a school, and it does not relate particularly to the school which the child attends. (iii) Statutory sick pay where I am in receipt or entitled to receipt of such pay. (iv) An allowance, payment or indemnity given to Members (v) Any ceremonial honour given to Members (vi) Setting Council tax or a precept under the LGFA 1992	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i>
5.	A Standards Committee dispensation applies (relevant lines in the budget – Dispensation 20/09/16 – 19/09/20)	<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.

PUBLIC SPEAKING – PROTOCOL

(For meetings of Cabinet, Overview & Scrutiny Committees, Audit & Governance Committee and Standards Committee)

1.0 Public Speaking

1.1 Residents of West Lancashire may, on giving notice, address any of the above meetings to make representations on any item on the agenda for those meetings, except where the public and press are to be excluded from the meeting during consideration of the item.

1.2 The form attached as an Appendix to this Protocol should be used for submitting requests.

2.0 Deadline for submission

2.1 The prescribed form should be received by Member Services by 10.00 am on the Friday of the week preceding the meeting. This can be submitted by e-mail to member.services@westlancs.gov.uk or by sending to:

Member Services
West Lancashire Borough Council
52 Derby Street
Ormskirk
West Lancashire
L39 2DF

2.2 Completed forms will be collated by Member Services and circulated via e-mail to relevant Members and officers and published on the Council website via Modgov. Only the name of the resident and details of the issue to be raised will be published.

2.3 Groups of persons with similar views should elect a spokesperson to speak on their behalf to avoid undue repetition of similar points. Spokespersons should identify in writing on whose behalf they are speaking.

3.0 Scope

3.1 Any matters raised must be relevant to an item on the agenda for the meeting.

3.2 The Borough Solicitor may reject a submission if it:

- (i) is defamatory, frivolous or offensive;
- (ii) is substantially the same as representations which have already been submitted at a previous meeting; or
- (iii) discloses or requires the disclosure of confidential or exempt information.

4.0 Number of items

- 4.1 A maximum of one form per resident will be accepted for each Agenda Item.
- 4.2 There will be a maximum of 10 speakers per meeting. Where there are more than 10 forms submitted by residents, the Borough Solicitor will prioritise the list of those allowed to speak. This will be considered having regard to all relevant matters including:
 - a. The order in which forms were received.
 - b. If one resident has asked to speak on a number of items, priority will be given to other residents who also wish to speak
 - c. Whether a request has been submitted in relation to the same issue.
- 4.3 All submissions will be circulated to Members of the relevant body and officers for information, although no amendments will be made to the list of speakers once it has been compiled (regardless of withdrawal of a request to speak).

5.0 At the Meeting

- 5.1 Speakers will be shown to their seats. At the commencement of consideration of each agenda item the Leader/Chairman will invite members of the public to make their representations. Residents will have up to 3 minutes to address the meeting. The address must reflect the issue included on the prescribed form submitted in advance.
- 5.2 Members may discuss what the speaker has said along with all other information, when all public speakers on that item have finished and will then make a decision. Speakers should not circulate any supporting documentation at the meeting and should not enter into a debate with Councillors.
- 5.4 If residents feel nervous or uncomfortable speaking in public, then they can ask someone else to do it for them. They can also bring an interpreter if they need one. They should be aware there may be others speaking as well.
- 5.5 Speakers may leave the meeting at any time, taking care not to disturb the meeting.

(Please see attached form.)



REQUEST FOR PUBLIC SPEAKING AT MEETINGS

MEETING & DATE

NAME

ADDRESS

.....

Post Code

PHONE

Email

Please indicate if you will be in attendance at the meeting

<p>YES/NO*</p> <p>*delete as applicable</p>
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Note: This page will not be published.

(P.T.O.)

PLEASE PROVIDE DETAILS OF THE MATTER YOU WISH TO RAISE

Agenda Item Number

Title

Details

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Name Dated

Completed forms to be submitted by 10.00am on the Friday of the week preceding the meeting to:-

Member Services, West Lancashire Borough Council, 52 Derby Street, Ormskirk, Lancashire, L39 2DF or

Email: member.services@westlancs.gov.uk

If you require any assistance regarding your attendance at a meeting (including access) or if you have any queries regarding your submission please contact Member Services on 01695 585065

Note: This page will be published.

Agenda Item 5

CABINET

HELD: Tuesday, 7 November 2017

Start: 7.00pm
Finish: 7.15 pm

PRESENT:

Councillor: Councillor Ian Moran (Leader
in the Chair)

Councillors: Portfolio

Councillor Claire Cooper	Portfolio Holder for Communities and Older People
Councillor Jenny Forshaw	Portfolio Holder for Housing and Landlord Services
Councillor John Hodson	Portfolio Holder for Planning
Councillor Kevin Wright	Portfolio Holder for Health and Community Safety

In attendance:
Councillors Councillor D Westley

Officers: Kim Webber, Chief Executive
Dave Tilleray, Director of Leisure and Wellbeing
Jacqui Sinnott-Lacey, Director of Housing and Inclusion
Heidi McDougall, Director of Street Scene
Terry Broderick, Borough Solicitor
Marc Taylor, Borough Treasurer
Ian Gill, Deputy Director of Development & Regeneration
Tracy Berry, Tenant Involvement Manager
Sue Griffiths, Principal Member Services Officer

36 APOLOGIES

Apologies for absence were submitted on behalf of Councillors Gagen, Wilkie and Yates.

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

There were no items of special urgency.

38 DECLARATIONS OF INTEREST

1. Councillor Forshaw declared a disclosable pecuniary interest in agenda item 6e (HRA Mid-Year Review) but considered she was entitled to speak and vote by virtue of an exemption as nothing in the report relates particularly to her relevant tenancy or lease.
2. Councillor J Hodson declared a Disclosable Pecuniary Interest in relation to agenda item 6g (Housing and Planning Act 2016: Civil Penalties & Rent Repayment Orders) as he is a landlord. He left the meeting during consideration of this item.

39 PUBLIC SPEAKING

There were no items under this heading.

40 MINUTES

RESOLVED That the minutes of the Cabinet meeting held on 12 September 2017 be received as a correct record and signed by the Leader.

41 MATTERS REQUIRING DECISIONS

Consideration was given to the report relating to the following matters requiring decisions as circulated and contained on pages 605 – 801 and 883 – 888 of the Book of Reports.

42 GARAGE STRATEGY 2016/2020- UPDATE

Councillor Forshaw introduced the report of the Director of Housing and Inclusion which provided an update on the 2016/17 Garage Strategy Action Plan.

Minute no. 13 of the Landlord Services Committee (Cabinet Working Group) held on 2 November 2017 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 as set out in the report before it and accepted the reasons contained therein.

RESOLVED (A) That progress to date be noted.

(B) That further funding and capital work activity for the garage stock be included in the Housing Revenue Account (HRA) budget process for future years.

43 CONFIRMATION OF THE ARTICLE 4 DIRECTION COVERING GRANVILLE PARK CONSERVATION AREA, AUGHTON

Councillor J Hodson introduced the report of the Director of Development and Regeneration which sought confirmation of the Article 4 Direction in respect of the

Granville Park Conservation Area.

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

RESOLVED (A) That the Article 4 Direction which covers Granville Park Conservation Area, as identified in Appendix A to the report be confirmed.

(B) That the Director of Development and Regeneration in consultation with the Portfolio Holder for Planning be authorised to make the necessary arrangements to inform residents and to publish details of the Article 4 Direction.

44 **PUBLIC INVOLVEMENT AT MEETINGS - REVISED PROTOCOL**

The Leader introduced the report of the Borough Solicitor which outlined proposed revisions to the protocol for public speaking at meetings of Cabinet, Overview and Scrutiny Committees, Audit & Governance Committee and Standards Committee and other related matters raised at the Public Involvement at Meetings Working Group.

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

RESOLVED (A) That the revised 'Public Speaking – Protocol' for meetings of Cabinet, Overview & Scrutiny Committees, Audit & Governance Committee and Standards Committee, attached at Appendix 1 to the report (Appendix A), be endorsed and submitted to Council on 13 December 2017 for approval.

(B) That it be noted that a regular press release will be produced highlighting public speaking timescales.

45 **TAWD VALLEY PARK MASTERPLAN**

The Leader introduced the report of the Director of Leisure and Wellbeing which presented the draft Tawd Valley Park Masterplan.

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

RESOLVED (A) That the Tawd Valley Park Masterplan, attached as an appendix to the report, be approved, subject to resource availability, and the project proceeds to the next phase of design and costing of the proposals.

- (B) That the approved Tawd Valley Park Masterplan be circulated for a further short term public consultation, and the Director of Leisure and Wellbeing, in consultation with the Portfolio Holder for Leisure, be authorised to approve any further amendments

46 HRA MID-YEAR REVIEW

Councillor Forshaw introduced the report of the Director of Housing and Inclusion which provided a summary of the Housing Revenue Account (HRA) and Housing Capital Programme positions for the 2017/2018 financial year.

Minute no. 14 of the Landlord Services Committee (Cabinet Working Group) meeting held on 2 November 2017 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 as set out in the report before it and accepted the reasons contained therein.

- RESOLVED (A) That the HRA and Housing Capital Programme positions be noted.
- (B) That the proposed capital budget adjustments set out in Appendix 2 to the report be endorsed for consideration by Council.
 - (C) 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 23 November 2017.

47 HEALTH & WELLBEING STRATEGY AND DELIVERY PLAN FOR WEST LANCASHIRE

Councillor Wright introduced the report of the Director of Leisure and Wellbeing which presented the draft Health & Wellbeing Strategy and delivery plan for approval.

The Director of Leisure and Wellbeing circulated additional information and revised recommendations at the meeting.

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

- RESOLVED (A) That the Health and Wellbeing Strategy and Delivery Plan be approved, subject to any agreed amendments from the Executive Overview and Scrutiny Committee.
- (B) That the Director of Leisure & Wellbeing in consultation with the

Portfolio Holder for Health & Community Safety be authorised to finalise the Health and Wellbeing Strategy and Delivery Plan having considered agreed comments of the Executive Overview and Scrutiny Committee.

- (C) That the call-in procedure is not appropriate for this item as the report will be submitted to the meeting of the Executive Overview and Scrutiny Committee on 23 November 2017.
- (D) That the Director of Leisure and Wellbeing's actions in seeking and obtaining funding from the More Positive Together initiative in West Lancashire be endorsed.
- (E) That the Director of Leisure and Wellbeing take all necessary steps to deliver the More Positive Together initiative in West Lancashire, utilising the externally provided grant of up to £196,000, together with existing resources, as necessary.

48 **HOUSING AND PLANNING ACT 2016: CIVIL PENALTIES & RENT REPAYMENT ORDERS**

Councillor Wright introduced the report of the Director of Leisure and Wellbeing which sought authority to amend the Private Sector Housing Enforcement Policy in light of the new powers provided to Local Authorities under the Housing and Planning Act 2016 (the Act), specifically, civil penalties and rent repayment orders (RROs).

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

RESOLVED That authority be delegated to the Director of Leisure and Wellbeing, in consultation with the relevant Portfolio Holder, to amend the current Private Sector Housing Enforcement Policy to include civil penalties and rent repayment orders as outlined in the report submitted to Council on 18 October 2017 attached at Appendix A.

49 **EXCLUSION OF PRESS AND PUBLIC**

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

50 MATTERS REQUIRING DECISIONS

Consideration was given to the private & confidential reports contained on pages 803 - 882 and pages 889 – 897 of the Book of Reports.

51 MART LANE HALL, BURSCOUGH

The Leader introduced the report of the joint report of the Directors of Development and Regeneration and Leisure and Wellbeing which sought authority to dispose of Mart Lane Hall, Burscough.

A revised report of Directors of Development and Regeneration and Leisure and Wellbeing was circulated at the meeting.

A motion from the Leader was circulated at the meeting.

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

RESOLVED That disposal of Mart Lane Hall, Burscough shall not be proceeded with at this time.

52 WESTEC DEVELOPMENT UPDATE

Councillor Forshaw introduced the report of the Director of Housing and Inclusion which provided an update on the latest position in relation to the Westec development project, and sought approval to proceed with the project based on tenders received and updated financial appraisal.

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

RESOLVED (A) That the proposed scheme set out in the report be approved for consideration by Council.

(B) That authority be granted to the Director of Development and Regeneration and the Director of Housing and Inclusion to take all steps necessary to appropriate that part of the land being retained by the Council from regeneration purposes to housing purposes.

53 LCC PUBLIC REALM WORK 2018-2021

The Leader introduced the report of the Director of Street Scene which outlined the outcome of negotiations with Lancashire County Council in relation to future

arrangements for the delivery of the public realm works in the Borough.

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

RESOLVED That delegated authority be given to the Director of Street Scene in consultation with the Portfolio Holder for Street Scene to enter into a 3 year partnership agreement for public realm works with Lancashire County Council, as set out in paragraph 4.4 of the report, subject to the cost of these works being contained within the available funding.

Note

No representations had been received in relation to the above items being considered in private.

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Leader



CABINET: 9 JANUARY 2018

Report of: Director of Housing and Inclusion

Relevant Portfolio Holder: Councillor C Cooper

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

SUBJECT: FUNDING OF VOLUNTARY BODIES & OTHER ORGANISATIONS WORKING GROUP

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To advise Cabinet of the recommendations of the Funding of Voluntary and Other Organisations Cabinet Working Group (Working Group) meetings of 19 October and 13 December 2017 in respect of the monitoring arrangements for the current grant recipients and the applications for one year revenue funding for 2018/2019.

2.0 RECOMMENDATIONS

2.1 That subject to 2.2 below, the recommendations arising from the scoring of the applications received from voluntary organisations for one year revenue funding from April 2018 by the Funding of Voluntary and Other Organisations Cabinet Working Group at its meeting on 13 December 2017 be endorsed as detailed in the minutes of the meeting attached at Appendix 3.

2.2 That Applicants be advised of Cabinet's recommendations and that funding is not guaranteed but will form part of considerations when the Council's budget is finalised on 28 February 2018.

3.0 BACKGROUND

3.1 The current grant agreements with the voluntary organisations currently funded by the Council expire on 31 March 2018.

- 3.2 The Working Group met on 19 October 2017 to consider options for an approach to revenue funding to voluntary organisations from 1 April 2018 onwards and to determine how the monitoring arrangements within the Grant Agreements were to be undertaken.
- 3.3 The Working Group resolved to undertake monitoring/evaluation arrangements by way of written representations from the voluntary organisations.
- 3.4 The Working Group resolved to extend the mechanism adopted last year to determine revenue grant applications for the forthcoming financial year 2018-19.

4.0 CURRENT POSITION

- 4.1 22 applications for revenue funding were received, one of which did not fulfil the eligibility criteria. The Working Group met on 13 December 2017 to score and prioritise the applications and to make recommendations as to the amount of funding (or otherwise) to award.
- 4.2 The minutes of the meetings containing the recommendations to Cabinet, are attached as an Appendix to this report.

5.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 5.1 The total grants recommended by the Working Group to be made in 2018-2019 are within the current budget.

6.0 COMMENTS OF THE DIRECTOR OF HOUSING AND INCLUSION

- 6.1 The Working Group were provided with details of how (or otherwise) the applicants had met the eligibility criteria, an analysis of each of the organisation's financial statements and business plan together with a commentary on each of the applicants health & safety policy.
- 6.2 In order to provide three months' notice to any organisation that may not be successful in securing further funding from the Council, all applicants have been advised of the Working Group's recommendations.

Background Documents

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

Equality Impact Assessment

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

Appendices

1. Equality Impact Assessment
2. Minutes of the Funding of Voluntary & Other Organisations Working Group held on 19 October 2017
3. Minutes of the Funding of Voluntary & Other Organisations Working Group held on 13 December 2017.

Appendix 1

<h1 style="color: red; margin: 0;">Equality Impact Assessment Form</h1>	
Directorate: Housing and Inclusion	Service:
Completed by: Sue Griffiths	Date: 14 December 2017
Subject Title: Applications for Revenue Funding to Voluntary Organisations	
1. DESCRIPTION	
Is a policy or strategy being produced or revised:	No
Is a service being designed, redesigned or cutback:	No
Is a commissioning plan or contract specification being developed:	No
Is a budget being set or funding allocated:	Yes
Is a programme or project being planned:	No
Are recommendations being presented to senior managers and/or Councillors:	Yes
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	Yes
Details of the matter under consideration:	Applications for revenue funding from Voluntary Organisations from April 2018-19.
<p><i>If you answered Yes to any of the above go straight to Section 3</i></p> <p><i>If you answered No to all the above please complete Section 2</i></p>	
2. RELEVANCE	
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	
If Yes , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered Yes go to Section 3</i>	
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>	
3. EVIDENCE COLLECTION	
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	Impact on the voluntary sector in West Lancashire and users of their services.
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	Users of the services provided by the Voluntary organisations currently in receipt of revenue funding from the Council.



Which of the protected characteristics are most relevant to the work being carried out?	
Age	Yes
Gender	Yes
Disability	Yes
Race and Culture	Yes
Sexual Orientation	Yes
Religion or Belief	Yes
Gender Reassignment	Yes
Marriage and Civil Partnership	Yes
Pregnancy and Maternity	Yes
4. DATA ANALYSIS	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	Residents in the Borough have access to the services provided by the voluntary organisations in receipt of revenue funding.
What will the impact of the work being carried out be on usage/the stakeholders?	Risk that the voluntary organisations currently in receipt of revenue funding may not be successful in continued funding or receive a reduction in the current level of funding which may have an impact on their services. Conversely other voluntary organisations are afforded the opportunity to apply for funding and offer other services to residents.
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	The response from the voluntary organisation to a question on the application form for revenue funding from 2018 regarding Client satisfaction is scored by the Working Group.
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	Applicants for revenue funding are required to offer equality of opportunity in service delivery, employment and all other aspects of its work having particular regard to the requirements of the Equalities Act 2010; and to provide the Council with an up to date statement of its equal opportunities policy. The voluntary organisations currently funded by the Council provide services to users/stakeholders with protected characteristics.
If any further data/consultation is needed and is to be gathered, please specify:	None
5. IMPACT OF DECISIONS	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	There is a risk that people with protected characteristics may not be able to access services, if a voluntary organisation's funding reduces or discontinues. Other organisations not currently

	funded by the Council may be successful in obtaining a grant in order to enhance their services.
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	Ample notice will be given to voluntary organisations currently funded by the Council if they are unsuccessful with their application.
What actions do you plan to take to address any other issues above?	No Actions
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	The Funding of Voluntary and Other Organisations Working Group will consider all issues in relation to voluntary sector funding.

**FUNDING OF VOLUNTARY BODIES &
OTHER ORGANISATIONS CABINET
WORKING GROUP**

HELD: Thursday, 19 October 2017

Start: 3.00 pm

Finish: 4.15 pm

PRESENT:

Councillor: J Davis (Vice Chairman in
the Chair)

Councillors: J Davis C Cooper
Y Gagen D West
T Devine

1 APOLOGIES

Apologies for absence were submitted on behalf of Councillor Dowling.

2 MEMBERSHIP OF THE WORKING GROUP

In accordance with Council Procedure Rule 4, the Working Group noted the termination of membership of Councillor Owen and the appointment of Councillor Devine respectively for this meeting only, giving effect to the wishes of the Political Groups.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 REVIEW OF REVENUE FUNDING - CONSULTANTS' REPORT

Consideration was given to the report of the Borough Transformation Manager & Deputy Director of Housing and Inclusion which presented the report of Pulse Consultants who had been engaged by the Council to explore future development options in respect of revenue funding to voluntary organisations.

At the invitation of the Chairman, representatives of Pulse Consultants presented their report to the Working Group and responded to questions from Members and Officers.

In summarising his report the Borough Transformation Manager & Deputy Director of Housing and Inclusion indicated that the Pulse Consultants had produced a comprehensive and objective report that had provided options/ideas for officers to research and develop. He referred to revenue funding to voluntary organisations from April 2018 and sought Members' views in this regard.

RESOLVED A. That Pulse Consultants be thanked for their report.

B. That the mechanism currently adopted for revenue funding to voluntary organisations be applied for applications for funding

from April 2018-March 2019.

- C. That officers undertake further research into options for the development of a new mechanism for the allocation of revenue funding to voluntary organisations from April 2019 onwards, and report back to a future meeting of the Working Group.

5 EVALUATION AND MONITORING OF GRANT AGREEMENTS

Consideration was given to the report of the Borough Transformation Manager & Deputy Director of Housing and Inclusion on monitoring arrangements in respect of the current Grant Agreements with the voluntary organisations currently in receipt of revenue funding for 2017-2018.

RESOLVED That the monitoring clause 8.1(c) in the Grant Agreements with the voluntary organisations currently in receipt of revenue funding be waived and monitoring and evaluation of the Grant Agreements 2017-2018 be by way of written representations in accordance with the requirements contained within the Agreements together with the inclusions of the additional information as outlined in paragraph 3.3 to the report.

6 BOROUGH TRANSFORMATION MANAGER & DEPUTY DIRECTOR OF HOUSING AND INCLUSION

The Borough Transformation Manager & Deputy Director of Housing and Inclusion announced that this would be the final meeting of the working group he would be attending before he left the Council. He expressed his thanks to Members and Officers for their continued support over many years.

In his response the Chairman expressed his thanks on behalf of the Working Group for his service to the Council.

**FUNDING OF VOLUNTARY BODIES &
OTHER ORGANISATIONS CABINET
WORKING GROUP**

**HELD: Wednesday, 13 December
2017**

Start: 5.30pm

Finish: 7.20pm

PRESENT:

Councillor: G Dowling (Chairman)

Councillors: J Davis C Cooper
Y Gagen P Cotterill

Officers: Group Accountant (Mr P. Quick)
Principal Member Services Officer (Mrs S Griffiths)

7 APOLOGIES

Apologies for absence were submitted on behalf of Councillor Owen.

8 MEMBERSHIP OF THE WORKING GROUP

There were no changes to membership of the Working Group.

9 DECLARATIONS OF INTEREST

Councillor Cooper declared a non-pecuniary interest in agenda item 6 (Applications from Voluntary Organisations for revenue funding for 2018-19) in relation to applications received from Learning Stars and the Burscough Community Farm due to her association with these organisations.

10 MINUTES

RESOLVED That the minutes of the last meeting of the Working Group held on 19 October 2017 be agreed as a correct record.

11 MONITORING AND EVALUATION OF GRANT AGREEMENTS 2017-2018

Further to the meeting of the Working Group held on 19 October 2017 the Director of Housing and Inclusion reported upon the monitoring/evaluation requirements contained within the Grant Agreements with the voluntary organisations in receipt of revenue funding for 2017/18. The written submissions received by the voluntary organisations were considered by the Working Group.

RESOLVED That the final payment of grant for 2017-18 for the following voluntary organisations be confirmed:-

- a) Lancashire West Citizens Advice Bureau
- b) Disability Advice West Lancashire
- c) West Lancashire Dial A Ride Association
- d) Homestart – Central Lancashire

- e) Bereavement Counselling Service
- f) West Lancs. ARK
- g) West Lancashire CVS

**12 APPLICATIONS FROM VOLUNTARY ORGANISATIONS FOR REVENUE
FUNDING FOR 2018-19**

Consideration was given to the report of the Director of Housing and Inclusion which provided details of applications received from voluntary organisations for revenue funding from April 2018-March 2019.

She reminded Members of the voluntary organisations that were currently funded by the Council until March 2018 and of the current budget provision and indicated that the total sum of applications received far exceed the amount within this budget.

In accordance with the adopted mechanism for revenue grant funding she provided a summary of how (or otherwise) the applicants had met the eligibility criteria together with an analysis of each applicant's financial position, business plan and appropriate policies. The Working Group were advised that all the Health and Safety policies included within the applications had been approved by the Council's Health and Safety Manager.

Members scored and prioritised the applications in accordance with the adopted mechanism and made recommendations accordingly.

RESOLVED (A) That in accordance with the priority list, Cabinet be requested to:-

- i) Provide funding for 2018-19 by way of a one year Grant Agreement to the following voluntary organisations:

	£
West Lancs. Disability Advice	8,500
WL CVS	25,000
WL Dial A Ride Association	25,000
SW Lancs. Independent Advice Network	15,000
WL CAB	40,000
WL ARK	9,000
Homestart Central Lancs.	9,000
Bereavement Counselling	3,500
BDS Training	1,240

- ii) Advise the following applicants that funding is not available due to their position on the priority list:-

Listening Hands

Artz for All
Lancashire Community Finance
Nifty Fifties
Learning Starts
The Sewing Rooms
Sporting Challenge
Third Way
WL Debt Advice

Age UK
Womens Refuge
Burscough Community Farm

- iii) That the application from Skelmersdale Action for Youth be refused as it did not meet the eligibility criteria due to the relevant documents not being submitted with the application.
- (B) That the applicants be advised that the recommendations of the Working Group will not guarantee funding, but will form part of considerations when the Council's budget is agreed on 28 February 2018.



Report of: Director of Development and Regeneration Services

Relevant Portfolio Holder: Councillor J Hodson

Contact for further information: Mr Peter Richards (Extn. 5046)
(E-mail: peter.richards@westlancs.gov.uk)

SUBJECT: COMMUNITY INFRASTRUCTURE LEVY (CIL) FUNDING PROGRAMME 2018/19

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To report on the consultation held in autumn 2017 on the options for the CIL Funding Programme 2018/19 and propose final recommendations for the CIL Funding Programme in 2018/19 based on the CIL monies anticipated to have been collected by the Council by 31 March 2018.

2.0 RECOMMENDATIONS

2.1 That the consultation feedback report provided at Appendix 1 be noted.

2.2 That £125,000 of CIL monies be allocated to the delivery of the following projects in 2018/19:

- Chequer Lane Playing Fields (£60,000)
- Whittle Drive Playing Fields (£40,000)
- Mere Sands Wood Visitor Centre Phase II (£25,000)

2.3 That the remaining “strategic” CIL monies collected by 31 March 2018 (i.e. those not allocated on the projects agreed under recommendation 2.2) be “saved” and allocated toward more significant strategic infrastructure projects to be drawn down from as necessary as such significant projects are identified and approved.

- 2.4 That £300,000 of the "strategic" CIL monies saved from previous years be allocated to the implementation of actions in the Tawd Valley Park Masterplan in order to help lever in match-funding from other sources to complete all actions in the Masterplan.
 - 2.5 That for all CIL monies collected each financial year from 1 April 2018 onwards, up to a maximum of £100,000 be allocated through the CIL Funding Programme each financial year toward projects requiring £100,000 of CIL funding or less, and that the remainder of "strategic" CIL monies collected each financial year be saved towards more significant strategic infrastructure projects (requiring more than £100,000 of CIL funding) to be drawn down from as necessary as such significant projects are identified and approved.
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3.0 BACKGROUND

The Community Infrastructure Levy (CIL)

- 3.1 The Council adopted a CIL Charging Schedule in July 2014, and has been charging CIL since 1 September 2014. In March 2015, the Council approved a CIL Governance Framework which set out how decisions would be made on the spending of CIL monies by the Council, amongst other matters. Key to this Framework is the production each year of a CIL Funding Programme to prioritise how the CIL funds raised in a given financial year will be spent the following financial year. A draft of this CIL Funding Programme must be publicly consulted upon before Cabinet make a final decision on it in January of any given year in readiness for spending the monies from April that year.
- 3.2 This report follows up on the public consultation held in autumn 2017 on the options for the CIL Funding Programme 2018/19. It reports back on the responses received and recommends which schemes should be incorporated into the 2017/18 CIL Funding Programme.

The Infrastructure Delivery Schedule (IDS)

- 3.3 A key document that informs the process of preparing a CIL Funding Programme is the Infrastructure Delivery Schedule (IDS). The IDS is a database of infrastructure projects that are planned or desired to take place during the current Local Plan period. It originally formed part of the evidence base for the Local Plan and the CIL Charging Schedule but has become more of a "live" document now, allowing monitoring of all infrastructure projects in the Borough and concurrent measuring of how the Local Plan is performing in delivering this key aspect of sustainable development.
- 3.4 Many projects on the IDS have a connection to new development in that they are needed or demanded because of the new development proposed and being delivered through the Local Plan. However, other projects are not necessarily linked to new development in this way, but are still needed to upgrade existing infrastructure provision or reflect aspirations that infrastructure providers have and which, in some cases, may enable further new development in the future.

- 3.5 In relation to CIL, therefore, the IDS provides the basis for assessing which infrastructure projects CIL monies should be spent on. Not all projects on the IDS will be eligible for and / or need CIL monies. This is discussed further below.
- 3.6 Infrastructure providers, ward councillors, parish councils and relevant council officers have all been given opportunity to input ideas and suggestions on schemes that could go into the latest version of the IDS, and to update details of schemes that are already in the IDS. This is a vital part of the process and the more specific and detailed the information provided, the better the Council can assess the projects. However, ultimately this works both ways, as the Council can only assess a project based on what information is submitted. If the information is inadequate or incorrect, this will inevitably affect the assessment, particularly in relation to deliverability of a project. To this end, all contributors are invited to comment on the draft CIL Funding Programme when it is published for public consultation and can update the information provided as they see necessary.

Consultation

- 3.7 Another key requisite of the governance process is public consultation, which, following Cabinet approval in September 2017, was undertaken between 5 October and 3 November 2017. Following the close of the consultation, the stakeholder updates and all the representations received through the public consultation have been used to further assess the suitability of schemes and inform recommendations as to how CIL monies should be spent. The comments received on the CIL Funding Programme, and the Consultation Feedback Report, can be found at Appendix 1. This Cabinet report sets out how the final recommendations for the CIL Funding Programme have been reached, and the justification for them.

Available CIL Funding

- 3.8 In terms of the CIL monies anticipated to have been collected in 2017/18 by 31 March 2018, assuming liable parties make the payments they are due to do so this year, the Council will collect **£1,054,789** in 2017/18. This anticipated total may however increase if a development comes forward sooner which was not anticipated to come forward this year or decrease if development does not go ahead as expected or a developer fails to pay the required CIL charge when it is due.
- 3.9 Of this total, 5% is allocated to the Council's administrative costs of running CIL and 15% is allocated in accordance with statutory requirements to the Parish Councils in which the developments paying CIL take place. We call this the "Neighbourhood Portion", as it is designed to ensure that some CIL monies are spent directly in those areas where development takes place. Where there is no Parish Council, the Borough Council must spend this neighbourhood portion within the non-parished areas it has derived from, in consultation with local communities. The remaining 80% of CIL is retained by the Borough Council for use on strategic infrastructure and we call this the "Strategic Portion". Of the CIL revenue anticipated to be received at the time of writing this report, the 80% "strategic" portion equates to **£844,077**.
- 3.10 Members will recall that, as part of the CIL Funding Programme for 2017/18, it was decided to "save" £420,743 of the "strategic portion" collected between 1

September 2014 and 31 March 2017 and allocate it toward more significant strategic infrastructure projects to come forward in the future, having already allocated £216,000 of the "strategic portion" to specific projects in the CIL Funding Programmes for 2016/17 and 2017/18.

4.0 PROPOSED FUNDING PRIORITIES FOR 2018/19

The Assessment Process

- 4.1 The IDS now contains over 100 potential projects but the vast majority are not deliverable within the next couple of years. However, many of those that are not immediately deliverable are projects that will deliver infrastructure that is needed and that might become deliverable in the near future. Therefore, a balance must be struck between funding appropriate and deliverable projects now with the CIL monies available and consideration for "saving" CIL monies to contribute to bigger, more beneficial projects that the infrastructure provider can work towards making deliverable while the necessary CIL monies are "saved up".
- 4.2 The IDS also serves to function as a "living" evidence base to support monitoring and delivery of the current Local Plan. The IDS will also inform the preparation of the next Local Plan, and so it includes all suggested infrastructure projects in the Borough, regardless of whether that infrastructure is directly related to new development or requires CIL monies to fund it. Therefore, some IDS projects will not meet a local need or demand that has arisen from new development, which is a key test of whether CIL monies can be spent on a project, and / or may not require CIL monies as the scheme has secured funding from another source or mechanism.
- 4.3 To help inform deliberation on whether a project is eligible for CIL funding and then to assist in prioritising those eligible projects, council officers have used the information collated on each project to assess schemes against eight key criteria:
1. Are CIL monies needed to deliver the project?
 2. Does the project meet a local need or demand that has arisen from new development?
 3. Does the infrastructure fall under the Regulation 123 list, which sets out what type of infrastructure the Council will spend CIL monies on?
 4. When can the infrastructure be delivered?
 5. Are clear project costs and funding known?
 6. Are there "Neighbourhood" CIL monies available in the Parish / Non-Parished Area the project is located within that could fund the project?
 7. Does the project help meet at least one of the Council's Corporate Priorities?
 8. Is the project identified within a relevant local strategy, e.g. the Local Plan, the Highways & Transport Masterplan and the Leisure Strategy?

- 4.4 The first criterion ensures that all infrastructure projects on the IDS which do not require CIL monies are separated off at the outset, reducing unnecessary assessment of projects. The second and third criteria are essential as CIL monies can only be spent on infrastructure that meets a local need or demand that has arisen from new development and on types of infrastructure that are on the Regulation 123 list (<http://www.westlancs.gov.uk/planning/planning-policy/community-infrastructure-levy/regulation-123-list.aspx>). At this stage, we have effectively ruled out all infrastructure projects from further assessment that do not meet the first 3 key criteria and which make them ineligible to receive CIL monies, based on current information.
- 4.5 The fourth criterion is necessary to understand whether the project is technically deliverable within two years of receiving the funding and so might benefit from having CIL monies allocated to it for spending in the following financial years. The fifth criterion allows us to consider whether there are clear and realistic costs and firm funding proposals (other than a request for CIL monies) in place that would confirm that the project is not only technically deliverable but financially deliverable as well. Where costs are unknown, the assessment assumes the project is not financially deliverable within the next two years as the Council needs to see more robust proposals before allocating CIL monies to a project. Where a project proposes match-funding from another source, if that match-funding has not been secured, there must also be questions over the deliverability of that project, albeit those questions may not ultimately rule out a project entirely in this assessment, depending on the precise circumstances of the match-funding.
- 4.6 A further consideration within this fifth criterion, but not a definitive one in decision-making, is also whether the project will provide greater value for money by using CIL monies to lever in other funding. While leveraging in match-funding would clearly be a positive, it would not be appropriate to disadvantage a project simply because it does not have access to other funding and would rely solely on CIL monies, hence this factor is not a key criteria.
- 4.7 The sixth criteria allows the Council to consider whether a project might be more suitably funded by "Neighbourhood" CIL monies that are available in an area (the 15% of CIL income from a development which is automatically passed to the local Parish Council or, in a non-parished area, set aside by the Council to spend specifically in that area) in order to save CIL monies for the larger projects that serve a wider area.
- 4.8 The seventh and eight criteria are necessary to help differentiate and prioritise between projects that meet all of the first six criteria (i.e. when the assessment produces a fairly long shortlist) by considering whether the projects help meet at least one of the Council's Corporate Priorities and/or are identified within a relevant local strategy as being of strategic importance.
- 4.9 As a result of this assessment process, nine projects were shortlisted and included in the draft CIL Funding Programme (draft CFP) for consultation (CIL funding sought provided in brackets):
- Tawd Valley Park Masterplan, Skelmersdale (£300,000)
 - New Changing Facilities at Chequer Lane, Up Holland (£60,000)
 - New Changing Facilities at Whittle Drive Playing Fields, Ormskirk (£40,000)

- Thompson Avenue Play Area Improvements, Ormskirk (£60,000)
- New Allotments in Ormskirk (£40,000)
- Martin Mere Filtration Reed Beds (£200,000)
- Mere Sands Wood Visitor Centre Phase II (£25,000)
- Hunters Hill Country Park, Parbold (£60,000)
- Cheshire Lines Path, Downholland and Great Altcar (£40,000)

4.10 The draft CFP also proposed four options for the spending of CIL monies in 2018/19:

Option 1: Allocate funds to one large project (>£100,000) and, in addition, a number of smaller projects from the shortlist up to a maximum total spend of £100,000, and save any surplus funding.

Option 2: Allocate funds to one large project (>£100,000) only, and save any surplus funding.

Option 3: Allocate funds to a number of smaller projects from the shortlist up to a maximum total spend of £100,000, and save any surplus funding.

Option 4: Save the CIL monies collected in 2017/18 for larger infrastructure projects in the future.

Public consultation

- 4.11 Public consultation plays an important part in helping to identify those schemes with the greatest priority for local people. The draft CIL Funding Programme was put out to public consultation between 5 October and 3 November 2017. 65 responses to the consultation were received from the public and stakeholders, and all their comments have been considered in making the final recommendations regarding CIL funding in 2018/19. The Consultation Feedback Report at Appendix 1 details and summarises the comments received, and provides a Council response to each comment.
- 4.12 Through the consultation, no new information was provided on existing infrastructure proposals on the IDS, but several new projects were suggested, of which one is deemed appropriate to include in the IDS (a proposal to complete a footpath/cycleway from the Whalleys 4 development currently under construction to Elmers Green Lane). This will be included in the next iteration of the IDS and assessed fully alongside all other projects as part of next year's CIL Funding Programme but it was not deemed deliverable at the current time to be considered for inclusion in the current CIL Funding Programme.
- 4.13 As summarised below, through the consultation Options 1 and 3 gained the most support in terms of how, generally, to spend the CIL monies.

Option		No of responses registering support
1	Allocate funds to 1 large project and several smaller projects	14
2	Allocate funds to 1 large project only	0
3	Allocate funds to a number of smaller projects	20
4	Save CIL monies	1

4.14 In terms of the specific projects, four appeared to gain more support than the other five. However, three of these four gained the majority of their support via a standard response which had clearly been circulated between a group of individuals / organisations who support the TransPennine Trail and which was submitted in all but one case by individuals who are not residents of West Lancashire (indeed some of the responses came from as far away as South and West Yorkshire).

Project	No of responses registering support	No of responses registering support counting standard responses as one
Hunters Hill Country Park	29	15
Tawd Valley Park	20	6
Cheshire Lines	19	5
Mere Sands Wood	18	18
Martin Mere	3	3
Ormskirk Allotments	4	4
Whittle Drive	2	2
Chequer Lane	2	2
Thompson Ave Play Area	0	0

5.0 RECOMMENDATIONS OF THE DIRECTOR OF DEVELOPMENT AND REGENERATION

5.1 Given the feedback from the consultation and the positive assessment of the project by officers even before the public consultation, I recommend at 2.2 above that three projects should have CIL monies allocated to it for spending in 2017/18:

- ***Chequer Lane Playing Fields (CIL expenditure: £60,000)***

This project is for a much-needed upgrade of the playing field facilities for extensive use by a local club. The project has secured £60,000 of match-funding from the FA and there is the risk that this match-funding may be lost if the project is not progressed in 2018/19. There has been residential development recently very close to the playing fields on an allocated housing site, with further residential development on the same allocated site expected in the near future. Open space and recreation infrastructure is included on the Regulation 123 list. The project is strongly supported by the Council's Leisure Services, who will ensure the project is delivered within the next two years. As such, while this project gained only limited support in the public consultation, it would represent an excellent use of CIL monies and deliver a significant upgrade in playing field facilities in Up Holland.

- **Whittle Drive Playing Fields (CIL expenditure: £40,000)**

This project is for a much-needed upgrade of the playing field facilities for extensive use by a local club. The project has secured £40,000 of match-funding from the FA and there is the risk that this match-funding may be lost if the project is not progressed in 2018/19. There has been extensive residential development in Ormskirk in recent years, with further residential development on a large allocated site under construction now nearby. Open space and recreation infrastructure is included on the Regulation 123 list. The project is strongly supported by the Council's Leisure Services, who will ensure the project is delivered within the next two years. As such, while this project gained only limited support in the public consultation, it would represent an excellent use of CIL monies and deliver a significant upgrade in playing field facilities in Ormskirk.

- **Mere Sands Wood Visitor Centre Phase II (CIL expenditure: £25,000)**

The project is for further renovation and extension of the Visitor Centre at this sub-regional visitor attraction and nature reserve. The project has secured £225,000 of its costs from other sources, meaning CIL would lever in 90% of the costs as match-funding investment. Should the project be delayed, there is significant risk that the offer of match-funding would be withdrawn. Given the nature reserve is a sub-regional attraction, it justifies the use of CIL monies due to level of new development we have seen in the Borough and would be consistent with the Regulation 123 list as it is strategic green infrastructure. The project was widely supported in the public consultation and so it is eminently appropriate to support this project that will improve such a key facility and lever in significant match-funding investment.

5.2 Given the logic of saving CIL funds to contribute to the significant strategic infrastructure projects on the IDS which are on the horizon, as per recommendation 2.3 above, I would recommend "saving" all further CIL monies collected this year to be allocated towards those more significant projects in the future. Based on the projected CIL income for this year and subtracting the CIL funding proposed to be allocated at 2.2, **£719,077** of the "strategic portion" would be saved, joining the £420,743 of CIL funding saved last year.

5.3 Further to this, as per recommendation 2.4 above, I recommend that funds be drawn down from the CIL monies "saved" towards significant strategic infrastructure projects in previous years to be spent on:

- **Tawd Valley Park Masterplan, Skelmersdale (CIL expenditure: £300,000)**

The Tawd Valley Park Masterplan was approved by Cabinet in November and will shortly proceed to the next phase of design and costing of proposals in the Masterplan. In order for the Council to move quickly to begin implementing those proposals once costs and designs are finalised, I recommend allocating £300,000 to this strategic project. The CIL funding will also provide security for leveraging in match-funding from other funding sources and enable projects within the masterplan to start to be delivered within the next couple of years. The Tawd Valley is a fantastic asset for Skelmersdale and West Lancashire and the improvement of it to create a significant visitor attraction and facility for local people is in line with the increased demands for

open space, recreation and green infrastructure facilities in Skelmersdale due to the recent and proposed development in the town.

5.4 In relation to the other shortlisted projects, I would comment the following:

- **Hunters Hill Country Park, Parbold (CIL funding sought: £60,000)**

This project was supported in the public consultation, even after factoring out the standard representations received from outside West Lancashire, and it is a long-standing aspiration of the Council to improve this attractive Country Park to form a well-used visitor destination. However, in the context of wishing to save a significant proportion of CIL income towards larger-scale projects and given the need to retain the match-funding offered in the three selected projects at 2.2, I recommend that this project not be funded this year, but be reconsidered again next year. In addition, while it would be hoped this Country Park would become a sub-regional (or at least Borough-wide) visitor destination, there has not been much development in the Eastern Parishes that would justify the need for these improvements based upon increased local demand alone.

- **Cheshire Lines Path, Downholland and Great Altcar (CIL funding sought: £40,000)**

This project received some support in the public consultation (once standard representations from outside the Borough were considered as one) and it does propose the long-held aspiration of the Council to upgrade a part of a key national cycling route that runs through the Borough. However, in the context of wishing to save a significant proportion of CIL income towards larger-scale projects and given the need to retain the match-funding offered in the three selected projects at 2.2, I recommend that this project not be funded this year, but be reconsidered again next year.

- **New Allotments in Ormskirk (CIL funding sought: £40,000)**

This project received some support in the public consultation and the Council recognises the local demand for improved allotment provision in the Ormskirk area. However, there is some uncertainty as to whether a more suitable access can be achieved that would enable the expansion of the Tower Hill allotments (the most logical place for additional allotment plots in Ormskirk) at the current time and, compared to the benefits derived from funding the three selected projects at 2.2, this project does not currently rate as highly. However, there will be significant "neighbourhood portion" CIL revenue over the coming years as the Grove Farm development progresses, and so this project could be one that is reconsidered for the use of that "neighbourhood portion" in due course.

- **Thompson Avenue Play Area Improvements, Ormskirk (CIL funding sought: £60,000)**

This project received no support in the public consultation and, while there has been residential development fairly close to this open space in recent times, it is questionable whether this play area would be one that is

frequented by residents of those new developments. However, it is a site earmarked for improvement in the Council's Play Area Assessment and so it should be considered again in the future, possibly for the use of the "neighbourhood" portion discussed above.

- **Martin Mere Filtration Reed Beds (CIL funding sought: £200,000)**

This project received some support in the public consultation and the Council recognises the great value that Martin Mere brings to the Borough and the fact that this project could potentially be of benefit in addressing water treatment constraints at the nearby New Lane WWTW. However, when considering the financial details of the proposal I have a concern that a substantial part of the project costs are made up of the land value of the land where the filtration reed beds would be created and so the CIL funding sought would solely be going towards those land costs and to the landowner of the site, which is Martin Mere Wildfowl and Wetlands Trust. This does not strike me as a prudent use of CIL monies given that the project would be implemented by the landowner.

5.5 Further to all of the above, I make a further recommendation at 2.5 above in relation to CIL Funding Programmes in the future, whereby, if Cabinet agree to my recommendation, the CIL Funding Programmes in future years would focus on smaller-scale projects (requiring £100,000 of CIL funding or less) and limit expenditure of CIL on those projects through the CIL Funding Programme to £100,000 each year. In this way, the vast majority of the "strategic portion" collected each year through CIL would be saved and allocated towards the larger-scale projects (requiring more than £100,000 of CIL funding) which will be coming forward in the coming years, whilst still allowing infrastructure projects to have CIL funding allocated to them and be taken forward in the current year through the usual decision-making process. Examples of large-scale projects include possible new leisure centres in Skelmersdale and Ormskirk, an improved sports centre in Burscough, Linear Parks and many other key infrastructure projects. I believe this would be the best use of CIL funding and strike an appropriate balance between delivering some smaller-scale projects each year (in addition to those funded by the neighbourhood portion of CIL) and collecting sufficient CIL funding to make a meaningful contribution to the delivery of larger infrastructure projects.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

6.1 The delivery of new infrastructure funded by CIL monies will have positive implications for sustainability and contribute to the delivery of the development allocated in the West Lancs Local Plan 2012-2027 in a sustainable manner. The projects recommended in this report will contribute towards various objectives of the Council's Sustainable Community Strategy.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

7.1 There is no additional cost to Council resources of preparing and consulting on a CIL Funding Programme given that any projects prioritised for funding will be

funded by CIL monies and, in some cases, match-funding identified by the infrastructure provider from other sources. The administration of CIL (including the CIL Funding Programme) is covered by the 5% administration fee retained by the Council from CIL receipts together with the Planning Services revenue budgets.

8.0 RISK ASSESSMENT

8.1 There are no significant risks related to this report.

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

Appendix 1 – Consultation Feedback Report on the draft CIL Funding Programme
2018/19

Appendix 2 – Equality Impact Assessment



CIL FUNDING PROGRAMME 2018/19

CONSULTATION FEEDBACK SUMMARY REPORT

NOVEMBER 2017

Introduction

West Lancashire Borough Council invited comments on the CIL Funding Programme proposals between 5 October and 3 November 2017. The consultation sought comments on how the unallocated strategic CIL monies received 2017/18 should be spent in 2018/19, and on what projects they should be spent on.

Note that unallocated CIL monies collected between 2014 and 2017 have been set aside to enable CIL funds to build up and thereby support the delivery of much larger, costlier projects in the future. Any monies from 2017/18 not allocated to funding in 2018/19 will then also be added to this funding pot. It is considered that this strikes an appropriate balance between the delivery of short-term, local projects and much larger, strategic schemes in the long-term.

65 responses were received through the consultation; a summary of which are outlined through this feedback report. This report also sets out the Council recommendations stemming from the responses. The consultation responses received are contained within the appendix to this report.

Summary of Representations

Question 1.

Do you agree with our shortlist of projects? What do you think are the greatest priority to deliver? Why?

Of those respondents who chose to answer this question, all agreed with the shortlist of projects and some offered other schemes for suggestion. These are detailed below.

Cheshire Lines

Respondents supported improvements to the Cheshire Lines to increase their use, encourage tourism and to provide multiple benefits for health and wellbeing. Cycle infrastructure was seen by several respondents as important, particularly for communities with few bike/pedestrian friendly routes available to them. The ecological importance of the Cheshire Lines as a Biological Heritage Site (BHS) and wildlife corridor was also emphasised. It was considered that access should be improved as there is currently poor surfacing, poor signage and no park furniture (such as benches and bins). It was felt that improvements would help improve the value of the Cheshire Lines to local and outlying areas, which would in turn make people more likely to use the facility and to protect it – for example by reporting water pollution or vandalism.

Hunters Hill

Respondents supported the proposed improvements to Hunters Hill to help attract more visitors and make it visitor friendly. It was considered the site is of biological importance, particularly for certain habitats and invertebrates. It was felt important to create more 'breathing spaces' for humans and wildlife and such a scheme would help deliver this.

Tawd Valley

Respondents considered that the Tawd Valley has the potential to be an important area but it is in need of significant upgrades to achieve this. Extensive local consultation has already been undertaken, and a Masterplan funded, and it was thought that CIL funds would provide an important impetus to the project which would then help lever in more match funding. Some said that work to the Tawd Valley would help improve local ecological and heritage assets whilst improving the value to local communities and creating a sense of place. Works would also help improve water quality and the water environment. However, one respondent raised an objection to the use of CIL funds on this project until plans are firmer and more cost controlled.

Mere Sands Wood

Mere Sands Wood was also highly supported by respondents. They outlined that Mere Sands Wood is a strategic facility that attracts visitors from a wide area, including that outside of the Borough. It is an SSSI and has an important role to play in conservation. Respondents considered that Mere Sands Wood is a valued educational and recreational facility with worn out resources which subsequently threatens its existence and development. The project would help broaden the appeal of the centre and support the continued management of the conservation site. It would also assist Mere Sands Wood to create local jobs (through the café) and support volunteering. Compared to other projects on the CIL funding shortlist, respondents felt that this would be a strong investment, requiring just 10% of the total project cost in order to unlock considerable match funding elsewhere. The first phase of the project received CIL monies in 2017/18, and so awarding CIL monies to the second phase would help to further support this project via CIL.

Martin Mere

This project received some support, although at lower levels than those projects detailed above. Respondents considered that the project would help enhance biodiversity and improve habitat at the existing Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI) site, and would also help improve water quality and water environment. Martin Mere is recognised as a good visitor attraction, generating income and tourism to the local area and providing employment and volunteering opportunities. The concerns of WLBC, as set out in the consultation document, were noted by consultees and received one registration of support. However, the Environment Agency argued that without external investment, there remains a risk that the Wildfowl and Wetlands Trust would not be able to hold onto this land and it could be sold for intensive agricultural purposes.

Ormskirk allotments

Some respondents supported the Ormskirk allotments because they advocate healthy living – enabling people to grow their own food, exercise in open air and help facilitate mental and physical wellbeing. Respondents stated that there is a current waiting list for plots and requested that any new provision take account of site security (fencing). Others considered that this project should be a low priority as no site has yet been identified.

Chequer Lane

This project received some support, including from Sport England. The project would help support local disability sports.

Whittle drive

Again, there was a small amount of support for this project through the consultation. It was highlighted that the quality of facilities are preventing the club from expanding and providing healthy outdoor activities for adults and children. There was support for maintaining reasonable standards of leisure facilities.

Council Response

To acknowledge that the largest levels of support were received for Hunters Hill, Tawd Valley, Cheshire Lines and Mere Sands Wood. Lower levels of support were received for Martin Mere Filtration Reed Beds, Ormskirk allotments and the Chequer Lane and Whittle Drive facilities.

Question 2.

Are there any other projects on the IDS you think should be considered for CIL funding?

Question 3.

Can you suggest any other infrastructure schemes that you think could be included on the IDS? Why should they be included?

Respondents made the following suggestions:

- Flooding alleviation (*see point i below*)
- Skelmersdale Rail (*see ii below*)
- Railway station improvements and modernisation (*see iii below*)
- Upgrade of Ormskirk bus station (*see ii below*)
- Pedestrian improvements and signage in Skelmersdale (*see i and iii below*)
- Bickerstaffe Colliery Cycle Trail – including insurance and litter picking (*see i, iii and iv below*)
- Heathfields Bridge and Briars Lane, Burscough (*see iv below*)
- A5147 Haskayne (*see iv below*)
- Sumner Ave car parking (*see i and iv below*)
- Ormskirk dog park (*see iv below*)
- Road resurfacing (*see i, ii and iv below*)
- Wiggins Lane, Holmeswood play area (*see iii below*)
- Appley Lane South playing fields (*see iv below*)
- Tanhouse Bowling Green (*see iii and iv below*)

Council Response

Many of the schemes suggested are not appropriate for CIL funding because they:

i) are not an item listed on the R123 list / are not "infrastructure"

The Regulation 123 list (R123) sets out what the Council must spend CIL on, and is designed to prevent Councils from double-charging developers for infrastructure. Flood defences are excluded from the R123 list and so CIL monies cannot be used to deliver flood mitigation, instead it must be secured through planning conditions or planning obligations on specific sites. Subsequently, CIL cannot be used to fund flood mitigation or prevention.

CIL must be spent on infrastructure required to support new development. Therefore it cannot be used to remedy existing infrastructure deficiencies, unless they would be made worse by new development. In addition, some of the suggestions received do not fall within the definition of infrastructure. CIL cannot be used to tarmac resident parking areas, nor can it be used on signage, or insuring existing leisure areas, or to pay for litter picking.

ii) will not require CIL funds

Skelmersdale Rail, and improvements to Ormskirk Bus Station, are both recorded as projects on the IDS, but will not require CIL funds because the money will be provided through other revenue streams. Therefore, these projects cannot be assessed for CIL funding.

Highway surfacing is a matter for Lancashire County Council.

iii) have insufficient information provided to assess them / are not in keeping with strategy

Some suggestions, such as the Wiggins Lane play area, do not accord with the Council's "bigger, better, fewer" Leisure Strategy and would therefore be unlikely to be assessed favourably for CIL funding. Other suggestions, such as railway station improvements, lack sufficient details to be currently included on the IDS as there is no indication of costs or delivery requirements.

The proposal to extend the footpath/cycle path between Beacon Lane and Elmers Green Lane has been added onto the IDS (project #132) although there are insufficient details regarding costs and delivery to allow this scheme to be shortlisted for any CIL funding at present.

iv) are not justified as necessary to support new development

Some suggestions are already listed on the IDS but lack the justification to explain why they are required to support new (and not existing) development. For example, the A5147 improvements in Downholland are already listed on the IDS as project #103, but there has been limited new development in Downholland to justify use of CIL for those improvements. The comments on road safety improvements will, however, be passed to Lancashire County Council, as the highways agency, for their consideration.

Similarly, Appley Lane South playing fields are included on the IDS (#98) but there has been very little development in Appley Bridge to justify a local need arising from new development and it lacks information on funding and delivery. To enable its inclusion on the IDS, the proposed 'dog park' would require further information to be supplied to explain why this project is needed as a direct result of new development, and the levels of demand for such a project along with costs and

delivery information.

v) could be funded through alternate means

CIL cannot be expected to fund every infrastructure item required to support new development, and is instead designed to lever in match funding, where appropriate. The Council are keen to maximise the cost benefits of CIL by ensuring projects with other funding means are encouraged to use those sources instead of CIL. This includes those projects which could be funded using neighbourhood, or local, CIL receipts. [15% of CIL receipts are allocated for local uses, in the area in which they are collected from. Monies are passed to the Parish Council or, in the absence of a Parish Council, retained by the Borough Council for expenditure in consultation with the local community. This means that even those non-parished areas will receive 15% of CIL funds to use on local projects in their local area.]

The IDS already contains a Heathfields Connectivity Plan which aims to improve access and connectivity between the canal, Heathfields and local amenities, and provide a pedestrian bridge over the canal (Project #120). The Parish Council are seeking £10,000-£15,000 initially to fund a feasibility study into the proposals, which would provide greater detail on the costs and delivery of the project. However, Burscough Parish Council are already in receipt of over £58,000 of neighbourhood CIL monies which they could use to fund the feasibility study and enable CIL monies to be used elsewhere.

Question 4.

Which of the four options do you support most? Why? Which projects do you think that option should include?

- ***Option One (Allocate funds to one large project, and a number of smaller projects)***
- ***Option Two (Allocate funds to one large project only)***
- ***Option Three (Allocate funds to a number of smaller projects)***
- ***Option Four (Save CIL for larger infrastructure projects in the future)***

Opinion varied on the most suitable option as to how CIL monies should be spent in 2018/19. 13 representations expressed support for Option One, 20 representations for Option Three and 1 representation for Option Four. Option Two had no support registered.

Respondents felt that Option Three would enable money to be fairly distributed across the Borough to deliver more projects. The use of CIL was supported to help unlock additional financial support for projects from other sources. It was suggested that the availability of financial support can help evidence wider based support for the project. Respondents felt that Option One helped get CIL monies spent.



WEST LANCASHIRE BOROUGH COUNCIL

CONSULTATION ON COMMUNITY INFRASTRUCTURE LEVY

FUNDING PROGRAMME 2018/19

REPRESENTATIONS RECEIVED

Rep no.	1.
Name	Peter Vernon
Organisation	-
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	Smaller projects, provide more impact.
Are there any other projects on the IDS that you think should be considered for CIL funding?	-
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	-
Which of the four options do you support? Why? Which projects do you think that option should include?	Option Three: Allocate funds to a number of smaller projects from the shortlist up to a maximum total spend of £100,000, and save any surplus funding, but a proposed amendment/additional comment that spending of any surplus funding should be constantly reviewed.
Council response	Support for smaller projects and Option 3 noted.

Rep no.	2.
Name	Geoff Roberts
Organisation	-
Comments	Of the shortlisted projects I would prefer the new allocation of allotments in Ormskirk. If possible I would rather the flooding issues in Ormskirk were addressed.
Council response	Support for Ormskirk allotments noted. CIL cannot be used to fund flooding alleviation because it is not an infrastructure type listed on the R123 list.

Rep no.	3.
Name	Ron Webster
Organisation	-

Comments	Hi, ALL monies should be PRIORITISED for the one thing Skelmersdale desperately needs, and that is a Railway Station. Without it, Skelmersdale will always be a NOTHING Town. We can worry about the LITTLE things later.
Council response	Skelmersdale rail will not require CIL funds, as the money will be provided through other revenue streams.

Rep no.	4
Name	-
Organisation	Highways England
Comments	Highways England has no comment to make regarding these CIL proposals.
Council response	Comments noted.

Rep no.	5
Name	-
Organisation	Network Rail
Comments	<p>CIL funding should be considered for infrastructure projects at railway stations which may need enhancements as a consequence of increased footfall within the West Lancs council area. Below is a list of railway stations and the relevant potential enhancements that could be funded by CIL for your consideration.</p> <p>(CIS = Customer Information System, TVM = ticket vending machine).</p> <p>Bescar Lane – Seating and TVM New Lane – CCTV and TVM Burscough Bridge – Replacement waiting shelters, seating and TVM Burscough Junction – Replacement waiting shelter and TVM Hoscar - CCTV Parbold – Shelter Refurbishment, Seating and TVM Rufford – Replacement shelters, Seating, CIS, CCTV and TVM Croston - Replacement shelters, CIS, CCTV and TVM</p>
Council response	Further information is required from Network Rail and Northern Rail to provide further details regarding costs and justification of need as a result of new development. The Council consider that much of the proposals suggested should fall under the remit and provision of the rail agencies and therefore clarification is requested regarding why CIL monies are required. Should this information be provided, then the projects may be included on the IDS.

Rep no.	6
Name	Mrs C Lawrenson
Organisation	-
Comments	After reading your article in the "Champion". I suggest you spend any cash you have available on Ormskirk Bus Station. The pavements could do with a covering of tarmac as there is a great trip hazard with uneven paving stones. The shelters have no seats and are like sieves when it rains. Considering the great number of students and general public waiting for buses I think this should be given some consideration.
Council response	Comments noted. There are proposals to upgrade the Ormskirk Bus Station and so any improvements to the station will be dealt with through this scheme (#39 on the IDS). Ormskirk Bus Station will not require CIL funding as it will be funded through alternate sources (LTP) and so this project cannot be shortlisted and considered for CIL funding.

Rep no.	7
Name	David Cheetham
Organisation	-
Comments	<p>These proposals are not among your shortlisted projects but will enhance the current development at the Woodlands, Whalleys , Skelmersdale.</p> <ol style="list-style-type: none"> 1. The proposed and partly constructed footpath/cycleway to the south of Beacon Lane at the Northern boundary of the site should be extended to Elmers Green Lane rather than lead people onto the very busy, narrow and dangerous Beacon lane. Such a route will encourage new residents to walk or cycle to Dalton rather than take the safe option of driving. 2. The pedestrian route signage provided throughout the New Town by the SDC should be reinstated. The concrete support posts largely remain. Without clear signage the new residents of Woodlands will be unable to find the tortuous pedestrian walking route from the development to the Concourse and Tawd Valley Park. As an experiment I suggest CIL officers walk from the Ashurst Centre to the Concourse. <p>Inevitably the new house holders will walk down the roads, particularly Northway and put themselves at risk. Children will be particularly at risk as they walk to school at either Dalton or the Maharishi. They may even wish to go to the swimming pool or library.</p> <p>I submitted photos of the remaining concrete support to the old</p>

	signs last year and can resubmit if necessary. A few remain outside Whelmar house and can be easily visited from the WLBC Concourse Office.
Council response	The suggestion to extend the footpath to Elmers Green Lane has now been included on the IDS (Project #132). The Whalleys development of 630 new homes would provide justification for a need resulting from new development. At present, the Council do not have sufficient information regarding costs or delivery to recommend this project for CIL funding in 2018/19, but it will be considered in future years, alongside the remainder of the IDS projects. Signage would not be an appropriate infrastructure type to receive CIL funding. We still have the photos submitted last year on our files.

Rep no.	8
Name	-
Organisation	Bickerstaffe Parish Council
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	Bickerstaffe Parish Council was unable to comment on this point as a council as most suggestions on the list are mostly unknown to Bickerstaffe.
Are there any other projects on the IDS that you think should be considered for CIL funding?	As above
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	<p>Bickerstaffe Colliery Cycle Trail is used by over 2,500 people from West Lancs and beyond, and it would be of benefit to include this in the listings as LCC is proposing to transfer this asset and it is under threat of closure as Bickerstaffe Parish Council cannot afford to pay the insurance to keep it going. Many youngsters from the area, especially Skelmersdale, use these trails on a regular basis, plus schools, families and other community groups. See Bickerstaffe Cycle Trails Facebook page. One of the issues is the amount of litter dropped – a small group of volunteers clean it regularly but they are exhausted and weary of doing this. Regular litter picking and a small budget for annual insurance could save it and keep the Trails open.</p> <p>The benefits of the Trails are central to WLBC core strategy aims, for health and wellbeing, and when these youngsters are on the Trails they are not on the streets at a loose-end.</p> <p>Bickerstaffe Colliery Cycle Trails are of great social/community benefit to West Lancs, and if the Trails could be put under umbrella insurance (BPC's quote was under £2,000), with litter collection, a great community asset could be saved.</p>

Which of the four options do you support? Why? Which projects do you think that option should include?	<p>Number 3: Allocate funds to a number of smaller projects from the shortlist up to a maximum total spend of £100,000, and save any surplus funding.</p> <p>Bickerstaffe Parish Council considers it appropriate, as a general principle, to spread out the money to as many projects as possible rather than one project receiving all of it, so that as many areas/residents as possible across West Lancs could benefit from it.</p>
Council response	<p>CIL must be spent on infrastructure to support new development, and it is not clear how this scheme would support that given that there has been very limited development in Bickerstaffe. Notwithstanding this, CIL monies cannot be used to fund insurance for existing leisure areas, nor can it be used to pay for litter picking and therefore this scheme would be unsuitable to receive CIL funding.</p>

Rep no.	9
Name	-
Organisation	Historic England
Comments	Thank you for consulting Historic England on how we think West Lancashire should spend CIL monies. We have no comments to make on this occasion.
Council response	Comments noted.

Rep no.	10
Name	Sheila Thomas
Organisation	-
Comments	<p>Would it be possible to consider improving the pavements Briars Lane Burscough to Wheat Lane Burscough it is almost impossible to walk in safety from Heathfields to get onto the canal to be able to have a walk.</p> <p>A foot bridge from Heathfields onto the canal would be really helpful, I think it was originally planned that the developers should put one there.</p>
Council response	<p>The IDS already contains a Heathfields Connectivity Plan which aims to improve access and connectivity between the canal, Heathfields and local amenities, and provide a pedestrian bridge over the canal. IDS project #120.</p> <p>The Parish Council are seeking £10,000-£15,000 initially to fund a feasibility study into the proposals, which would provide greater detail on the costs and delivery of the project. However, Burscough Parish Council are already in receipt of over £58,000 of neighbourhood CIL monies which they could use to fund the feasibility study and enable CIL monies to be used elsewhere.</p>

	<p>While there has been new development on the Heathfields estate recently (Ivy Close), it is not a substantial addition, but it does highlight the need to better connect Heathfields with Burscough Town Centre. The proposal would also add to the strategic Green Infrastructure and Cycling network proposed along the canal corridor. However, at this point in time, there are more deliverable and higher priority needs on this strategic canal corridor and it would be more appropriate for the Parish Council to utilise the CIL monies from the “neighbourhood” portion on the feasibility study.</p>
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Rep no.	11
Name	-
Organisation	Downholland Parish Council
Comments	<p>The A5147 (Haskayne) carries traffic into the borough mainly from Liverpool. The bridge adjacent to the Kings Arms situated on Delph Lane has some very decrepit railings in need of securing for safety and also a complete sand down and repaint. It would certainly enhance the visual amenity for residents, visitors and passing traffic, if this was carried out. As you will be aware Southport often holds International and National sporting events which increase the numbers substantially. Would you consider putting this on the list please.</p>
Council response	<p>This item is already listed on the IDS as project #103. CIL must be used to support <u>new</u> development and there has been limited new development in Downholland to justify use of CIL. Insufficient information has been provided about this scheme, in relation to CIL funding required and delivery, to be able to recommend this scheme for CIL funding in 2018/19.</p>

Rep no.	12
Name	Councillor David O'Toole
Organisation	-
Comments	<p>I support Margaret s comments and concerns earlier this year I took Kim Webber and Heidi on a tour of the word. I actually stopped on the bridge to emphasised the poor state of the railing . This road is a major route into West Lancashire and the state of the bridge does little to improve our image. I am also sending this to LCC highways in the hope that between WLBC and LCC somebody will take responsibility and stop ignoring this eyesore.</p>
Council response	<p>This item is already listed on the IDS as project #103. CIL must be used to support <u>new</u> development and there has been limited new development in Downholland to justify use of CIL. Insufficient information has been provided about this scheme, in</p>

	relation to CIL funding required and delivery, to be able to recommend this scheme for CIL funding in 2018/19.
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Rep no.	13
Name	-
Organisation	National Trans Pennine Trail Officer
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	<p>Cheshire Lines – This location is part of the Trans Pennine Trail and needs significant upgrades to maintain the standards strived for and achieved by other sections of the route. It is well used and brings many visitors to the area. Cycling and outdoor recreation have proven multiple benefits for health and wellbeing and anything done to promote them should be given priority.</p> <p>Hunters Hill- This is a beautiful site with significant local biological importance, but requires improvements to make it more visitor friendly</p> <p>Tawd Valley Park – This site running through the middle of Skelmersdale needs significant upgrades in order to make the most of its location, ecological, heritage and future potential</p>
Are there any other projects on the IDS that you think should be considered for CIL funding?	-
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	-
Which of the four options do you support? Why? Which projects do you think that option should include?	There are a number of important projects on the list which would benefit from various amounts of funding- makes sense to use some of it. Cheshire lines, Hunters Hill and Tawd Valley Park all deserve some funding
Council response	<p>Support noted for Cheshire Lines, Hunters Hill and Tawd Valley Park projects.</p> <p>This is one of several "same text" responses received through the consultation.</p>

Rep no.	14
Name	Linda Marsh
Organisation	-
Do you agree with our shortlist of projects? Which do	Cheshire Lines – This location is part of the Trans Pennine Trail and needs significant upgrades to maintain the standards strived

you think are the greatest priority to deliver? Why?	<p>for and achieved by other sections of the route. It is well used and brings many visitors to the area. Cycling and outdoor recreation have proven multiple benefits for health and wellbeing and anything done to promote them should be given priority.</p> <p>Hunters Hill- This is a beautiful site with significant local biological importance, but requires improvements to make it more visitor friendly</p> <p>Tawd Valley Park – This site running through the middle of Skelmersdale needs significant upgrades in order to make the most of its location, ecological, heritage and future potential</p>
Are there any other projects on the IDS that you think should be considered for CIL funding?	-
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	-
Which of the four options do you support? Why? Which projects do you think that option should include?	<p>There are a number of important projects on the list which would benefit from various amounts of funding- makes sense to use some of it. Cheshire lines, Hunters Hill and Tawd Valley Park all deserve some funding</p> <p>AS someone who visits different areas of the TPT to camp, cycle and explore these projects seem well worthwhile to me.</p>
Council response	<p>Support noted for Cheshire Lines, Hunters Hill and Tawd Valley Park projects.</p> <p>This is one of several "same text" responses received through the consultation.</p>

Rep no.	15
Name	-
Organisation	Halton Council
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	<p>Cheshire Lines – This location is part of the Trans Pennine Trail and needs significant upgrades to maintain the standards strived for and achieved by other sections of the route. It is well used and brings many visitors to the area. Cycling and outdoor recreation have proven multiple benefits for health and wellbeing and anything done to promote them should be given priority.</p>

	<p>Hunters Hill- This is a beautiful site with significant local biological importance, but requires improvements to make it more visitor friendly</p> <p>Tawd Valley Park – This site running through the middle of Skelmersdale needs significant upgrades in order to make the most of its location, ecological, heritage and future potential</p>
Are there any other projects on the IDS that you think should be considered for CIL funding?	-
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	-
Which of the four options do you support? Why? Which projects do you think that option should include?	<p>There are a number of important projects on the list which would benefit from various amounts of funding- makes sense to use some of it. Cheshire lines, Hunters Hill and Tawd Valley Park all deserve some funding.</p> <p>As a cyclist, I feel that cycle infrastructure is extremely important, especially strategic routes such as the Trans-Pennine Trail, which link communities otherwise isolated by bike/pedestrian-unfriendly routes. The improvement of the Cheshire Lines path would bring huge benefits, not just to the local community, but to Trail users generally.</p>
Council response	<p>Support noted for Cheshire Lines, Hunters Hill and Tawd Valley Park projects.</p> <p>This is one of several "same text" responses received through the consultation.</p>

Rep no.	16
Name	Quentin Blagg
Organisation	-
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	<p>Cheshire Lines – This location is part of the Trans Pennine Trail and needs significant upgrades to maintain the standards strived for and achieved by other sections of the route. It is well used and brings many visitors to the area. Cycling and outdoor recreation have proven multiple benefits for health and wellbeing and anything done to promote them should be given priority.</p> <p>Hunters Hill- This is a beautiful site with significant local biological importance, but requires improvements to make it more visitor friendly</p>

	Tawd Valley Park – This site running through the middle of Skelmersdale needs significant upgrades in order to make the most of its location, ecological, heritage and future potential
Are there any other projects on the IDS that you think should be considered for CIL funding?	Happy with the 3 nominated.
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	As above.
Which of the four options do you support? Why? Which projects do you think that option should include?	There are a number of important projects on the list which would benefit from various amounts of funding- makes sense to use some of it. Cheshire lines, Hunters Hill and Tawd Valley Park all deserve some funding.
Council response	Support noted for Cheshire Lines, Hunters Hill and Tawd Valley Park projects. This is one of several "same text" responses received through the consultation.

Rep no.	17
Name	John Stephen Clarke
Organisation	
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	Cheshire Lines – This location is part of the Trans Pennine Trail and needs significant upgrades to maintain the standards strived for and achieved by other sections of the route. It is well used and brings many visitors to the area. Cycling and outdoor recreation have proven multiple benefits for health and wellbeing and anything done to promote them should be given priority. Hunters Hill- This is a beautiful site with significant local biological importance, but requires improvements to make it more visitor friendly Tawd Valley Park – This site running through the middle of Skelmersdale needs significant upgrades in order to make the most of its location, ecological, heritage and future potential
Are there any other projects on the IDS that you think should be considered for CIL funding?	-

Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	-
Which of the four options do you support? Why? Which projects do you think that option should include?	There are a number of important projects on the list which would benefit from various amounts of funding- makes sense to use some of it. Cheshire lines, Hunters Hill and Tawd Valley Park all deserve some funding
Council response	Support noted for Cheshire Lines, Hunters Hill and Tawd Valley Park projects. This is one of several "same text" responses received through the consultation.

Rep no.	18
Name	Polly Blacker
Organisation	-
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	Cheshire Lines – This location is part of the Trans Pennine Trail and needs significant upgrades to maintain the standards strived for and achieved by other sections of the route. It is well used and brings many visitors to the area. Cycling and outdoor recreation have proven multiple benefits for health and wellbeing and anything done to promote them should be given priority. Hunters Hill- This is a beautiful site with significant local biological importance, but requires improvements to make it more visitor friendly Tawd Valley Park – This site running through the middle of Skelmersdale needs significant upgrades in order to make the most of its location, ecological, heritage and future potential
Are there any other projects on the IDS that you think should be considered for CIL funding?	-
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	-
Which of the four options do you support? Why? Which projects do you think that option should include?	There are a number of important projects on the list which would benefit from various amounts of funding- makes sense to use some of it. Cheshire lines, Hunters Hill and Tawd Valley Park all deserve some funding

Council response	Support noted for Cheshire Lines, Hunters Hill and Tawd Valley Park projects. This is one of several "same text" responses received through the consultation.
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Rep no.	19
Name	Tony Corah
Organisation	-
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	Cheshire Lines – This location is part of the Trans Pennine Trail and needs significant upgrades to maintain the standards strived for and achieved by other sections of the route. It is well used and brings many visitors to the area. Cycling and outdoor recreation have proven multiple benefits for health and wellbeing and anything done to promote them should be given priority. Hunters Hill- This is a beautiful site with significant local biological importance, but requires improvements to make it more visitor friendly Tawd Valley Park – This site running through the middle of Skelmersdale needs significant upgrades in order to make the most of its location, ecological, heritage and future potential
Are there any other projects on the IDS that you think should be considered for CIL funding?	-
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	-
Which of the four options do you support? Why? Which projects do you think that option should include?	There are a number of important projects on the list which would benefit from various amounts of funding- makes sense to use some of it. Cheshire lines, Hunters Hill and Tawd Valley Park all deserve some funding
Council response	Support noted for Cheshire Lines, Hunters Hill and Tawd Valley Park projects. This is one of several "same text" responses received through the consultation.

Rep no.	20
Name	-
Organisation	Downholland Parish Council
Do you agree with our	Council agree up to a point but wish greater use is made for

shortlist of projects? Which do you think are the greatest priority to deliver? Why?	smaller projects
Are there any other projects on the IDS that you think should be considered for CIL funding?	The local stretch of the canal in whole or in part could benefit. It is well used by local and visitors to the area.
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	<p>Sumner Ave, Haskayne has a triangle of land owned by WLBC, which ostensibly prevents residents accessing their properties, however cars are drive across it leaving it as an eye sore. A simple solution would be to remove it or tarmac it.</p> <p>The road bridge on the A5147 adjacent to the Kings Arms on Delph Lane has railings on the stone wall which are in a very bad state of repair needing strengthening and painting. As this very busy main road into the borough it is an eyesore not just for local people but for visitor and traffic passing through. To upgrade this would make a vast difference.</p>
Which of the four options do you support? Why? Which projects do you think that option should include?	The Council very much supports option 3. To spread the money across the Borough giving it to smaller projects where a lot more can be done and shown to be fairly distributed.
Council response	<p>CIL must be spent on infrastructure required to support new development. It cannot be used to tarmac areas for resident parking.</p> <p>Improvements to the A5147 is already listed on the IDS as project #103. CIL must be used to support <u>new</u> development and there has been limited new development in Downholland to justify use of CIL. Insufficient information has been provided about this scheme, in relation to CIL funding required and delivery, to be able to recommend this scheme for CIL funding in 2018/19.</p> <p>Support for option 3 noted.</p>

Rep no.	21
Name	Peter Brocklehurst
Organisation	-
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	Cheshire Lines – This location is part of the Trans Pennine Trail and needs significant upgrades to maintain the standards strived for and achieved by other sections of the route. It is well used and brings many visitors to the area. Cycling and outdoor recreation have proven multiple benefits for health and wellbeing and anything done to promote them should be given priority.

	<p>Hunters Hill- This is a beautiful site with significant local biological importance, but requires improvements to make it more visitor friendly</p> <p>Tawd Valley Park – This site running through the middle of Skelmersdale needs significant upgrades in order to make the most of its location, ecological, heritage and future potential</p>
Are there any other projects on the IDS that you think should be considered for CIL funding?	-
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	-
Which of the four options do you support? Why? Which projects do you think that option should include?	There are a number of important projects on the list which would benefit from various amounts of funding- makes sense to use some of it. Cheshire lines, Hunters Hill and Tawd Valley Park all deserve some funding
Council response	<p>Support noted for Cheshire Lines, Hunters Hill and Tawd Valley Park projects.</p> <p>This is one of several "same text" responses received through the consultation.</p>

Rep no.	22
Name	Don Thompson
Organisation	-
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	<p>Cheshire Lines – This location is part of the Trans Pennine Trail and needs significant upgrades to maintain the standards strived for and achieved by other sections of the route. It is well used and brings many visitors to the area. Cycling and outdoor recreation have proven multiple benefits for health and wellbeing and anything done to promote them should be given priority.</p> <p>Hunters Hill- This is a beautiful site with significant local biological importance, but requires improvements to make it more visitor friendly</p> <p>Tawd Valley Park – This site running through the middle of Skelmersdale needs significant upgrades in order to make the most of its location, ecological, heritage and future potential</p>
Are there any other projects on the IDS that you think	-

should be considered for CIL funding?	
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	-
Which of the four options do you support? Why? Which projects do you think that option should include?	<p>There are a number of important projects on the list which would benefit from various amounts of funding- makes sense to use some of it.</p> <p>Mere Sands</p> <p>Cheshire lines, Hunters Hill and Tawd Valley Park all deserve some funding</p>
Council response	<p>Support noted for Cheshire Lines, Hunters Hill and Tawd Valley Park projects.</p> <p>This is one of several "same text" responses received through the consultation.</p>

Rep no.	23
Name	John Cope
Organisation	-
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	<p>Cheshire Lines – This location is part of the Trans Pennine Trail and needs significant upgrades to maintain the standards strived for and achieved by other sections of the route. It is well used and brings many visitors to the area. Cycling and outdoor recreation have proven multiple benefits for health and wellbeing and anything done to promote them should be given priority.</p> <p>Hunters Hill- This is a beautiful site with significant local biological importance, but requires improvements to make it more visitor friendly</p> <p>Tawd Valley Park – This site running through the middle of Skelmersdale needs significant upgrades in order to make the most of its location, ecological, heritage and future potential</p>
Are there any other projects on the IDS that you think should be considered for CIL funding?	-
Can you suggest any other infrastructure schemes that	-

you think could be included on the IDS list? Why?	
Which of the four options do you support? Why? Which projects do you think that option should include?	There are a number of important projects on the list which would benefit from various amounts of funding- makes sense to use some of it. Cheshire lines, Hunters Hill and Tawd Valley Park all deserve some funding
Council response	Support noted for Cheshire Lines, Hunters Hill and Tawd Valley Park projects. This is one of several "same text" responses received through the consultation.

Rep no.	24
Name	-
Organisation	Lancashire Wildlife Trust
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	<p>Cheshire Lines – For importance of its access quality / extent and ecological importance – notably a truly “green” / “wildlife” corridor / “ecological network” through an intensive agricultural area with notable fauna and fauna records (as stored with local naturalists and environmental organisations, LeRN, B.S.B.I. recorders and L.C.C. Biological Heritage (B.H.S.) site documentation - citations).</p> <p>Multi-access use improvement (pedestrians, bicycles etc) would be a worthwhile improvement with regards health and well being considerations and opportunities - would also assist ongoing monitoring / condition assessment of the various B.H.S. designated sites within the larger site.</p> <p>Hunters Hill- A valuable site – particularly in the local context - containing habitat mosaics of grassland, heathland (rare at this altitude in North West England) and pioneer woodland. Notable invertebrate records from this site which has a good diversity / populations of insects. Access improvements would help where this is difficult and also help – indirectly - to maintain the structural diversity of the habitat mosaic with “glade” areas associated with access routes.</p> <p>Tawd Valley Park – An important component of remnant ancient woodland - a scarce resource nationally and quite rare in an urban / regional (West Lancs) context. Again, carefully considered access can actually benefit the structure of the woodland when cutting back / removal of regenerating secondary woody species (Sycamore especially) restores a more natural balance of canopy structure and light penetration expected in a lowland broadleaved woodland with plentiful oak trees.</p>
Are there any other projects	-

on the IDS that you think should be considered for CIL funding?	
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	-
Which of the four options do you support? Why? Which projects do you think that option should include?	<p>1. <i>Allocate funds to one large project (>£100,000) and, in addition, a number of smaller projects from the shortlist up to a maximum total spend of £100,000, and save any surplus funding.</i></p> <p>There are a number of important projects on the list which would benefit from various amounts of funding- makes sense to use some of it. Cheshire lines, Hunters Hill and Tawd Valley Park all deserve some funding</p>
Council response	<p>Support noted for Cheshire Lines, Hunters Hill and Tawd Valley Park projects.</p> <p>Support noted for option 1.</p>

Rep no.	25
Name	Pamela Ashton
Organisation	Formby U3A (University of the Third Age) Cycling Group
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	<p>Cheshire Lines – This location is part of the Trans Pennine Trail and needs significant upgrades to maintain the standards strived for and achieved by other sections of the route. It is well used and brings many visitors to the area. Cycling and outdoor recreation have proven multiple benefits for health and wellbeing and anything done to promote them should be given priority. YES</p> <p>Hunters Hill- This is a beautiful site with significant local biological importance, but requires improvements to make it more visitor friendly YES</p> <p>Tawd Valley Park – This site running through the middle of Skelmersdale needs significant upgrades in order to make the most of its location, ecological, heritage and future potential YES</p>
Are there any other projects on the IDS that you think should be considered for CIL funding?	-

Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	-
Which of the four options do you support? Why? Which projects do you think that option should include?	<p>There are a number of important projects on the list which would benefit from various amounts of funding- makes sense to use some of it. Cheshire lines, Hunters Hill and Tawd Valley Park all deserve some funding</p> <p>This is my preferred option as the Cheshire Lines is in need of an enormous amount of spending in order to bring it up to standard. The surface is poor, there is almost no signage and almost no furniture eg seats or picnic tables. The farm roads that cross it and the rights to access it by shooting groups all result in more problems.</p> <p>I represent Formby U3A (University of the Third Age) Cycling Group which has 35 members and which uses the Cheshire Lines regularly. We would dearly love to see it improved as at times it is almost unusable.</p>
Council response	Support noted for Cheshire Lines, Hunters Hill and Tawd Valley Park projects.

Rep no.	26
Name	Alison Wall
Organisation	-
Comments	<p>I would like to express my view on how some of the CIL money should be spent in 18/19. Please could we have more allotments in Ormskirk. I am secretary of Tower Hill allotment society and recent new members have waited many years to be allocated their plot. Myself and my husband waited 8 years and this is typical. The council are advocating healthy lifestyles through the Active West Lancs programme and more allotments would give more people the chance to grow their own food, exercise in the open air and benefit from the well-being, physical and mental, that this promotes. All plots at Tower Hill are presently tenanted (except those being purposely kept vacant by the council) and there is a waiting list held by the council. If the allotments at Tower Hill were extended onto the field, this would still leave plenty of green space, but would make our Society more viable.</p>
Council response	Support for Ormskirk allotments noted

Rep no.	27
Name	Fiona Duggan
Organisation	-

Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	Mere Sands Wood; a fine educational and recreational facility beloved by youngsters. The human facilities are worn out such that a lack of resources threatens its existence and development. The required sum is small but is the seed for the larger funds required. A good investment for the community
Are there any other projects on the IDS that you think should be considered for CIL funding?	Hunters; very attractive spot in need of improvement Cheshire Lines; popular
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	No
Which of the four options do you support? Why? Which projects do you think that option should include?	<p>1. <i>Allocate funds to one large project (>£100,000) and, in addition, a number of smaller projects from the shortlist up to a maximum total spend of £100,000, and save any surplus funding.</i></p> <p>There are a number of important projects on the list which would benefit from various amounts of funding- makes sense to use some of it</p>
Council response	<p>Support noted for Mere Sands Wood, Cheshire Lines and Hunters Hill projects.</p> <p>Support for option 1 noted.</p>

Rep no.	28
Name	Paul Stubbings
Organisation	-
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	<p>I agree with the shortlisted projects, the greatest priority being:</p> <ul style="list-style-type: none"> - Mere Sands Wood Visitor Centre Phase II, Holmeswood / Rufford <p>Mere Sands Wood is a strategic facility close to development areas (Burscough, Rufford etc.) and attracts many visitors from across the county and further afield. It provides wildlife experience and educational facilities to all ages which is becoming more and more important as the trend for urbanisation increases and the general public continue to lose touch with the natural world.</p> <p>The amount of money is small and well justified in comparison with some other schemes and would unlock considerable matching funding to allow much needed improvement in the</p>

	<p>existing facilities and hence the increased effectiveness of the centre. Equally, the percentage CIL funding requested of total spend is the lowest (10%) of the projects shortlisted and consequently offers the biggest bang for a buck.</p> <p>The allocation of the requested funds would continue the existing policy of support for this facility from CIL funds.</p>
Are there any other projects on the IDS that you think should be considered for CIL funding?	None known
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	None known
Which of the four options do you support? Why? Which projects do you think that option should include?	<p>Supported option</p> <p>3. Allocate funds to a number of smaller projects from the shortlist...</p> <p>The best use of the CIL fund is to provide initial investment for community projects that would then unlock additional financial support from other sources. The availability of additional financial support (community funding, charitable grants etc) being evidence of broad based support for the project.</p> <p>The Mere Sands Wood Visitor Centre Phase II is a clear example of this justifiable use of public funding for the benefit of the community.</p>
Council response	<p>Support noted for Mere Sands Wood.</p> <p>Support for option 3 noted.</p>

Rep no.	29
Name	William Lowes
Organisation	-
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	<p>Cheshire Lines – This location is part of the Trans Pennine Trail and needs significant upgrades to maintain the standards strived for and achieved by other sections of the route. It is well used and brings many visitors to the area. Cycling and outdoor recreation have proven multiple benefits for health and wellbeing and anything done to promote them should be given priority.</p> <p>Hunters Hill- This is a beautiful site with significant local</p>

	<p>biological importance, but requires improvements to make it more visitor friendly</p> <p>Tawd Valley Park – This site running through the middle of Skelmersdale needs significant upgrades in order to make the most of its location, ecological, heritage and future potential</p>
Are there any other projects on the IDS that you think should be considered for CIL funding?	-
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	-
Which of the four options do you support? Why? Which projects do you think that option should include?	<p>1. <i>Allocate funds to one large project (>£100,000) and, in addition, a number of smaller projects from the shortlist up to a maximum total spend of £100,000, and save any surplus funding.</i></p> <p>There are a number of important projects on the list which would benefit from various amounts of funding- makes sense to use some of it. Cheshire lines, Hunters Hill and Tawd Valley Park all deserve some funding</p>
Council response	<p>Support noted for Cheshire Lines, Hunters Hill and Tawd Valley Park projects.</p> <p>This is one of several "same text" responses received through the consultation.</p> <p>Support for option 1 noted.</p>

Rep no.	30
Name	Kathryn Mitchell
Organisation	-
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	<p>Cheshire Lines – This location is part of the Trans Pennine Trail and needs significant upgrades to maintain the standards strived for and achieved by other sections of the route. It is well used and brings many visitors to the area. Cycling and outdoor recreation have proven multiple benefits for health and wellbeing and anything done to promote them should be given priority.</p> <p>Hunters Hill- This is a beautiful site with significant local biological importance, but requires improvements to make it</p>

	<p>more visitor friendly</p> <p>Tawd Valley Park – This site running through the middle of Skelmersdale needs significant upgrades in order to make the most of its location, ecological, heritage and future potential</p>
<p>Are there any other projects on the IDS that you think should be considered for CIL funding?</p>	<p>I recently attended an Ormskirk residents' meeting and the CIL funding subject was discussed including an invitation for other suggestions.</p> <p>As an Ormskirk resident and owner of 2 rescue ex racing greyhounds, I have been thinking for quite some time how beneficial it would be for both owners and dogs to have an enclosed dog park to allow the dogs to run free and safely. We have enclosed parks for children and I am sure the many dog owning residents of Ormskirk would welcome such a facility. I would go further by proposing it be a 'key' park whereby a nominal annual fee be paid for the use. This would hopefully attract 'responsible' dog owners who would 'pick up' after their dog and, by paying for a key would assist in the park being self sufficient as well as keeping out any potential vandals. I would suggest the enclosure be erected in green anti vandal fencing (similar to Coronation Park's bowling green) and high enough, again, to keep out any unwelcome visitors. As for its location, I would suggest Church Fields as it is a large enough area that could easily accommodate a dog park facility. Obviously additional dog waste bins would be required together with signage requesting that dog owners clean up after their dogs. I would also make the dog owners aware that if they fail to be responsible then their key will be forfeited. I appreciate this may be difficult to enforce and may rely on complaints to the council but, as long as key owners appreciate and respect the dog park, I truly believe this project is affordable and manageable.</p> <p>May I finally remark that my suggestion was met with a positive response from the Residents' Meeting and I was encouraged by all to put forward my proposal. I do hope it is given serious consideration (and that I have completed the correct section of this form!)</p>
<p>Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?</p>	<p>-</p>
<p>Which of the four options do you support? Why? Which projects do you think that option should include?</p>	<p><i>Allocate funds to one large project (>£100,000) and, in addition, a number of smaller projects from the shortlist up to a maximum total spend of £100,000, and save any surplus funding.</i></p>

	There are a number of important projects on the list which would benefit from various amounts of funding- makes sense to use some of it. Cheshire lines, Hunters Hill and Tawd Valley Park all deserve some funding
Council response	<p>Support noted for Cheshire Lines, Hunters Hill and Tawd Valley Park projects. This is one of several "same text" responses received through the consultation.</p> <p>CIL must be used to fund infrastructure required as a result of new development. To have a 'dog park' included on the IDS, which lists those projects required to support new development, further information would need to be supplied to explain why this project is needed as a direct result of new development, and the levels of demand for such a project. This information can be supplied at any time. Subject to its receipt, the scheme may then be suitable for inclusion on the IDS.</p> <p>Support for option 1 noted.</p>

Rep no.	31
Name	Charles Scott
Organisation	-
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	I am only familiar with Mere Sands Wood and fully support the efforts there to improve this wonderful local amenity. I acknowledge local expertise in forming the shortlist which all seem to have some merit.
Are there any other projects on the IDS that you think should be considered for CIL funding?	None known
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	None known
Which of the four options do you support? Why? Which projects do you think that option should include?	<p>1. Allocate funds to one large project, and, in addition, a number of smaller projects from the shortlist...</p> <p>There are a number of important projects on the list which would benefit from various amounts of funding – makes sense to use some of it. Cheshire Lines, Hunters Hill and Tawd Valley Park all deserve some funding as well as Mere Sands Wood.</p>
Council response	<p>Support for Mere Sands Wood noted.</p> <p>Support for option 1 noted.</p>

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Rep no.	32
Name	-
Organisation	Natural England
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	<p>We support the following projects and consider them to be the greatest priority to deliver:</p> <p>58 – Tawd Valley, Skelmersdale 61 – Hunters Hill, Parbold</p> <p>Both these projects provide improvements to existing green infrastructure / public open space and may contribute to the reduction in recreational disturbance of land which is functionally linked to European designated sites.</p> <p>128 – Mere Sands Wood Visitors Centre Phase 2.</p> <p>This project will support the development of facilities within a SSSI which will enable the continued management of that SSSI.</p> <p>130 – Martin Mere Filtration Reed Bed</p> <p>This project will provide environmental improvements to an existing SPA and SSSI, including water quality improvements and will enhance the biodiversity of the site.</p>
Are there any other projects on the IDS that you think should be considered for CIL funding?	Future priority projects should include those which address recreational disturbance on land which is functionally linked to the European designated sites; water quality and flood risk management.
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	No
Which of the four options do you support? Why? Which projects do you think that option should include?	We would support option 1 to enable the delivery of a larger project which provides environmental improvements – ie. #130 – Martin Mere, whilst enabling smaller projects and saving money for other future projects.
Council response	<p>Support noted for Tawd, Hunters Hill, Mere Sands Wood and Martin Mere Filtration Reed Bed.</p> <p>Support for option 1 noted.</p>

Rep no.	33
Name	William Atkinson
Organisation	-
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	<p>Cheshire Lines – This location is part of the Trans Pennine Trail and needs significant upgrades to maintain the standards strived for and achieved by other sections of the route. It is well used and brings many visitors to the area. Cycling and outdoor recreation have proven multiple benefits for health and wellbeing and anything done to promote them should be given priority.</p> <p>Hunters Hill- This is a beautiful site with significant local biological importance, but requires improvements to make it more visitor friendly</p> <p>Tawd Valley Park – This site running through the middle of Skelmersdale needs significant upgrades in order to make the most of its location, ecological, heritage and future potential</p>
Are there any other projects on the IDS that you think should be considered for CIL funding?	-
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	-
Which of the four options do you support? Why? Which projects do you think that option should include?	<p>1. Allocate funds to one large project...</p> <p>There are a number of important projects on the list which would benefit from various amounts of funding- makes sense to use some of it. Cheshire lines, Hunters Hill and Tawd Valley Park all deserve some funding</p>
Council response	<p>Support noted for Cheshire Lines, Hunters Hill and Tawd Valley Park projects.</p> <p>This is one of several "same text" responses received through the consultation.</p> <p>Support for option 1 noted.</p>

Rep no.	34
Name	Philip Birchall
Organisation	-
Comments	I wish to input my views for the CIL funding. I would like to suggest allotments would benefit from any funding available and could benefit the community. I have recently acquired a allotment on the Tower Hill site After being on the waiting list for over seven years this shows that there is a demand for new plots and the is a shortage for people would like to grow there own produce the funding would benefit the community who want a new allotment enabling them to have a healthier life style fresh air, exercises, fresh produce and benefit meeting new people on the other plots. Thank you for your time and I hope you will consider my views for the funding
Council response	Support for Ormskirk allotments noted.

Rep no.	35
Name	Carole Hampton
Organisation	-
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	<p>My husband and I have been visiting Mere Sands Wood from its inception in a Portacabin many years ago. We appreciate the quiet natural setting and the variety of wildlife (Birds, Moths, Butterflies, Bees, Bats, Fungi etc).</p> <p>I think that the proposed improvements to the visitor centre would make visits more enjoyable for everyone, a café would be an added bonus possibly attracting additional visitors and earning money for Mere Sands whilst creating local jobs/staff training.</p> <p>The dedicated staff and volunteers at Mere Sands Wood deserve this additional facility.</p> <p>I often support other businesses in the local area – very good chandlers in Burscough!</p>
Are there any other projects on the IDS that you think should be considered for CIL funding?	-
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	-
Which of the four options do you support? Why? Which	I support Option 3, which would allow the funding of:

projects do you think that option should include?	<ul style="list-style-type: none"> • Mere Sands Wood £25,000 • Hunters Hill £60,000
Council response	Support for Mere Sands Wood noted. Support for Option 3 noted.

Rep no.	36
Name	Jeff Gorse
Organisation	-
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	Mere Sands Wood is an excellent and enjoyable site to visit with a range of special wildlife. Since discovering the reserve last year I have visited frequently and enjoy the tranquillity as well as the opportunity to see a variety of wildlife. I firmly believe that the reserve should be enhanced to broaden its appeal and recognise that a wider range of facilities would play a role in attracting visitors from further afield. I also recognise the role the reserve could play in the local economy with the developments opening opportunities for volunteering and employment roles.
Are there any other projects on the IDS that you think should be considered for CIL funding?	-
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	-
Which of the four options do you support? Why? Which projects do you think that option should include?	I support Option 3, which would allow the funding of: <ul style="list-style-type: none"> • Mere Sands Wood £25,000 • Hunters Hill £60,000
Council response	Support for Mere Sands Wood and Hunters Hill noted. Support for Option 3 noted.

Rep no.	37
Name	-
Organisation	Lathom Parish Council
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	Lathom Parish Council agree with the shortlist and feel community projects would be greatest priority.
Are there any other projects on the IDS that you think	No

should be considered for CIL funding?	
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	No
Which of the four options do you support? Why? Which projects do you think that option should include?	Lathom Parish Council would support Option 3 – possibly include projects where additional funding has been raised from other sources.
Council response	Support for Option 3 noted.

Rep no.	38
Name	Peter Tipping
Organisation	-
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	I very much value visiting Mere Sands Wood and would like to see improvements to the visitor facilities. I think this would make visits more enjoyable for everyone and would attract more visitors from further afield. The establishment of a cafe would also create jobs. Increasing the community service facilities will benefit the local area.
Are there any other projects on the IDS that you think should be considered for CIL funding?	-
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	-
Which of the four options do you support? Why? Which projects do you think that option should include?	I support Option 3, which would allow the funding of: <ul style="list-style-type: none"> • Mere Sands Wood £25,000 • Hunters Hill £60,000
Council response	Support for Mere Sands Wood, and Hunters Hill noted. Support for Option 3 noted.

Rep no.	39
Name	Janice Jowett
Organisation	-
Comments	I am writing to ask if consideration can be given to resurfacing the

	<p>pathway between Marians Drive, Ormskirk and the West End School on Grimshaw Lane.</p> <p>This pathway has deep potholes and indentations in the surface, so that it is extremely difficult to negotiate with a pram or buggy, not to mention the impossibility of anyone in a wheelchair using it. It is even more hazardous in wet or icy weather. People taking their children to school use the pathway on a daily basis, often with younger children in buggies with them. There is also a small children's play area next to the school, accessed by this pathway and again the path makes it difficult to get to because of the high probability of tripping on one of the many potholes.</p> <p>Please go and check this out for yourselves and you will see what I mean.</p> <p>Thank you for your consideration.</p>
Council response	Highway surfacing is a matter for Lancashire County Council.

Rep no.	40
Name	Pauline Margaret Brooks
Organisation	-
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	I would like to see the Phase II development at Mere Sands Wood. This reserve offers a great space for people of all ages, it is very welcoming as well as providing education and leisure opportunities.
Are there any other projects on the IDS that you think should be considered for CIL funding?	Martin Mere Filtration Reed beds. Martin Mere is a great attraction in our locality – generating income and providing employment and volunteering opportunities. The reed beds provide wildlife with a great habitat and should be maintained to a high standard.
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	Improvements to the Wiggins Road play area in Holmeswood. The equipment is outdate and does not meet the needs of children – not age and stage appropriate. A good example is the play area on Liverpool Road, Much Hoole. I am aware this is not in our area, but we take our grandchild here, knowing he is playing in a safe and stimulating environment. This is not the case in Holmeswood. Also aware of a [lower?] population of children in Holmeswood, but this should not influence their opportunity to play safely.
Which of the four options do you support? Why? Which projects do you think that option should include?	Option 3. The more projects that are supported the fairer the allocation of funds throughout West Lancs, as most people will support their own local projects.

Council response	<p>Support for Mere Sands Wood noted. Support for Martin Mere filtration reed beds noted. Support for Option 3 noted.</p> <p>The Wiggins play area does not accord with the Council's "bigger, better, fewer" strategy.</p>
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Rep no.	41
Name	Edward Stevens
Organisation	-
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	Mere Sands Wood visitor centre will be 30 years old next year, and is badly in need of upgrading. Activities are provided there by staff and volunteers for schools during term time and at the school holidays activities are also provided such as pond dipping and bug hunting. Also people with learning difficulties are catered for. There are 2 buggies available for the use of disabled people for which only a small donation is required to help maintain them. There are over 60,000 visitors a year to the site and at the moment only 2 toilets, so a few more would be a great help, there are at the moment limited refreshment facilities available and the establishment of a café would be great and would also create jobs.
Are there any other projects on the IDS that you think should be considered for CIL funding?	Hunters Hill Country Park Parbold. This site needs to attract more visitors and would definitely benefit from improvement.
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	-
Which of the four options do you support? Why? Which projects do you think that option should include?	I support Option 3, which would allow the funding of: <ul style="list-style-type: none"> - Mere Sands Wood £25,000 - Hunters Hill £60,000
Council response	Support for Option 3 noted. Support for Mere Sands Wood and Hunters Hill noted.

Rep no.	42
Name	-
Organisation	Lathom South Parish Council
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	<p>We have no objection to the inclusion of the Tawd Valley scheme within the list but do not support the allocation of funds to it at this stage. The plans need to be much firmer and cost-controlled first.</p> <p>We do not agree with the inclusion of the Martin Mere Reed bed for the reasons stated in the consultation document (description</p>

	<p>of short-listed projects).</p> <p>Our priority list for the remaining projects is:</p> <ol style="list-style-type: none"> 1. Mere Sands Wood Visitor Centre £25,000 (least cost for greatest return). 2. Cheshire Lines Path £40,000 (contribution to recreation and road safety) 3. Chequer Lane changing facilities £60,000 (support for disability sports) 4. Whittle Drive playing fields £40,000 (maintaining reasonable standards of leisure facilities) 5. Thompson Avenue play area £60,000 (improved facilities in return for reduced area of land) 6. Ormskirk Allotment site £40,000 (lower priority because no site has been identified) 7. Hunters Hill Country Park £60,000 (parished area seeking 100% funding) <p>We have regarded unparished areas as a generally higher priority in the absence of exceptional circumstances because i) Ormskirk has generated CIL incomes and has no Parish component of CIL funding and ii) the Skelmersdale/Up Holland built up areas do not attract CIL payments for housing developments.</p>
<p>Are there any other projects on the IDS that you think should be considered for CIL funding?</p>	<p>Not at this stage.</p>
<p>Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?</p>	<p>Not at this stage.</p>
<p>Which of the four options do you support? Why? Which projects do you think that option should include?</p>	<p>We propose a modified option 3, i.e. without the suggested £100,000 total spending). There would be no point in having a shortlist of nine, with seven projects costing less than £100,000 each, if only two could possibly be funded. Option 1 provides for spending a total of at least £300,000, up to £400,000, so the proposed option 3 limit makes no sense.</p>
<p>Council response</p>	<p>The CIL Regulations specify that 15% of CIL receipts must be apportioned for local uses in the area in which they are collected. In parished areas, this money is given to the parish council who determine how the money should be spent. In non-parished areas, the Borough Council retain the monies and will consult with local communities to identify the most suitable projects for delivery. Subsequently, those areas which are non-parished will still receive</p>

	<p>15% of the CIL monies collected in its area for use on local infrastructure schemes. Some projects may be better funded by 'local' CIL monies to enable the remainder of CIL to be used elsewhere in the Borough and get the best value from CIL.</p> <p>Objection to use of monies for Martin Mere Filtration Reed Beds and Tawd Valley noted. Support for Mere Sands Wood and Cheshire Lines Path noted. Further support for other listed projects noted.</p> <p>Support for a modified option 3 noted.</p>
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Rep no.	43
Name	Ron Strickland
Organisation	-
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	As Mere Sands Wood have only asked for 25% contribution we think it should be supported, with consideration to increase the % contribution on the basis that the site is in the stages of critical development.
Are there any other projects on the IDS that you think should be considered for CIL funding?	Not at the moment as in our opinion Mere Sands needs to be recognized as a strategic wetlands development site.
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	See 2. above
Which of the four options do you support? Why? Which projects do you think that option should include?	<p>1. Allocate funds to one large project and in addition a number of small projects...</p> <p>There are a number of important projects on the list which would benefit from various amounts of funding – makes sense to use some of it. Cheshire Lines, Hunters Hill and Tawd Valley Park all deserve some funding.</p>
Council response	<p>Support for Mere Sands Wood noted.</p> <p>Support for Option 1 noted.</p>

Rep no.	44
Name	Diane Strickland
Organisation	-

Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	As Mere Sands Wood have only asked for 25% contribution we think it should be supported, with consideration to increase the % contribution on the basis that the site is in the stages of critical development.
Are there any other projects on the IDS that you think should be considered for CIL funding?	Not at the moment as in our opinion Mere Sands needs to be recognized as a strategic wetlands development site.
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	See 2. above
Which of the four options do you support? Why? Which projects do you think that option should include?	1. Allocate funds to one large project and in addition a number of small projects... There are a number of important projects on the list which would benefit from various amounts of funding – makes sense to use some of it. Cheshire Lines, Hunters Hill and Tawd Valley Park all deserve some funding.
Council response	Support for Mere Sands Wood noted. Support for Option 1 noted.

Rep no.	45
Name	-
Organisation	Newburgh Parish Council
Comments	I have been asked to contact you regarding our response to the Spending CIL in 2018/19 consultation. Newburgh Parish Council prefers the Option 3 method specified – allocate funds to a number of smaller projects from the shortlist up to a maximum total spend of £100,000 and save any surplus funding.
Council response	Support for Option 3 noted.

Rep no.	46
Name	-
Organisation	Environment Agency
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	Yes, we have no issues with the shortlist of projects. In terms of priority, the two with the most potential to improve the water environment and water quality are: <ul style="list-style-type: none"> - Tawd Valley Park - Martin Mere Filtration Reed Bed We have been involved in the development of both of these

projects – more so the Tawd Park one. We have been working in partnership to try and progress these projects due to the beneficial improvement that they would bring to the water environment.

Given only one choice, we would support the Tawd Valley Park project, as we believe it will lever in the most match funding and produce the best, most rounded project for the environment and people. We have already contributed funding to the masterplan phase of this project, and have further aspirations to contribute to the delivery phase through our Environmental Programme. There has been extensive public consultation about this project which provided evidence of need and support from the local community. From an Environment Agency perspective, the project has the potential to significantly improve the water quality and habitat of the River Tawd. Consultation has shown that currently, the community are aware of the presence of the river, but don't necessarily value it because they believe it is polluted. Overall, water quality in the Tawd is not bad, but the river does suffer from intermittent pollution incidents which are visible to the public and likely influence their opinion that it is polluted / unsafe. Part of the masterplan is for the construction of wetlands which will provide a buffer for surface water drainage into the river, as well as creating new aquatic habitat and an amenity. The project has a big focus on education, with the desire to enable the river to become an outdoor classroom for local schools. We hope that all of this activity, alongside a great improvement to the whole park, will result in the river being better valued by local people.

We note that the new Local Plan which is currently being prepared by West Lancashire marks Skelmersdale as an area for future development. The Tawd Valley Project could also assist in creating a 'sense of place' within the centre of Skelmersdale whilst creating an attraction that could benefit the visitor economy.

The Martin Mere filtration reed bed also has the potential to be a brilliant project for the water environment. The proposals would allow for the creation of a huge reed bed alongside Martin Mere. The idea is to allow water from Boat House Sluice to flow (may need to be pumped) through the reed bed to improve water quality. This would likely make a significant improvement as well as providing habitat and public amenity. The reed bed would be situated downstream of Burscough Waste water Treatment Works and hopefully the outlet from Martin Mere itself, which is a contributor of organic pollution to water courses due to the size of the bird population. There would be an increase in storage capacity, slowing the flow downstream. However, this is not expected to result in a significant reduction in flood risk, due to there being only a small number of properties. It may ease pressure on the waterway network however, e.g. less pressure on maintained embankments and pumping stations. And a reduction

	<p>in nutrients may help reduce growth of weed in the water course channel, which is a significant problem for the Environment Agency this year. We note the concerns the council have around the use of CIL funding in this way, given some of the highest costs are associated with the price of the land. However, we think without external investment, Wildfowl and Wetlands Trust just wouldn't be able to afford to hold onto this land, so there's a significant risk it would need to be sold to a private landowner, probably for intensive agriculture. That said, there may be other funding mechanisms with which we can support WWT. This is partly why we would prioritise the Tawd project.</p> <p>The Cheshire Lines project would also have some indirect benefits to use by encouraging use of green transport alongside a water course, the water course is likely to be better valued and better observed (i.e. more people to witness and report pollution incidents or risk to flood assets).</p>
Are there any other projects on the IDS that you think should be considered for CIL funding?	From an Environment Agency perspective, the projects with most benefit to the water environment have been shortlisted.
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	Not at this time.
Which of the four options do you support? Why? Which projects do you think that option should include?	<p>It is difficult to answer this question, not knowing how much the Council have in their CIL pot (or at least we have not been able to ascertain this from the documents).</p> <p>However, our preference would be option 1 – fund one large project and a number of smaller projects.</p> <p>There could also be the opportunity to go back to applicants and offer a smaller amount of funding from CIL, if funding is short. In many cases, they may be able to use CIL funding to lever in other funds, or deliver a scaled back project.</p>
Council response	Support for the Tawd noted. Support for Martin Mere filtration reed beds noted. Support for Option 1 noted.

Rep no.	47
Name	Bryan Pready
Organisation	-

Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	Ormskirk Community Partnership's Committee considered the proposals at its last meeting and agreed to support all three of the projects in Ormskirk, i.e. New changing facilities at Whittle Drive, Ormskirk; new allotments Ormskirk; and improvements to play area at Thompson Ave Park, Ormskirk. These are not in order of priority, we hope that all three will be progressed as soon as possible
Are there any other projects on the IDS that you think should be considered for CIL funding?	No, taking account of the explanations given
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	Not at this point. But we would like the opportunity to discuss with relevant Council officers the possibility of bringing forward specific proposals for Ormskirk. This is important because Ormskirk is an "unparished" area that does not benefit from the "neighbourhood portion" given to parish councils.
Which of the four options do you support? Why? Which projects do you think that option should include?	At this stage we would prefer Option 3.
Council response	<p>Support for Whittle Drive, Ormskirk allotments and Thompson Ave play area noted. Support for Option 3 noted.</p> <p>The CIL Regulations specify that 15% of CIL receipts must be apportioned for local uses in the area in which they are collected. In parished areas, this money is given to the parish council who determine how the money should be spent. In non-parished areas, the Borough Council retain the monies and will consult with local communities to identify the most suitable projects for delivery. Subsequently, whilst Ormskirk is non-parished, 15% of the CIL monies collected in its area will still be awarded to fund local infrastructure schemes. Some Ormskirk projects may be better funded by 'local' CIL monies to enable the remainder of CIL to be used elsewhere in the Borough and get the best value from CIL.</p> <p>We will collect the first CIL monies from Ormskirk this financial year, and so consultation on the use of the 15% on local projects will be undertaken next year.</p>

Rep no.	48
Name	Pamela Greaves
Organisation	-
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	I very much value visiting Mere Sands Wood and would like to see improvements to the visitor's facilities. I think that this would make visits more enjoyable for everyone and would attract visitors from further afield especially if a cafe was established.

	A cafe would also be a source of job creation for local people.
Are there any other projects on the IDS that you think should be considered for CIL funding?	-
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	-
Which of the four options do you support? Why? Which projects do you think that option should include?	I support Option 3, which would allow fusing of: <ul style="list-style-type: none"> • Mere Sands Wood £25,000 • Hunters Hill £60,000
Council response	Support for Mere Sands Wood noted. Support for Option 3 noted.

Rep no.	49
Name	-
Organisation	WLBC Leisure Services
Comments	<p>I would fully support the option of the Council providing funding for one large project and some smaller schemes.</p> <p>The Tawd Valley Park scheme has had an extensive local consultation and the Council has funded the production of an extensive Masterplan from this process. Aspirations have now been raised and although the initial bid of £300,000 that has been put forward in the IDS will only complete part of this project it would be a very important impetus to the project and could be used to lever in more funds. This is a very important project for the Council and should be supported as much as possible.</p> <p>Of the smaller projects I would particularly support the 2 schemes that would provide opportunities for football clubs to provide the local community with quality facilities.</p> <p>At Whittle Drive the quality of the facilities is preventing the club from expanding and providing healthy outdoor activities for both adults and children.</p> <p>At Chequer Lane the scheme is to provide changing and community facilities for numerous junior teams, plus a home for a local disabled adults team. Both of these projects have had pledges of support from the Football Foundation, conditional upon the Council making the funds they have requested available.</p>

	Both schemes are also very keen to progress and can be undertaken within 2018/19
Council response	Support for Tawd Valley, Whittle Drive and Chequer Lane projects noted. Support for option 1 noted.

Rep no.	50
Name	Robert Yates
Organisation	-
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	<p>I very much value visiting Mere Sands Wood and would like to see improvements to the visitor facilities. I think this would make visits more enjoyable for everyone and would attract more visitors from further afield.</p> <p>The establishment of a cafe would also create jobs. In the 30 years I have been visiting this site the recreational value cannot be underestimated, but the facilities to the average visitor are very old fashioned and seriously need updating.</p>
Are there any other projects on the IDS that you think should be considered for CIL funding?	-
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	-
Which of the four options do you support? Why? Which projects do you think that option should include?	<p>I support Option 3, which would allow the funding of:</p> <ul style="list-style-type: none"> • Mere Sands Wood £25,000 • Hunters Hill £60,000
Council response	Support for Mere Sands Wood noted. Support for option 3 noted.

Rep no.	51
Name	-
Organisation	Lancashire County Council
Comments	<p>Thank you for the opportunity to comment on the above consultation.</p> <p>We are in broad agreement with the proposals presented in this consultation and look forward to continuing a close working relationship as the CIL funding programme progresses.</p>

For more specific recommendations, I offer the following comments from Highways and School Planning colleagues at Lancashire County Council.

Highways Service

Lancashire County Council Highways would like to see West Lancashire Borough Council incorporate the following projects in CIL Regulation 123 list:

- Public transport subsidies for new services, cycling links and highway schemes in Burscough and Ormskirk to overcome the known congestion issues and facilitate planned development;
- Highway schemes to improve capacity on the A59 through Burscough and where required the provision of land to deliver highway improvement schemes, i.e. at the junction of the A59 and A5209, Square Lane Junction (this would be in addition to works delivered by the Yew Tree Farm development);
- Public realm improvements in Burscough would also be beneficial to improve pedestrian priority and the environment of the A59 in the town centre;
- Ormskirk accessibility – work is about to commence on an Ormskirk Movement Study, the outcome of which could identify potential changes. There is also work currently being undertaken to identify priority improvement schemes. CIL contributions would be good to help deliver the identified infrastructure.

Lancashire County Council Highways note that West Lancashire Borough Council have already shortlisted a number of projects. The schemes involving transport infrastructure (Tawd Valley and Cheshire Lines Path) are supported.

Education

Lancashire County Council Schools Planning would like to thank West Lancashire Borough Council for the opportunity to comment on this consultation. Currently education provision is not included on the Regulation 123 List and any education infrastructure projects are funded by Section 106 Legal Agreements.

Schools Planning attended a meeting with West Lancashire Borough Council Planning Officers in September 2017, which was requested as part of the Local Plan Review. The subject of education infrastructure funding was discussed. West Lancashire Borough Council advised that they are not reviewing the CIL Regulation 123 List as part of the Local Plan Review, and explained that they will wait for the outcome of the government white

	<p>paper on CIL before taking any steps to review CIL funding. Any change to CIL would require elected member approval.</p> <p>I trust that the comments outlined in this response are useful.</p>
Council response	<p>Support for the Tawd Valley and Cheshire Lines projects are noted.</p> <p>Cycling links and highways schemes (various) are already included in the IDS. Further information on costs and delivery must be provided by LCC for them to be assessed and considered for CIL funding. Burscough Town Centre Public Realm Improvements is project #64 on the IDS. Ormskirk Town Centre Movement Strategy is project #4 in the IDS. The Council are awaiting the results of the Strategy before a package of measures can be identified.</p> <p>Highway improvement schemes along the A59 may be suitable for inclusion on the IDS. Further information has been requested from LCC and will be added to the IDS on receipt.</p>

Rep no.	52
Name	Linda Ebrey
Organisation	-
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	I am not aware of most of the projects but would like to support Mere Sands Wood. As this project is great for Education about wildlife and the environment and provides stimulation and activity for young and old.
Are there any other projects on the IDS that you think should be considered for CIL funding?	No
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	No
Which of the four options do you support? Why? Which projects do you think that option should include?	<p><i>Allocate funds to one large project (>£100,000) and, in addition, a number of smaller projects from the shortlist up to a maximum total spend of £100,000, and save any surplus funding.</i></p> <p>There are a number of important projects on the list which would benefit from various amounts of funding- makes sense to use some of it. Cheshire lines, Hunters Hill and Tawd Valley Park all deserve some funding</p>

	Mere Sands Wood would give good benefit
Council response	Support for Mere Sands Wood noted. Support for option 1 noted. Support for Cheshire Lines, Hunters Hill and Tawd Valley noted.

Rep no.	53
Name	L Hill
Organisation	Ormskirk Residents Group
Comments	New Ormskirk Residents Group (NORG), at a recent meeting considered the list of projects for which possible allocation of CIL funds could be considered. It was decided that we would support option 4 - to save CIL monies to be allocated towards a larger project in the future.
Council response	Support for Option 4 noted.

Rep no.	54
Name	-
Organisation	Sport England
Comments	Sport England would like to support the Football Foundation linked investment projects at Chequer lane and Whittle Drive. With significant partner will and financial support these can be delivered quickly and will have an important impact on sport locally.
Council response	Support for Chequer Lane and Whittle Drive projects supported.

Rep no.	55
Name	-
Organisation	Wrightington Parish Council
Comments	<p>Further to your email and consultation documents in relation to the draft CIL Funding Programme, the Parish Council's observations are as follows:</p> <p>1) The Parish Council feel that planned capital projects are a good idea, however, there must be some form of maintenance programme put into place going forward, to ensure that the work undertaken in creating some of the ideas is continued year on year and, that the project does not become an eyesore due to lack of ongoing maintenance funding or lack of interest once the project is complete e.g: The gateway planting project completed a few years ago at Crow Orchard Road/Motorway roundabout in Wrightington with funding obtained by the Borough Council. For the first couple of years the gateway planting was tended,</p>

	<p>weeded, cut back and maintained. For the past 2-3 years there has been nothing. Ongoing maintenance has ceased and the Parish Council find themselves contacting LCC repeatedly to ask for overgrown shrubs and vegetation originally forming part of the gateway project to be cut back.</p> <p>2) Improvements at Hunters Hill Country Park describe this site as being in Parbold. The Parish Council always believed the site to be in Hilldale once the new Parish of Hilldale was formed when it split from Wrightington Parish many years ago. The Parish Council feel that this is a really good project, however, a planned maintenance programme as outlined above would need to be put in place to ensure that the area was kept up to the improved standards proposed in the draft programme. The Parish Council would also like to suggest that all the access routes, public footpaths etc. should be upgraded to ensure that the Country Park is accessible to everyone, young, old, able-bodied or disabled. There is no point in improving and enhancing Hunters Hill Country Park if the only means of accessing the facility is by car.</p> <p>3) The Parish Council would therefore support Option 3 - Allocate funds to a number of smaller projects from the shortlist up to a maximum total spend of £100,000 and save any surplus funding.</p> <p>4) The Parish Council would also like to suggest a further project which could be added to the list for funding in the future. The West Lancashire Borough Council play area and playing fields at Appley Lane South. The play equipment is in much need of updating and enhancing as this is the only play facility in the Appley Bridge Ward of Wrightington. No money has been spent on this play area for several years and, when wooden play equipment was removed for safety reasons many years ago nothing replaced it. The play area is in a great location and would be a valuable community asset if enhanced using CIL money.</p>
<p>Council response</p>	<p>1) CIL monies cannot be used on the maintenance of existing infrastructure unless there is a need resulting from new development. Landscape maintenance (cutting back overgrown shrubs etc) would not be an acceptable use of CIL monies.</p> <p>2) Support for Hunters Hill noted.</p> <p>3) Support for Option 3 noted</p> <p>4) This project is already listed on the IDS as no #98. At present, there has been very little development in Appley Bridge to justify a local need arising from new development. Insufficient information has been provided about funding and delivery to be able to recommend this scheme for CIL funding.</p>

Rep no.	56
Name	-
Organisation	Hilldale Parish Council
Comments	Following the meeting of Hilldale Parish Council last night Thursday 2nd November 2017 I have been asked to write to you to express Hilldale Parish Council's support for the improvements at Hunters Hill Country Park . It was felt this project would be of the most benefit to the widest range of residents across West Lancashire
Council response	Support for Hunters Hill noted.

Rep no.	57
Name	David White
Organisation	-
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	I very much value visiting Mere Sands Wood and would like to see improvements to the visitor facilities. I think this would make visits more enjoyable for everyone and would attract more visitors from further afield. The establishment of a café would also create jobs.
Are there any other projects on the IDS that you think should be considered for CIL funding?	n/a
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	n/a
Which of the four options do you support? Why? Which projects do you think that option should include?	I support option 3 which would allow the funding of: <ul style="list-style-type: none"> • Mere Sands Wood £25,000 • Hunters Hill £60,000
Council response	Support for Mere Sands Wood and Hunters Hill noted. Support for option 3 noted.

Rep no.	58
Name	-
Organisation	Friends of Mere Sands Wood Group

Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	Mere Sands Wood is a beautiful and interesting Nature Reserve, providing a good venue for activities and pleasure to a wide cross section of the community. In addition to nature lovers (and dog walkers!), it accommodated activities for school visits, talks and activities for many community groups, especially for those 'of a certain age' and disabled. Many community volunteers enjoy working there and maintain the reserve generally. These, and a "Friends of MSW Group" help to arrange funding and a community appeal has realised part funding for a 2 phased project to enhance the visitor centre. There are, however, no facilities for refreshments and toilet facilities are inadequate for large group activities. This project is to include café/tearoom and toilets car park enhancement to attract more community visitors and provide a lakeside meeting place, especially for more elderly people. It will also provide more employment and more funding to help maintain the Reserve. I think that MSW project is worth priority.
Are there any other projects on the IDS that you think should be considered for CIL funding?	-
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	-
Which of the four options do you support? Why? Which projects do you think that option should include?	I support option 3 which would allow the funding of: <ul style="list-style-type: none"> • Mere Sands Wood £25,000
Council response	Support for Mere Sands Wood noted. Support for option 3 noted.

Rep no.	59
Name	Graeme, Carol & Jamie Williams
Organisation	-
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	I very much value visiting Mere Sands Wood and would like to see improvements to the visitor facilities. I think this would make visits more enjoyable for everyone and would attract more visitors from further afield. The establishment of a café would also create jobs.
Are there any other projects on the IDS that you think should be considered for CIL funding?	1.Cheshire Lines Path, Downholland/Great Altcar. Improve access to an area vital for healthy recreation for all ages. 2.Hunters Hill Country Park "Natural" areas around this part of Lancashire are few and far between – Vital we create more breathing spaces for wildlife and humans
Can you suggest any other infrastructure schemes that you think could be included	Please see above

on the IDS list? Why?	
Which of the four options do you support? Why? Which projects do you think that option should include?	<p>I support option 3 which would allow the funding of:</p> <ul style="list-style-type: none"> • Mere Sands Wood £25,000 • Hunters Hill £60,000 <p>Thank you for the chance to comment</p>
Council response	Support for Mere Sands Wood, Cheshire Lines and Hunters Hill noted. Support for option 3 noted.

Rep no.	60
Name	Stuart Dundas
Organisation	-
Do you agree with our shortlist of projects? Which do you think are the greatest priority to deliver? Why?	<p>We regularly visit Mere Sands Woods, recently with extended family too, and think it would be greatly improve by enhanced visitor facilities.</p> <p>They also hold regular sessions in the woods, and in the classroom, on what can be found / observed in Mere Sands Woods, which are very enjoyable too.</p> <p>A café would be well used and appreciated, and would also bring extra employment to the area</p>
Are there any other projects on the IDS that you think should be considered for CIL funding?	-
Can you suggest any other infrastructure schemes that you think could be included on the IDS list? Why?	-
Which of the four options do you support? Why? Which projects do you think that option should include?	<p>Option 3, to allow the funding of:</p> <ul style="list-style-type: none"> • Mere Sands Wood £25,000 • Hunters Hill £60,000
Council response	Support for Mere Sands Wood and Hunters Hill noted. Support for option 3 noted.

Rep no.	61
Name	-
Organisation	Canal & Rivers Trust
Comments	Thank you for your consultation in respect of how the authority plans to spend the CIL receipts for 2018/19. Having reviewed the options the Canal & River Trust has no comment to make.

Council response	Comments noted

Rep no.	62
Name	Brian Farrimond
Organisation	-
Comments	<p>I am writing regarding the CIL proposals currently posted on page http://www.westlancs.gov.uk/CFP</p> <p>I support funding going towards the Ormskirk allotments. It is not clear to me from your document how you wish to spend the money. Two possibilities occur to me:</p> <ol style="list-style-type: none"> 1) Upgrade the existing allotments, 2) Extend the existing allotments <p>In either case it is essential that good security be arranged. If the funding isn't sufficient to extend the allotments then at least installing a decent fence should be possible in order to protect the existing ones</p>
Council response	Support for Ormskirk allotments noted. The project is explained in more detail in the consultation supporting document, including the IDS. The project would be for the creation of a new allotment site in Ormskirk (approximately 20 new plots). Comments regarding security noted.

Rep no.	63
Name	Cllr Bob Pendleton
Organisation	-
Comments	<p>I Support Option one</p> <p>On my bid. Improvement around Tanhouse consisting of Bowling green upgrade All weather pitch youth shelter Skate park plus Landscaping. The project can be delivered as the funding in place In submitting my Bid I had as J Malison Landscape Arcetact to cost the development and the programme of works. This is part of my bid.</p> <p>The Question about maintenance of the bowling green this can be manage with the Enterprise taking the lead on this. Remember WLBC are responsible for Maintaining the Pitch and the Skate Park and the Surrounding Area. Another point to bear in is that there are only 2bowling club left in Skelmersdale and they are under great threat of winding up. Question were do the go. Also I have been asked to submit Schemes for use of 106 money this I have done by using 106 money to support my bid only to be told the Council have not agreed to this then Why as for suggestion if they are then rejected</p>

Council response	No clear details have been received regarding the ongoing maintenance, including costs and responsibility, for the proposed bowling green. S106 funding has not been secured as match funding. A decision on any S106 funding is also awaiting the receipt of further details on this project.

Rep no.	64
Name	Mike Smith
Organisation	-
Comments	I very much value visiting Mere Sands Wood and would like to see improvements to the visitor facilities. I think this would make visits more enjoyable for everyone and would attract more visitors from further afield. The establishment of a cafe would encourage people to spend time on site and would also create jobs.
Council response	Support for Mere Sands Wood noted.

Rep no.	65
Name	-
Organisation	Shevington Parish Council
Comments	Thank you for inviting Shevington Parish Council to respond to WLBC's consultation over future CIL projects. The Council noted the options at their meeting on 2 November and, in general, have no comments on the short-listed schemes. However, it was noted that that an Appley Bridge 'Park & Ride' scheme is included in the Infrastructure Delivery Schedule. Are you able to supply any details about how and when this scheme will be funded?
Council response	Comments noted. With regard the Appley Bridge 'Park and Ride' scheme, this relates to Network Rail proposals to improve accessibility at stations across Greater Manchester. The project is therefore the responsibility of Network Rail / Transport for Greater Manchester to fund, and will be subject to their own changing priorities and assessed need.

Equality Impact Assessment Form



Directorate: Transformation	Service: Planning
Completed by: Peter Richards	Date: 29 November 2017
Subject Title: Community Infrastructure Levy (CIL) Funding Programme 2018/19	
1. DESCRIPTION	
Is a policy or strategy being produced or revised:	No <i>*delete as appropriate</i>
Is a service being designed, redesigned or cutback:	No
Is a commissioning plan or contract specification being developed:	No
Is a budget being set or funding allocated:	Yes
Is a programme or project being planned:	Yes
Are recommendations being presented to senior managers and/or Councillors:	Yes
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	Yes
Details of the matter under consideration:	The approval of proposed funding priorities for spending CIL monies in 2018/19
<p><i>If you answered Yes to any of the above go straight to Section 3</i> <i>If you answered No to all the above please complete Section 2</i></p>	
2. RELEVANCE	
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	Yes/No* <i>*delete as appropriate</i>
If Yes , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered Yes go to Section 3</i>	-
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>	-
3. EVIDENCE COLLECTION	
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	CIL provides funding to provide or improve infrastructure required as a result of new development and growth in the Borough. CIL expenditure will benefit the residents and businesses within the Borough by delivering

	improvements to infrastructure. Infrastructure projects, identified as suitable for expenditure in 2018/19, have been shortlisted from the Infrastructure Delivery Schedule (IDS). The IDS has been compiled through consultation with infrastructure providers. Some schemes on the IDS will need to be delivered in partnership with the infrastructure providers and their deliverability, timescales and costs have been a consideration in identifying project priorities.
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	The schemes proposed for funding serve to provide or make improvements to community infrastructure, the need for which has arisen as a result of new development. Such projects will be prepared in acknowledgement of equality and diversity to ensure that all groups may access the schemes.
Which of the protected characteristics are most relevant to the work being carried out? Age Gender Disability Race and Culture Sexual Orientation Religion or Belief Gender Reassignment Marriage and Civil Partnership Pregnancy and Maternity	<i>*delete as appropriate</i> Yes Yes Yes Yes No No No No No
4. DATA ANALYSIS	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	Service-users will include, but not be limited to, members of the public and local community groups.
What will the impact of the work being carried out be on usage/the stakeholders?	Provision of improved infrastructure can only benefit stakeholders.
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	Public consultation on options for the CIL Funding Programme was held in Autumn 2017, and the feedback from this consultation has informed the final recommendation for allocating CIL monies in 2018/19.
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	Any completed equality surveys have been analysed and reported on.
If any further data/consultation is needed and is to be gathered, please specify:	-

5. IMPACT OF DECISIONS	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	Provision of improved infrastructure can only benefit all parts of the community, including those with protected characteristics.
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	No negative impacts have been identified.
What actions do you plan to take to address any other issues above?	No actions. <i>If no actions are planned state no actions</i>
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	A CIL Funding Programme will be prepared each year to consider how best to spend CIL monies received by the Council on strategic infrastructure.



CABINET: 9 January 2018

**EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:
25 January 2018**

Report of: Director of Housing and Inclusion

Relevant Portfolio Holder: Councillor J Forshaw

Contact for further information: Leigh McFarlane (Ext 5233)

Email: leigh.mcfarlane@westlancs.gov.uk

Nicola Bradley (Ext. 5296)

Email: nicola.bradley@westlancs.gov.uk

SUBJECT: DRAFT HOUSING ALLOCATIONS AND PET POLICY 2017

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

- 1.1 To consider and agree the Housing Allocations Policy subject to statutory consultation.
- 1.2 To consider and agree the introduction of a Pet Policy for Council tenants.

2.0 RECOMMENDATIONS TO CABINET

- 2.1 That the Draft Housing Allocations and Pet Policy 2017 attached to Appendix 1 & 2 of the report be approved for consultation.
- 2.2 That the Director of Housing and Inclusion, in consultation with the relevant Portfolio Holder, be given delegated authority to make any minor changes to the Draft Housing Allocations Policy and Pet Policy 2017 where appropriate following public consultation, and to implement and deliver the policy.
- 2.3 That the call-in procedure is not appropriate for this item as the report will be submitted to the meeting of the Executive Overview and Scrutiny Committee on 25 January 2018.

3.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

- 3.1 That any agreed comments on the draft Housing Allocations Policy and Pet Policy 2017 be submitted to the Director of Housing and Inclusion.

4.0 BACKGROUND

- 4.1 The Housing Allocations Policy was last updated in 2013. Since then the Policy has provided a fair and transparent way of allocating housing. Whilst there are no significant changes proposed in terms of assessing housing need the revised Draft Policy aims to make the best use of council housing stock, address issues of affordability and reduce the impact of hard to let sheltered housing. It will also help to address the high proportion of allocations made to council tenants who wish to transfer with no housing need.
- 4.2 The Draft Allocations Policy, attached at appendix 1, sets out the criteria for acceptance onto the Councils Housing Register and also the priority band in which applicants should be placed.
- 4.3 The Draft Policy will be subject to external consultation for a period of 12 weeks. A copy of the Draft Policy will be available on the Councils website and views will be sought from both Homefinder applicants and members of the public. Copies of the Draft Policy will also be sent to our RSL partners and other agencies such as Lancashire County Council Social Care, Liberty Centre, Birchwood Centre.

5.0 SUMMARY OF MAIN CHANGES

- 5.1 The implementation of the Welfare Reform Act, now means that prospective tenants may either be no longer entitled to welfare benefits, or are eligible only to receive housing related benefits that are not sufficient to cover their full rent liability. The Allocations Policy therefore needs to be updated to deal with these emerging challenges.

The revised Draft Policy includes the following key changes for consideration:

- Under 18s - will only be accepted onto the Councils Housing Register if they are leaving care or are statutorily homeless, (i.e. where the Council has accepted that they are homeless within the terms of the homelessness legislation, they have been found to be in priority need and not intentionally homeless and the council therefore has a duty to offer accommodation), as they will only be eligible to claim housing costs in these circumstances. In addition to the changes to housing costs eligibility this also aims to address the high risk of tenancy failure associated with under 18s and the fact that they cannot legally hold a tenancy.
- All applicants will be expected to provide information regarding their finances at the point of application. This will support an affordability assessment to be carried out with all applicants, where this indicates that a tenancy is not affordable to the applicant their application will be rejected.

- Applications and subsequent tenancy offers may be conditional on accepting tenancy support or completion of pre tenancy training where there is an identified vulnerability or following a risk assessment a high risk of tenancy failure.
- 5.2 In order to reinforce the message that tenants need to meet their obligations in terms of payment of rent, the rules on Housing Register eligibility for those former or current tenants owing housing related debts to the Council have been strengthened. The proposed criteria is also more concise and easier to interpret for both staff and customers.
- 5.3. The Draft Policy includes the following minor changes to the priority banding criteria,
- A large proportion of allocations are made to existing council tenants, and as this has a financial impact in terms of Health and Safety checks, the Draft Policy aims to limit transfers for those with no housing need. To this end an additional priority band, Band E, has been introduced and some of the categories previously listed in Band D have now been downgraded to Band E. This better reflects and prioritises the reduced security of tenure experienced by those in the private rented sector compared to social housing tenants.
 - Given the low demand for some of the Councils sheltered housing schemes, it has been possible for tenants to move to similar flats within or between schemes without there being any associated housing need. The Draft Policy aims to address this by refusing like for like moves in lower demand sheltered schemes unless there is a housing need to do so. Secure tenants would still however have the option to carry out a mutual exchange if they wished to move.
- 5.4 The Draft Policy updates the Borough/Local Connection eligibility Criteria to improve consistency and comply with the Right to Move (Statutory Guidance on Social Housing Allocations for Local Housing Authorities in England March 2015), which have been introduced since the last Policy was updated. The changes now include
- Parent's needing to be near their young children who do not reside with them.
 - Requirement for relatives to have lived in the area for a set number of years has been increased from 2 years to 5 years to make it more consistent with personal residency criteria of 3 years out of the last 5 years.
 - In light of Right to Move Regulations 2015 those needing to move to the Borough for work will also be considered to have a Borough connection.
- 5.5 The operation of the current Local Connection criteria is complex, difficult for customers to understand and results in properties being allocated to applicants with no housing need simply because they reside or have family living in a particular area. This can disadvantage those applicants in most urgent housing need.

To address these inequalities the Draft Policy will

- Remove the current 50% local connection areas from the Local Lettings criteria.
- For applicants satisfying the 100% local connection criteria preference will still be given over those applicants in the same priority band who do not have a local connection. They would however no longer have priority over those applicants in more urgent housing need in a higher priority band.

To put this proposed change into context some historical lettings data for the Local Connection areas is shown in Appendix 5.

5.6 The Draft Policy aims to address some of the difficulties associated with letting the Councils low demand sheltered housing stock. The Draft Policy will now

- Reduce the age limit from 60 to 55 for communal sheltered housing schemes and bungalows.
- Reduce the age limit to 50 and over for sheltered flats not in communal schemes.

In addition the associated Draft Pet Policy, at Appendix 2 outlines a more relaxed approach to pet ownership in the Councils sheltered schemes, which is hoped will generate more demand and reduce the number of offers refused. This has been piloted successfully in one of the sheltered schemes in Tarleton and feedback from both customers and staff is positive.

5.7 To assist expectant parents in securing suitable accommodation prior to the birth of their child, households with an expectant mother will now be treated as though the child has been born at 30 weeks of pregnancy.

5.8 The current letting criteria has resulted in many families being registered for 2 bedroom properties than for 3 bedrooms. Given that the Council has limited 2 bedroom stock those applicants will therefore wait longer to be housed. To address this imbalance, the revised Draft Policy will allow those households with two children to now bid on both 2 and 3 bedroom properties, however all offers would subject to an affordability assessment.

5.9 At present properties on Homefinder are advertised on a weekly basis from midnight every Thursday until 23:59 on the following Tuesday. It is proposed to move to a rolling daily lettings cycle meaning properties would be advertised on any day of the week with the advertising cycle for each individual property running for 6 days. This will ensure that where properties are refused they are then re-advertised immediately and let as quickly as possible, thereby reducing rent lost.

6.0 IMPLEMENTATION

6.1 Implementing the Draft Policy once approved will require a number of actions. Firstly the existing list of housing register applicants will need to be re-assessed in line with the new Policy as some applicants will be impacted by the changes. Additionally the existing Choice Based Lettings IT system will need changing

6.2 Subject to approval the new Policy will take effect following wider consultation and consideration of any comments received. All affected applicants will have to be informed individually of any changes to their application and would need sufficient time to exercise a right to appeal against the decision.

7.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

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

8.0 FINANCIAL AND RESOURCE IMPLICATIONS

8.1 There are some financial resource implications arising from this report in respect of updating the Choice Based Lettings software, however these will be met using existing resources.

9.0 RISK ASSESSMENT

9.1 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 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 as an Appendix 3 to this report, the results of which have been taken into account in the Recommendations contained within this report

Appendices

1. Draft Housing Allocations Policy
2. Draft Pet Policy
3. Equality Impact Assessment
4. Scenarios to demonstrate effect on individual applicants
5. Local Connection data
6. Minute of Landlord Services Committee (Cabinet Working Group) held on 3 January 2018 (Cabinet only) – to follow
7. Minute of Cabinet 9 January 2018 (Executive Overview and Scrutiny Committee only) – to follow

WEST LANCASHIRE BOROUGH COUNCIL
HOUSING ALLOCATIONS POLICY



1 October 2017

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1.0 Introduction

1.1 This document sets out West Lancashire Borough Council's Housing Allocations Policy and contains the priorities and procedures for allocating Council homes and nominations to Private Registered Providers of Social Housing in the borough.

1.2 The Allocations Policy takes into account all legal requirements outlined in the Housing Act 1996, Part VI and amendments made under the Homelessness Act 2002, the Localism Act 2011 and the Homelessness Reduction Act 2017.

1.3 The Director of Housing & Inclusion has the delegated authority to make amendments to this policy where there have been legislative changes.

1.4 This current version came into effect on the xxxxx.(Date to be added when policy is agreed)

2.0 Aims & Objectives

2.1 The Policy aims to:

- Discharge the Council's statutory duties as contained in Part VI and VII of the Housing Act 1996, as amended by the Homelessness Act 2002, the Localism Act 2011 and the Homelessness Reduction Act 2017.
- Offer customers information to enable them to make informed choices about their housing options
- To provide an easy to understand, fair and transparent system
- Make the most effective use of the local housing stock
- Ensure and promote equality of opportunity
- Promote sustainable tenancies and communities

3.0 Principles of the Allocation Scheme

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

- All those seeking an allocation of social housing from the authority (or its partner Private Registered Providers), must apply to join the housing register

- All applicants aged 18 or over who are eligible will be allowed to join the scheme unless they are disqualified
- Applicants for social housing are assessed in terms of their housing needs and are banded accordingly.
- Allocations will be made on the basis of the applicant's priority band and within each band on the basis of any economic or community contribution and the date the level of priority was awarded
- In the designated local connection areas applicants who have a local connection with a particular housing area will be given preference for an allocation in that area over applicants with the same level of housing need i.e. in the same band, who do not have a local connection.
- Applicants will be given choice and may express their preferences with regards to areas of choice.
- Nominations for allocations by partner Private Registered Providers will be made on the same basis as for the letting of Council accommodation
- Accommodation is allocated in accordance with the guidelines on household types, property size and type of property

4.0 Scope of Policy

4.1 This Policy applies to all applications for:

- An allocation of Council accommodation
- A transfer of accommodation from existing Council tenants or tenants of other social landlords
- Nominations to Private Registered Providers

5.0 Allocations excluded from the scheme

5.1 The following in particular are excluded from the allocations scheme:

- Mutual Exchanges
- Succession or assignment of tenancy.
- Tenancies granted or disposed of by a court order made under the Matrimonial Causes Act 1973; Matrimonial and Family Proceedings Act 1984, the Children Act 1989 or the Civil Partnership Act 2004

- Where an introductory tenancy becomes a secure tenancy
- Other special cases where it may be necessary for the authority to make an allocation outside the terms of the scheme.

6.0 Equality of Opportunity in Housing

6.1 We aim to make every effort to ensure that all sectors of the community have equal access to services offered by the council. No person will be treated less favourably on the grounds of Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion and Belief, Sex and Sexual Orientation.

7.0 Policy on Choice

7.1 The Council is committed to offering applicants a choice of accommodation and allowing them to express their preferences, through West Lancs HomeFinder, its choice based letting scheme. However, the Council may not be able to meet all requests due to the level of demand or availability of accommodation. Applicants will therefore be given advice and information to help them understand their options and make informed choices.

7.2 All vacant properties will be advertised and applicants are required to actively seek and 'bid' for properties in which they are interested. Applicants would only be considered for a property if it was a suitable size and type for their household. Applicants expressing an interest in a particular property will be shortlisted and the applicant with the highest priority (in the highest band for longest) will be made the offer and invited to view the property.

8.0 The Homefinder Scheme

8.1 Advertising

Properties which are empty or due to become empty will be openly advertised daily on a 6 day cycle, at www.westlancshomefinder.co.uk. The scheme extends to include accredited private landlords, and Private Registered Provider vacancies.

8.2 Description

Adverts will include the following information about the property:

- The location including street name
- Size and type of property
- Weekly rent and service charges
- Type of heating
- If there is a garden and whether this is communal

- Details of any disabled adaptations
- Availability of a lift
- Parking facilities

8.3 Labelling

Adverts will also detail who is eligible to bid for a property i.e.:

- Size and type of household that the property is suitable for
- Any restrictions on age e.g. over 40s only
- Whether it is sheltered accommodation
- If pets allowed
- If preference is given to applicants with a local connection to the village.

Properties will be advertised daily, with each advert running for 6 days.

8.4 Expressions of Interest.

Applicants will be able to express their interest (bid) on a property in a number of ways:

- Via the West Lancs HomeFinder website
- By automated telephone line

All applicants on the housing register can bid on a maximum of 3 properties at any one time. Applicants who have already accepted an offer of a property will be ineligible to bid.

8.5 Direct Lets

Whilst the Council aims to allocate all its empty properties via the CBL scheme, it reserves the right to direct match applicants to properties in exceptional circumstances, these would include:

- Public protection cases
- Successor tenants or those left in possession of a West Lancashire Council property who are failing to make bids
- Temporary or permanent decants
- Properties that have been significantly adapted
- Temporary accommodation
- Extra Care Sheltered accommodation
- Where a local lettings policy applies e.g. new build accommodation (see 23.2)

8.6 Available Now Properties

The council will be more flexible in its approach to allocating properties where the normal advertising system has failed to identify a suitable tenant. These 'Available Now' properties are let on a first come first served basis, irrespective of an applicant's band or bedroom requirements. However in cases where we receive more than one

expression of interest, consideration will then be given to applicants banding and best use of housing stock.

Expressions of interest may also be considered from those applicants who may not normally be considered eligible, eg elderly owner occupiers who are interested in moving to an Available Now Sheltered Property.

This means that couples without children or with grown up children who would normally not qualify would be able to be considered for a house. Applicants still need to be registered and approved on the housing register as normal.

An 'Available Now' property is any property that has been advertised via Homefinder and either received no bids or where refusals have resulted in an empty shortlist. Before designating as 'available now' the property will have been made available for bidding to all applicants who would be eligible for the property type eg a 3 bed house would have been made open to all applicants eligible for 2 or 3 bed houses.

Available now properties are advertised on the Homefinder website as normal. Applicants can express an interest by emailing the contact details on the individual advert.

8.7 Feedback

Information on all the properties let through the CBL system will be provided on the West Lancs HomeFinder website. This will include the following information:

- Lettings results – property type and neighbourhood
- The total number of bids made for the property
- The successful customer's band and effective date.

8.8 Offers

Applicants will be notified of an offer email. As many of the Councils vacancies will be advertised prior to the outgoing tenant leaving, they may not be ready to view for a few weeks. In cases where the property is not empty an offer will be made on a provisional basis only, and may need to be withdrawn.

The Allocations Team will be able to provide an estimate of when the property is likely to be ready for occupation.

Where the first applicant refuses an offer of accommodation, the Lettings Officer will go to the next highest banded applicant and so on.

8.9 Viewing

Applicants are given the opportunity to view any property offered to them with an officer from the Allocations Team. Following the viewing the applicant is expected to decide whether they wish to accept the tenancy.

In situations where a property is advertised and no bids are received it will be re-advertised in the next cycle with the bidding opened up to applicants who satisfy the lettings criteria for smaller properties, usually one bedroom less.

Choice will also be increased by allowing households with children of any age to apply for any property type they wish including above ground floor flat or maisonette accommodation.

8.10 Rent in advance

We will always request rent in advance even if the tenant intends to or is currently claiming housing benefit or housing cost support through Universal Credit.

*The agreed advance payment is the payment pattern that the tenant agrees to e.g.:

- Weekly = 1 weeks full rent
- Fortnightly = 2 weeks full rent
- 4 Weekly = 4 weeks full rent
- Monthly

Applicants will be expected to put money aside to ensure they can meet the rent in advance payment. Offers will be withdrawn if an applicant is unable to make an advance payment on day of the tenancy sign up. All new tenants will need a bank account as the rent in advance payment can only be taken from a debit or credit card.

9.0 Offering Choice to Homeless Applicants

9.1 Applicants assessed as being unintentionally homeless and in priority need who are owed the 'main housing duty', will, as far as possible, be offered choice, and are expected to actively make bids against suitable properties.

Bidding patterns will be monitored for an initial period of 8 weeks. In situations where bids are not being made or all bids are against unobtainable properties the Homelessness Officer will offer further advice. If this bidding pattern continues after the 8 week period the officer will bid on the client's behalf and the Council's duty will be discharged through the first successful bid.

Where a homeless person has been bidding on reasonable properties but has not been successful the Homelessness Officer in conjunction

with the manager will consider whether to extend the period beyond 8 weeks.

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

10.0 Application Process

- 10.1 Any eligible person aged 18 or over who is not disqualified can join the housing register.

Applications should be made by completing an online application at www.westlancshomefinder.co.uk

Some applicants will require advice and assistance to complete the application form because English may not be their first language, they may have learning or reading difficulties etc. In such cases Housing Options Advisors will provide advice and assistance and will if necessary complete the form on behalf of an applicant, applicants can contact the team direct on Tel: 01695 585267.

Applicants will need to supply proof of identification e.g. a picture driving licence or passport and a reference which must be from their current or previous landlord (where this is not possible from an employer or other professional). Supporting documentation can be sent to myhousingapplication@westlancs.gov.uk ensuring the email contains the applicants name, address and Homefinder reference number. Alternatively documents can be handed in at the Councils Customer Service Points in Skelmersdale or Ormskirk.

Existing Council tenants are not required to supply a reference.

The fact that a person is an applicant for an allocation of housing accommodation shall not be divulged (without his consent) to any other member of the public.

- 10.2 The registration process will involve:

- Checking if the applicant is eligible, that the information given is correct and, if necessary, recommending that an application should not be considered for an allocation;
- Assessing if the household is in housing need and placing the application in a priority band;

- Verifying information from references with current or former landlords and others. Information will be requested about current or former tenant arrears, payment history, current or previous anti social activity and any rechargeable repair debts. Credit checks will also be carried out. Police checks may be carried out where there are grounds to do so e.g. the applicant has spent time in prison or is unable to account for any previous addresses.
- Interviewing the applicant where necessary
- Affordability Assessment
All applicants will be expected to provide up to date information and appropriate supporting evidence regarding their finances at the point of application, including their income and expenditure and details of any current savings or debts. Failure to provide this will lead to the application being rejected. An affordability assessment will be carried out with all applicants for housing. Where the affordability assessment indicates that the property is not affordable, taking benefit entitlements into account, the application will be rejected. Advice will be given to all applicants regarding the prevailing government policies regarding housing and future benefit entitlement, and how it could impact upon them as a household.

10.3 False Statements

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

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

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

The circumstances in which an offence is committed could include:

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

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

11.0 Applicants Under 18

11.1 If an applicant is under 18 years of age their application will normally not be accepted onto the housing register. We will make exceptions in the following circumstances:

- Any person leaving Local Authority care or Young people, who have previously been in care and are covered by the Leaving Care Act 2002.
- Any person accepted as statutorily homeless (if they cease to be homeless they will become ineligible for the housing register until they reach the age of 18).

Under 18s will only be considered for a tenancy on the condition that they accept a referral to a support provider to ensure that the tenancy does not fail.

A person under the age of 18 is not able to hold a legal estate in land so they will therefore require a Trustee to hold the tenancy in trust for them until the young person reaches the age of 18 when they will be given an Introductory Tenancy in line with Council policy. Any contract entered into will allow the Council to recover any unpaid rent through the courts in the normal way. This can also mean that the Council may seek an order for possession from the courts.

In cases where the decision is not to offer a tenancy, a referral for support accommodation may be considered.

11.2 Pre Tenancy Support under 25s

In situations where the council considers that a young person may be eligible to join the housing register, it may delay accepting the application until the applicant has undertaken a course of pre tenancy support or training. Only once the support provider recommends that the young person is ready to accept the responsibilities of holding a tenancy would the application be made active to bid.

12.0 Eligibility

12.1 Not all applicants applying to join the housing allocation scheme are eligible to join. Section 160Z(A) of the Housing Act 1996 (as amended by The Localism Act 2011) sets out who is not eligible to be allocated housing;

- a) Persons subject to immigration control - such a person is not eligible for an allocation of accommodation unless he or she comes within a class prescribed in regulations made by the Secretary of State (s.160ZA(2)), and
- b) Other persons from abroad other than a person subject to immigration control regulations may provide for other descriptions of persons from abroad who, although not subject to immigration control, are to be treated as ineligible for an allocation of accommodation (s.160ZA(4)).

Where an applicant is already an existing secure, introductory or assured tenant of accommodation allocated to him or her by a local housing authority, he or she cannot be disqualified on the basis of his or her immigration status.

12.2 Persons Subject to Immigration Control & Persons from Abroad

Where an applicant is a person from abroad, their application will be assessed to determine whether they are eligible under the relevant legislation and guidance.

Each applicant will be provided with written reasons if they are assessed as being ineligible for an allocation of accommodation and will have the right to seek a review of that decision (see Appendix 4).

If any question arises which brings into question the eligibility of an applicant to join the housing register and obtain an allocation of housing accommodation, the authority reserves the right to seek further information and clarification, including from the UK Border Agency.

Applicants eligibility will be reassessed prior to any offer of accommodation as well as at the initial point of application.

12.3 Qualification

Housing Authorities may only allocate accommodation to people who are defined as 'qualifying persons'. Subject to the requirement not to allocate from persons from abroad who are ineligible, and to any regulations, a housing authority may decide the classes of people who are, or are not, qualifying persons.

12.4 Applicants will not be considered qualifying persons if;

A. Unacceptable behaviour

If an applicant or a member of his/her household is found to have been guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant and, in the circumstances at the time the application is considered, they are still deemed unsuitable to be a

tenant of the Authority by reason of that behaviour, they will not be a qualifying person.

Unacceptable behaviour is defined as behaviour which would, if the person was either a secure tenant or a member of a secure tenant's household, entitle a landlord to a possession order under grounds 1 to 7 of the Housing Act 1985 Schedule 2. The grounds are;

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

The position in relation to rent arrears and anti-social behaviour specifically is considered below.

The Council will:

- Investigate the individual circumstances of an applicant's case to establish if there is evidence of unacceptable behaviour that would fall under grounds 1 to 7 above;
- Establish whether the unacceptable behaviour is considered to be serious and whether it is likely that a possession order would have been granted as a result of that behaviour;
- Decide if the applicant is unsuitable to be a tenant by reason of their behaviour at the time the application is considered, taking into account whether there have been any changes in the circumstances or behaviour of the applicant.

Where the Council is satisfied that these criteria are met, the applicant will not qualify for an allocation and therefore be excluded from the housing register. This exclusion will be in place for a period of 2 years.

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

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

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

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

12.5 Rent Arrears and other housing related debt.

The accrual of rent arrears will be considered serious where:

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

Where the conditions of either (a) or (b) above have been met, the Council may decide that the applicant is not a qualifying person.

Where there are insufficient grounds to determine that an applicant is not a qualifying person, the application to join the housing allocation scheme will be suspended until the debt has been cleared. Each case will be considered on its own merits taking into account the level of debt, reasons for the arrears and steps take to resolve the problem. Suspension would not normally be lifted until the debt has been reduced by 50% and regular payments made for 3 months.

Applicants owing more than £500, will not be accepted onto the housing register. Any applicant found to have this level of arrears outstanding will have his or her application cancelled. The applicant will be able to re-apply once the arrears have been reduced to under £250 and regular agreed payments have been made for 3-months.

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

applicant is on state benefits or a reasonable amount if they are working.

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

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

Each case will be assessed on its own merits and the Tenancy Services Manager has the discretion to approve applications with rent arrears and award the relevant band where there are exceptional circumstances. This will include but will not be limited to those current tenants of the Council who under-occupy a tenancy and have accrued arrears as a direct result of the changes in Housing Benefit Regulations under Welfare Reform.

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

12.6 Anti-Social Behaviour

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

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

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

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

The same procedure will be applied to applicants who have been guilty of unacceptable behaviour under any of the other grounds (2A to 7 see above paragraph 12.10).

Criminal convictions

Applicants will be required to complete the declaration on the application form setting out any criminal convictions, ASBOs or any other type of injunction that relate to the applicant or any person listed on the application. Failure to disclose such information or update the Council in relation to any new convictions may result in the application being cancelled.

The Council may conclude that an applicant with convictions is eligible to join the register but choose to limit the areas or types of accommodation that an applicant may express an interest in.

12.7 B. Damage/Neglect of Council Property

Current Council Tenants who have not maintained their property in accordance with the terms of their tenancy will be considered to be not qualifying, and will be required to make good any damage before qualifying for inclusion on the Register.

12.8 C. Rechargeable Repair debt

Former tenants who owe the council a debt relating to damage clearance or unauthorized alterations to a council property.

Applications will be suspended until the debt has been cleared. Each case will be considered on its own merits taking into account the level of debt, reasons for the recharge and steps take to resolve the problem. Suspension would not normally be lifted until the debt has been reduced by 50% and regular payments made for 3 months.

In cases were an applicant has a debt in excess of £500 or is as a result of wilful damage or neglect of a property, they will be treated as not being qualifying persons; therefore an application to join the housing register will not be accepted.

12.9 D. Right to Buy

Those who previously purchased a property through the Right to Buy scheme in West Lancashire, or elsewhere within the last 10 years will not qualify, unless they are applying for sheltered housing.

12.10 E. Owner Occupiers

In line with government guidance the Council will not allocate housing to people who already own their own homes. Exceptions would apply to elderly owner occupiers who need sheltered accommodation and whose home/assets were not of sufficient value to secure such accommodation privately, those fleeing violence or suffering significant financial hardship or other exceptional circumstances. Where the Council agrees to assist with re-housing, the applicant must not sell their home before they have accepted an offer of accommodation. However, they must agree to sell the property as soon as they have been re-housed and not rent out their home or make any financial gain whilst waiting to sell.

These eligibility rules for owner occupiers will be relaxed where the applicant expresses an interest in an Available Now property.

12.12 G. Income/Assets

Applicants whose income or assets exceed the limits set by the Council. The income threshold has been set at £40,000, and is calculated on gross household income. The savings/asset threshold will be £60,000. These values will be reviewed regularly.

All households applying to the housing allocation scheme will be assessed for their ability to secure accommodation at market rent or to purchase a suitable property within West Lancashire.

Assets that may be taken into consideration include but are not limited to:

- Savings
- Property Abroad
- Commercial property
- Money received through a divorce settlement
- Residential Property
- Bonds

Lump sum payments to members of the British Armed Forces as compensation for an injury or disability sustained on active service will be disregarded.

13.0 Reduced Preference

13.1 Reduced Preference due to unacceptable behaviour

Where there is insufficient information to determine that a person does not qualify for accommodation on the grounds of unacceptable behaviour it may be decided to reduce their priority band to Band E.

Customers will be given reduced preference in Band E where the Council can be satisfied that having considered all the available evidence they (or a member of their current or prospective household) has failed to adhere to the terms of any current or previous social housing or private sector tenancy agreement.

This would include but is not limited to following examples of unacceptable behaviour:

- Failing to maintain the property within the terms of the agreement – for example deliberately or negligently causing damage to a previous or current property, accumulation of large amounts of rubbish in and around the property.
- Committing acts causing or likely to cause nuisance or annoyance to neighbours or others in the locality where they live or where they

previously lived. This would include noise nuisance, threatening or abusive behaviour.

- If anyone from the household has been a perpetrator of low level Criminal or Anti-Social behaviour.
- Criminal behaviour that was relevant to the tenancy and/or locality, for example being in possession of illegal drugs, acts of public disorder.
- Breaches of a social or private sector tenancy agreement, for example operating a business from the premises, having an unreasonable numbers of pets at the property.
- Behaving in a threatening, abusive or obstructive manner towards staff of the Council or their contractors
- Failing to allow access for compliance checks such as gas safety, legionella, fire safety and asbestos checks.

13.2 Reduced Preference due to no Borough Connection

Applicants who do not have a Borough connection with the district will still qualify for access to the housing register, however, in general they will not be given any preference and will be placed in Band E. The only exceptions to this in general are;

- Those entitled to additional preference under The Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012 (SI 2012/2989) or equivalent provisions.
- Those who are accepted as homeless or are residing in a refuge having fled violence or harassment from another area.
- Those who are able to provide proof of their “need” to move into the area and demonstrate why this “need” cannot be satisfied in their current location.

To qualify for a Borough connection to West Lancashire an applicant must normally:

- Have lived in the area for a period of 3 out of the last 5 years prior to the date of their application; or
- Have close family who have lived in the area for a minimum of 5 years prior to the date of application and the applicant must indicate that they want to move nearer to them. Close family includes parents, children and siblings.
- have reasonable preference because of a need to move to the local authority’s district to avoid hardship, and need to move because the tenant works in the district, or needs to move to take up an offer of work

14.0 Banding Scheme

The Housing Act 1996 as amended by the Localism Act 2011 requires an allocation scheme to be framed so as to secure that reasonable preference is given to various categories of people, which represent general indicators of housing need.

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

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

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

Within each band, preference will be given to those applicants who make a Community Contribution.

15.0 Band A – Urgent Priority

15.1 The categories for Band A are as follows:

- Applicants who have made a homeless application and have been assessed as unintentionally homeless and in priority need as a result of being victims of violence or harassment
- Applicants applying for an allocation of accommodation who have not been assessed as homeless but need to move urgently due to being victims of violence or harassment
- Severe overcrowding
- Urgent Medical Need
- Unfitness, Disrepair, Demolition
- Anti-Social Behaviour
- Left in Occupation
- Under Occupation
- British Armed Forces

- Multiple Needs
- Foster Carers

15.2 Criteria for each category

15.2a Applicants who have made a homeless application and have been assessed as unintentionally homeless and in priority need as a result of being:

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

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

15.2b Applicants applying for an allocation of accommodation who have not been assessed as homeless but need to move urgently due to being:

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

The decision to award this level of priority rests with the Housing Needs & Allocations Manager, or a suitably experienced Senior Officer who has been delegated this task. This priority is awarded to facilitate a move away from the current home, geographical bidding restrictions may therefore apply.

15.2c Severe overcrowding

Households that are statutorily overcrowded, or that have two or more bedrooms fewer than they require and are therefore severely overcrowded. Severe overcrowding priority will not be awarded to those applicants who are in temporary accommodation.

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

15.2d Urgent Medical Need

Urgent medical priority will be awarded where:

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

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

15.2e Unfitness and Disrepair

- Where the applicants home is subject to a Demolition Order, Clearance Area or Compulsory Purchase Order.
- Council Tenants who needs to move as their home is part of a Revival Scheme, involving demolition or redevelopment.
- Permanent or temporary decants from Council property in order to carry out improvements or major repairs.

Properties inspected by the Council's Private Sector Housing Section that are unfit and are subject to a Prohibition Order. This level of priority can only be awarded based on the recommendation of the Council's Private Sector Housing Team. The Housing Health & Safety Rating System will be used as a guide to assessing whether Band A is appropriate.

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

15.2f Anti-Social Behaviour

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

ordinator that all procedures have been exhausted and a move is recommended for the applicant's safety. West Lancashire Borough Council tenants are expected to co-operate with their respective Estate Management Team in recording and reporting incidents.

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

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

15.2g Left in Occupation

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

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

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

15.2h Under Occupation

Those under occupying a West Lancashire Borough Council tenancy of a family house and who are requesting a move to a smaller property. Tenants living in flats, maisonettes or bungalows would not qualify.

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

Each case will be assessed on its own merits.

15.2i Multiple Needs

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

15.2j British Armed Forces

Applicants who are being discharged from the British Armed Forces who have sustained serious injury, medical condition, or disability during service and can prove a Borough connection to West Lancashire through previously residing in West Lancashire, or having relatives in West Lancashire.

Members of the British Armed Forces, with a Borough connection, who have been assessed as meeting the Band B criteria for homelessness, unsatisfactory housing conditions, or on medical, welfare or hardship grounds, will be given additional preference and placed in Band A.

15.2k Foster Carers

Foster Carers approved by the County Council whose housing prevents them from being able to start, or continue, to provide foster care.

16.0 Band B – High Priority

16.1 The categories for Band B are as follows:

- Those applicants assessed as being eligible for assistance, unintentionally homeless and in priority need for reasons other than violence.
- Overcrowding
- Unsatisfactory Housing Conditions
- Medical
- Care
- Hardship Employment or Financial Grounds
- Care Leavers Requiring a Move to Independent Living
- Homelessness Prevention
- Applicants who no longer require the adaptations in their current home
- British Armed Forces

16.2 Criteria for each category

16.2a Those applicants assessed as being eligible for assistance, unintentionally homeless and in priority need.

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

- A pregnant woman or a person with whom she resides or might reasonably be expected to reside;
- A person with whom dependent children reside or might reasonably be expected to reside;
- Persons who are vulnerable as a result of old age, mental illness, handicap or physical disability or other special reason or with whom such a person resides or might reasonably be expected to reside;
- A person who is homeless as a result of an emergency e.g. flood or fire;
- A person under 21 who was, but is no longer, looked after, accommodated or fostered between the ages of 16 and 18;
- A person who is aged 21 or more who is vulnerable as a result of having been looked after or accommodated or fostered;
- Applicants who are being discharged from the British Armed Forces and can prove a Borough connection to West Lancashire through previously residing in West Lancashire, or having relatives in West Lancashire.

16.2b Overcrowding

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

16.2c Unsatisfactory Housing Conditions

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

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

16.2d Medical Need

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

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

16.2e Care

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

To qualify for this, the applicant must be moving to West Lancashire from another local authority area or if already resident in the area, be living more than 3 miles away from the family, friends or relatives who will be providing or receiving the care. There must be evidence that this support cannot be provide in current location.

16.2f Hardship, Employment or Financial Grounds

Applicants will qualify for this level of priority where:

- There is a need to move to an area or locality to avoid hardship for example to access medical treatment or specialised services that would not be available to them if they did not move to that locality
- There is a need to move for work related reasons
In determining whether a tenant needs to move to be closer to work or to take up a job offer include:
 - the distance and/or time taken to travel between work and home
 - the availability and affordability of transport, taking into account level of earnings
 - the nature of the work and whether similar opportunities are available closer to home
 - other personal factors, such as medical conditions and child care, which would be affected if the tenant could not move
 - the length of the work contract
- whether failure to move would result in the loss of an opportunity to improve their employment circumstances or prospects, for example, by taking up a better job, a promotion, or an apprenticeship
- There is a financial need and the applicant is unable to afford to continue to occupy their current home (a financial assessment will be carried out to ensure the applicant cannot afford to own or rent an alternative property in the private sector).

- This will include those Council tenants (whose tenancy started prior to September 2011), who are under-occupying, and who have been negatively affected by the changes to Housing Benefit under the Welfare Reform Act.

16.2g Care Leavers Requiring a Move to Independent Living

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

16.2h Homeless Prevention

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

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

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

16.2i Applicants who no longer require the disabled adaptations in their home.

Customers who release an adapted property where the tenant does not require their current home and will therefore be releasing an adapted property by moving

16.2j British Armed Forces

Those who:

- are being discharged from the British Armed Forces in the next 6 months

- formerly served in the regular forces in the 5 years preceding their application,
- have recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service, or
- serving or have served in the reserve forces and are suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.

16.2k Social/Welfare

Those applicants who have a significant need to move which is not covered elsewhere in the policy; this award will only be considered in exceptional circumstances.

The decision to award this level of priority rests with the Housing Needs & Allocations Manager, or a suitably experienced Senior Officer who has been delegated this task.

17.0 Band C – Medium Priority

- Applicants living with family/friends or lodging with no security of tenure but with no other housing need.
- Those renting in the private sector who have been served with notice to quit.
- Those assessed as intentionally homeless with priority need and eligible for an offer of accommodation.
- Those assessed as being homeless but with no priority need.
- Those applicants who have refused 1 reasonable offer of accommodation in the discharge of a homelessness duty.

18.0 Band D – Low Priority

- Those who occupy mobile homes on residential caravan parks and have no other housing needs.
- Private rented tenants with no other housing needs.

19.0 Band E – No Priority

- Secure Council or Housing Association tenants with no other housing need.
- Applicants who would qualify for a higher band but have the financial ability to resolve their own housing need by purchasing a suitable property, renting in the private sector or having adaptations carried out to their current home.
- Applicants who have given up a secure property within the 12-months prior to the application who did not have a good reason for doing so.
- Those applicants who were in Band A or B and have refused 3 reasonable offers of accommodation from the housing register.
- Any applicant who has been assessed as being unsuitable to be a tenant and has had 'reduced priority' awarded to their application.
- Those without a Borough connection. The only exceptions to this are:
 - Members of the British Armed Forces. Armed forces personnel without a Borough connection will be prioritised according to their housing need but not awarded additional preference under section 16.32
 - Those who are accepted as homeless having fled violence or harassment from another area.
 - Those who are able to provide proof of their "need" to move into the area and demonstrate why this "need" cannot be satisfied in their current location e.g. for employment reasons

20.0 Economic/Community Contribution Award

20.1 Increased priority for housing will be given to those applicants who demonstrate a commitment to contribute to the Borough's economic growth as working households or who make a contribution by their contribution within communities. This will be achieved by awarding a 'plus' status within each band. Therefore an applicant who is assessed as qualifying for Band B will be placed into Band B - Plus* if they also meet the economic/community contribution criteria.

During the short-listing process applicants with the enhanced 'Plus' status will appear above those applicants with the same level of housing need i.e. in the same band who cannot demonstrate an economic/community contribution.

Applicants may be eligible for the Economic/Community Contribution Award if they are working, in training, or volunteering subject to conditions.

20.2 Working households

West Lancashire Borough Council wants to support the economic strength of the Borough, and encourage people to work and raise levels of aspiration and ambition. We will therefore offer increased priority to applicants that are working and making a contribution to West Lancashire's economy. The increased priority gained by being a Working Household will apply across West Lancashire Borough's area and is not linked to a specific area.

Definition of Working Household

The definition of a working household will be where at least one adult member of the household is in employment. Employment for this scheme is described as having:

- a) A permanent contract.
- b) Working as a temporary member of staff.
- c) Self employed.

Applicants will have to have been working for 16 hours or more for 9 out of the last 12 months. Verification will be sought at the point of application, and at the point of offer. Applicants must provide payslips, P45 and P60, tax returns, bank statements and a verifying letter on headed paper from their employer in order to qualify.

The proof must be supplied at the time of application and verified at time of offer. If the applicant's employment status changes they may be allowed to retain the priority as long as there is a realistic prospect of re-employment. The decision will take into account their previous employment history, age of the applicant and other relevant factors. However, they must satisfy the employment definition at the time of the offer of accommodation.

20.3 Community Contribution

People who play a part in making their neighbourhood strong, stable and healthy – those who help make it a good place to live, work and play are valuable people. They are the backbone of their community, and they need to be recognised for the good they do.

The Community Contribution Priority Scheme is a West Lancashire Borough Council scheme which gives an applicant increased priority, in addition to any other banding they are entitled to because of housing need.

Community Contribution Awards – How they work in practice

It is important to keep in mind that a Community Contribution award is additional to the applicant's Reasonable Preference status. If an

applicant requests a Community Contribution award but turns out not to qualify for one, it won't disadvantage their application or cause it to be ineligible. It's also important to make clear that only the criteria below can be used to assess whether someone can have a Community Contribution award.

20.4 Definition of Economic/Community Contribution

If an applicant, has lived in West Lancashire for three out of the last 5 years and can demonstrate a positive tenancy history, i.e.

1. No on-going culpable involvement in anti-social behaviour or criminal activities
2. No breaches of tenancy within the last 3 years
3. No outstanding lawfully recoverable housing-related debt
4. Not have an outstanding unspent conviction

They are entitled to a Community Contribution Award provided any of the criteria below is satisfied.

20.5 Criterion 1 – Volunteers

If an applicant volunteers, a Community Contribution award will be applied. Volunteers must have been volunteering for a continuous period of at least 6 months up to the point of application, and the same at point of offer. Volunteering must be for a not-for profit organisation or a charity and must be for a minimum of 10 hours per month. N.B. Tenants and Residents Associations, which are constituted are classified as not-for-profit organisation. They must be registered with West Lancashire Borough Council, or a Registered Provider to qualify.

Evidence required for Voluntary Work

A letter from a Manager responsible for the Volunteer (applicant) confirming their involvement in a minimum of 10 hours voluntary work per month or in the area for over 6 months. This person must not be related to the applicant in any way.

20.6 Criterion 2 – Training, Education or Apprenticeships

We want to encourage people to move closer to gaining paid employment by gaining employability skills and becoming job ready. This may be achieved by attending higher or further education or by accessing a longer vocational course of study or engaging in a programme of work-related training courses. In all cases the course of study must lead to achieving accredited qualifications and / or certification by a registered awarding body.

Study or training may be undertaken at a range of recognised institutions and organisations such as: Further Education College;

registered Private Training Provider; registered Voluntary Sector Organisation or University.

A person must have been studying or training for a continuous period of at least 6 months up to the point of application and the same at point of offer.

All training must be a minimum of 16 hours a month

Evidence required for Training element

Further/higher education candidates must supply evidence of:

- letter from college or university confirming participation in course of study for period of 6 months

For vocational training award the following evidence must be provided:

- an agreed employment action plan developed through a recognised IAG service plus verification of steps taken towards achievement of action plan targets
- certificate or letter from a registered awarding body for the course or by a recognised training provider as evidence of gaining a recognised vocational qualification or successfully completing accredited work related training (over a continuous period of at least 6 months)

20.7 Criterion 3 - Ex service personnel

Applicants who have served in the British Armed Forces within the last 5 years will qualify for a community contribution award automatically, with the exception of those who have been dishonourably discharged.

21.0 Deliberately Worsening Housing Circumstances

Where there is clear evidence that an applicant has knowingly contributed to the worsening of their circumstances then no priority will be given. Examples of this include:

- a) Selling a property that is affordable and suitable for the applicants needs in order to qualify for a higher band.
- b) Moving from a secure tenancy to insecure or overcrowded accommodation.
- c) A family giving up an affordable and suitable private rented tenancy which they are able to maintain, to move in with other relatives, creating a situation of overcrowding and sharing of bathroom/kitchen and/or a split household.
- d) An applicant requesting or colluding with a landlord or family member to issue them with a Notice to Quit.
- e) An applicant gives up settled accommodation in order to move into less settled or overcrowded accommodation.

- f) An applicant deliberately overcrowds their property by moving in friends and/or other family members who have never lived together previously and/or have not lived together for a long time, then requests re-housing to larger accommodation.

The above list is not exhaustive.

22.0 Change of Circumstances

Applicants will be considered for re-housing by priority band and each band will be ordered by the date the band was awarded. If an applicant's circumstances change or they move address, their application will be re-assessed and they will be placed in the most appropriate band by the date they were awarded the new banding. Where the banding would not change, the original date awarded will remain.

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

23.0 Allocation Process

23.1 Lettings Criteria

Properties will be allocated based on the applicant's preference and the property type and size they are entitled to under the policy. The lettings criteria can be found at Appendix 3.

A property will not be allocated to an applicant if it would be so overcrowded that it failed the statutory overcrowding test.

Applicants may be offered properties that are larger than the household needs if there are no bids from suitable sized families. This would be subject to an assessment of affordability.

Some properties have been classified as lettings to those aged over 40. These properties will be let sensitively due to the nature of the accommodation. Each application will be considered on its own merits.

New tenants will be allowed pets in accordance with the councils Pet Policy.

Applicants in sheltered housing schemes, who are in Band E because their accommodation meets their housing needs will not be considered for offers of accommodation in the same or similar schemes.

23.2 Local Lettings Policies

The Director Housing and Inclusion may also agree to Local Lettings policies to ensure a balanced mix within Council accommodation. This can include setting minimum age limits for certain property types, adjusting the number of family homes let to families with children where there is a high concentration of children in a particular area, or giving preference to local people or those who are economically active.

Local Lettings policies may apply to new build and redevelopment schemes.

As local lettings policies are subject to frequent review and change they are not listed in this document. A copy of any current policies in place can be found on the West Lancs Homefinder website: www.westlancshomefinder.co.uk

When we advertise properties within a local lettings scheme, we will make this clear in the advert.

23.3 Direct Lets

Whilst the Council aims to allocate all of its empty properties via the CBL scheme, it reserves the right to direct match applicants to properties in exceptional circumstances, these would include;

- Public protection cases
- Successor tenants or those left in possession of a West Lancashire Council property who are failing to make bids
- Temporary or permanent decants
- Properties that have been significantly adapted
- Temporary accommodation
- Extra Care Sheltered accommodation

23.4 Allocation Decisions

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

- 1) as regards the procedure to be followed, an authority's allocation scheme shall be framed in accordance with the principle prescribed in this regulation
- 2) a member of an authority who has been elected for the electoral division or ward in which;
 - a) the housing accommodation in relation to which an allocation decision falls to be made is situated, or

- b) the person in relation to whom that decision falls to be made has his sole or main residence, shall not, at the time the allocation decision is made, be included in the persons constituting the decision-making body

All allocations will be authorised and approved by the Tenancy Services Manager or a person delegated this authority by the Tenancy Services Manager.

All procedures under this Policy other than allocations will be carried out by a Housing Options Advisor unless otherwise stated.

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

24.0 Adapted Dwellings

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

Significantly adapted properties may be allocated outside the HomeFinder scheme and offered to an applicant who requires the adaptations through direct matching. Should an applicant refuse such an offer, it will not count towards the 3 reasonable offers, which are normally made.

Applicants who are currently living in council accommodation which has been significantly adapted to meet their needs will not be considered for an offer of any property that has not already been adapted. Exceptions will apply where further adaptations are required and these cannot reasonably be done in the current home. These applicants will not normally qualify for any additional priority for underoccupation, each case will be considered on an individual basis.

25.0 Local Connection Policy

Section 166A(6) Housing Act 1996 enables housing authorities to allocate accommodation to people of a particular description, whether or not they fall within the reasonable preference categories.

25.1 Local Connection Preference

There is particular strain on social housing for rent in some areas of the Borough. These areas include small villages where there is little

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

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

In the areas set out in Appendix 1 the Council will seek to give preference to applicants with local connections over those without a connection in the same level of housing need ie Band.

All vacancies in these areas will be advertised as normal, applicants who satisfy the Local Connection criteria for the area in which the vacancy is located, will be given preference over those applicants with the same level of housing need, i.e. the same band who cannot demonstrate a Local Connection to the area.

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

25.2 Review of Local Lettings Procedures

In order to ensure the best use of Council accommodation, the Director of Housing & Inclusion Services is authorised to review and if necessary adjust the list of housing areas within each category as set out in Appendix 1 to reflect changes in levels of housing stock or levels of demand for homes in different areas.

This may result in general needs and sheltered accommodation within one housing area being within two different categories for local letting preference.

25.3 Local Connection Criteria

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

- Have lived in that area for a period of 3 out of the last 5 years prior to the date of their application; or

- Have close family who have lived in that area for a minimum of 5 years prior to the date of application and the applicant must indicate that they want to move nearer to them. Close family includes parents, children and siblings.

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

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

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

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

25.4 The Right to Move Quota

The council is required to set a quota for the proportion of properties that it expects to allocate each year to transferring social tenants who need to move into their district for work related reasons ('the Right to Move quota'). Given the historically low levels of applications from those outside the borough this quota has been initially set at 1% and will be reviewed annually.

26.0 Offers of Accommodation

26.1 Short-listing

Expressions of interest will be placed in order of priority i.e. from Band A through to Band E. Applicants with the enhanced 'Plus' status for Economic/Community Contribution will appear above those applicants with the same level of housing need, i.e. in the same band who cannot demonstrate a economic/community contribution. Where the shortlist contains more than one applicant in a band, the date that the applications were placed into that band will be used to prioritise them.

Where the vacancy is in a Local Connection area, expressions of interest will be placed in order of priority i.e. from Band A through to

Band E. Applicants with the Local Connection to the area in which the property is located will appear above those without a local connection. Enhanced. Where the shortlist contains more than 1 applicant with a local connection 'Plus' status for Economic/Community Contribution and the date that the applications were placed into that band will be used to prioritise them.

In cases where no bids are received from applicants meeting the local connections criteria in the highest band on the shortlist, offers will be made in the normal manner based upon priority need and date order. Any preference for a local connection may only be given where the property advertised is of a type and size appropriate to the applicant's needs.

Where properties are targeted at specific customers, they will be given priority for that type of accommodation e.g. accessible accommodation for customers with disabilities..

If an applicant is ranked first for more than one property and provided the lettings criteria are met, they will be contacted to make a decision about which property they wish to accept subject to viewing. If the council is unable to make contact it will determine which property should be offered.

- 26.2 If an applicant on the shortlist is considered not to be eligible or qualifying, they will be 'skipped' and an offer will be made to the next applicant. Applicants may be skipped if for example,
- if they have failed to maintain regular repayments of rent, there are former tenant arrears or a recharge debt
 - if a current tenant needs to complete repairs identified as their responsibility
 - . If an applicant bids for a property that does not meet their specified health needs.
 - If an applicant's position on the shortlist is due to their employment and this status has changed;
 - If an applicant's position on the shortlist is due to their local connection with an area and this is incorrect or has changed;
 - If the applicant has already bid for another property and this has been offered to them;
 - If the property is adapted and the applicant does not need those specific adaptations;
 - If the property is not adapted and the applicant needs specific adaptations;
 - If the reason for the move is domestic abuse or harassment and the move is not far enough from the area to resolve the issues;
 - If no response has been received when the applicant has been contacted by telephone or letter, despite reasonable efforts;
 - If the applicant would be reasonably be unable to afford the rent on the property

The offer will be made first to the applicant in the highest priority band who has had that priority the longest. If the offer is not accepted the property will be offered to the next applicant in the band.

If an offer is not accepted by any of the applicants in a priority band then it will be offered to applicants in the next lower band on the same basis.

- 26.3 Properties will normally be offered on a fixed term/flexible tenancy of 5 years in accordance with our Tenure Policy. If the tenancy is new, the first year will be an Introductory Tenancy. After 12 months, the tenancy can become a flexible or fixed term tenancy if the requisite notice has been duly served.

For other household groups, including people above the state retirement age, households with a disabled person and whose property has received a Council disabled adaptation and for sheltered properties a secure lifetime tenancy will normally be offered.

26.4 Reasonable Offers

Offers will be considered reasonable if:

- The applicant has expressed an interest in the property by placing a bid;
- The property attributes were correctly detailed in the advert;
- The size of the accommodation is suitable;
- The design of the property meets the individual's medical needs;
- The household would not be at risk of violence or harassment.

27.0 Refusal of Offers

Applicants will normally be required to decide on an offer of accommodation within 2 days of being notified of the offer.

Waiting list applicants who have refused 3 reasonable offers will have their applications re-banded to Band E.

Applications will not normally be cancelled for refusal of offers. They will remain in Band E until they receive an offer that they accept. Applications will only be cancelled if an applicant fails to respond to letters asking if they wish to stay on the register or it is cancelled in the annual system review.

In exceptional circumstances where an applicant has bid on, been offered, viewed and refused number of suitable properties with no valid reason, the Tenancy Services Manager will have discretion to close the application.

In cases where a household has been accepted as unintentionally homeless with a priority need and placed in bands A or B, 1 offer will be made to discharge the Council's statutory duty. Where this offer is refused, the application will be re-banded to Band C and treated as a waiting list application.

The Council aims to provide accommodation to homeless applicants in an area that they have selected, as the tenancy is more likely to be sustained. However, owing to the low turnover in certain areas, the need to help people move on from temporary accommodation, and discharge of the homeless duty, offers of reasonable accommodation may have to be made in an area, which has not been chosen but is reasonably accessible and available at an earlier date.

28.0 Exceptional Circumstances

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

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

29.0 Nominations to Private Registered Providers

The Council has a number of nomination agreements with Housing Associations and will always endeavour to submit nominations for vacancies when requested. These properties will be advertised and shortlisted in accordance with the normal allocations scheme. The council will provide details of the three highest placed applicants to the Housing Association who may conduct their own pre tenancy checks prior to making any offer of accommodation.

30.0 Review of the Housing Register

The housing register will be reviewed every 12-months. Applicants will be required to confirm that they wish to remain on the register and advise the Council if their circumstances have changed. Applicants

who fail to respond to this review will be removed from the housing register. They will have to make a fresh application to rejoin the scheme if they wish to be considered for accommodation in the future.

On completion of the online application applicants will be advised of the information that they will need to provide eg photographic ID, reference, proof of child benefit. Applicants who fail to provide this evidence within 2 months will have their application cancelled and will need to reapply.

31.0 Confidentiality

We treat the information included on a housing application as strictly confidential

The Council will take disciplinary action against any employee who makes use of any information obtained in the course of their employment for personal gain or benefit, or who passes it to others who might use it in such a way. A report to the police will be made if it appears that a criminal offence has been committed.

The information included on a housing application is also protected by the Data Protection Act 1998. This means we cannot share the personal information provided on an application form without the applicants consent, except in specific exceptional circumstances.

The disclosure of information about any housing application to a third party is prohibited except on a “need to know” basis in the following circumstances:

- To plan and provide assistance jointly with health and social services agencies in appropriate cases.
- For the purpose of fraud detection, the prevention of crime, and the promotion of community safety.
- To enable efficient administration of offers of rehousing, lettings, housing association nominations, and rent and benefit accountancy etc.
- Where disclosure is a legal requirement.

Applicants can designate a relative, friend, agency or other third party to act of their behalf. By supplying the representative's information on the Homefinder application the applicant giving consent for all aspects of their application to be discussed with their representative.

32.0 Rights to Request Information and Reviews

In accordance with s166A(9) of the Housing Act 1996 (as amended), applicants have the following rights:

- a) to request such general information as will enable them to assess

- how their applications are likely to be treated under this Policy (including in particular whether they are likely to be regarded as a member of a group of people who are to be given preference by virtue of s166A(3)), and
 - whether housing appropriate for their needs is likely to be made available to them and, if so, how long it is likely to be before such accommodation becomes available;
- b) to request to be informed of any decision about the facts of his or her case which has been or is likely to be taken into account in considering whether to make an allocation; and
- c) to request a review of a decision under (b) above or a decision that they are either ineligible or non-qualifying.

The review process can be found at Appendix 4.

33.0 Support for Vulnerable Applicants

We aim to ensure that all applicants are able to full participate in the CBL scheme and appreciate that some customers may require some additional support to do so.

At application stage applicants will be asked whether they require any additional help. This may include;

- Advice on using the system and technology involved.
- Nominating someone to bid on their behalf, this could be a family member or worker from a support agency. In exceptional circumstances where an applicant is unable to bid themselves and has no advocate, a system of automated bidding can be used.
- The West Lancs HomeFinder website will be W3C AA compliant, meeting current accessibility standards, and makes use of the Browsealoud text reader.

APPENDIX 1

LOCAL CONNECTION AREAS

Altcar
Appley Bridge
Banks
Bickerstaffe
Halsall
Haskayne
Hesketh Bank
Newburgh
Parbold
Rufford
Scarisbrick
Tarleton
Westhead
Wrightington

DRAFT

APPENDIX 2

Overcrowding Assessment Guidance - The Bedroom Standard

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

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

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

In calculating the number of bedrooms available within properties the Council will treat every habitable room as a bedroom except kitchens, bathrooms and one room for use as a living room. The Council will normally consider additional downstairs rooms in houses for use as bedrooms in accordance with Housing Benefit regulations.

No more than 2 people are expected to share a room.

A pregnant woman will be assessed as requiring a room for the baby only once the baby is born.

Where a household is experiencing difficulties with accommodating 2 very young children i.e. under 5 in a single bedroom, an additional bedroom may be allocated. This award is discretionary and will only be made following a home visit by a Housing Options Advisor.

APPENDIX 3

Lettings Criteria

<u>Property Type</u>	<u>Qualifying Groups</u>
Bedsits	Single people & couples without children
Flats/Maisonettes	Single people, couples, families with children.
Houses	Households with children where the youngest is aged 16 or under.

Households with an expectant mother are treated as though the child has been born at 30 weeks of pregnancy as long as a copy of the MATB1 has been provided.

Sheltered housing bungalows and sheltered schemes are reserved for those over 55 years of age who need the added benefits of a safe and secure environment that supports and sustains their long term health and wellbeing. For sheltered flats not in a communal scheme, applications will be considered from households where all members are over 50.

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

For those people with some levels of support needs the Council will work with appropriate agencies to achieve independent and sustainable tenancies.

Number of bedrooms

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

The following criteria will be followed:

- Each married/co-habiting couple will require a bedroom
- Each adult aged 21 years or more will require a bedroom
- Each pair of children of the same sex aged between 10-20 will require a bedroom
- Each pair of children aged under 10, regardless of sex, require a bedroom (once one child reaches the age of 10, they can be paired

with another person of the same sex who is aged 20 or under. Where this is not possible, the unpaired child will require a separate bedroom).

Households with an expectant mother are treated as though the child has been born at 30 weeks of pregnancy as long as a copy of the MATB1 has been provided.

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

Where a household is experiencing difficulties with accommodating 2 very young children i.e. under 5 in a single bedroom, an additional bedroom may be allocated. This award is discretionary and will only be made following a detailed assessment.

As the Council has limited availability of 2 bedroom houses ; those households with two children and assessed as eligible for 2 bedrooms under the above criteria will be allowed to bid on both 2 and 3 bed properties, however all offers would subject to an affordability assessment.

APPENDIX 4

The Review Process

The Original Decision

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

The decision letter will state;

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

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

Review Procedure

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

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

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

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

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

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

WEST LANCASHIRE BOROUGH COUNCIL

PET POLICY



1 October 2017

1.0 Aim

- 1.1 To outline West Lancashire Borough Councils approach to the keeping of pets by tenants. We understand that people often enjoy the companionship of a pet, and recognise the health and well-being benefits that pet ownership can bring. Where possible we aim to accommodate request to keep pets when people are moving into council housing.
- 1.2 Being able to have or keep a pet can be a deciding factor for people when considering moving into their new home. We believe that tenants moving into our homes should not be forced to make the decision to give up a pet or risk missing out on the housing they need.

2.0 Scope

- 2.1 This policy explains how West Lancashire Borough Council will manage the ownership of pets within its homes. The policy covers the following issues:
- What type of pets can be kept and in what circumstances.
 - What types of pets will not be considered
 - Responsibilities of owning a pet in
 - The actions which the Council will take where pets are kept inappropriately or cause nuisance to neighbours.

3.0 Requesting permission to keep a pet

Applicants for accommodation will be expected to keep their Homefinder application updated in regard to pet ownership. This information will be considered and discussed with prospective new tenants as part of the offer of accommodation process.

4.0 Definitions

Any domestic animal can be a pet. Dogs and cats are the most obvious but there are also those which are kept purely indoors such as tropical and gold fish, budgies.

5.0 What type of pets can be kept and in what circumstances.

This list provides a guide to applicants and residents about the numbers and types of pets may be considered, it is not exhaustive.

Caged Pets

- Small birds

Are permitted to be kept in any property type

Tanks

- Coldwater fish
- Tropical fish
- Small reptiles

Are permitted to be kept in any property type

Un-caged Pets

- One small sized dog (e.g. small terriers, toy dogs)
- One cat

Are permitted in

- All houses
- All sheltered flats and bungalows
- Flats that do not have enclosed communal areas
- Ground floor flats only in blocks with enclosed communal areas

Assistance dogs – such as guide dogs, hearing dogs or dogs for the disabled will always be permitted.

6.0 What types of pets will not be considered

6.1 Dangerous Dogs Act 1991

According to the dangerous dogs Act 1991 it is an offence to keep specific breeds of dogs.

- Pit Bulls
- Japanese Tosas
- Dogos Argentinos
- Filas Brasileiros

Therefore, these breeds will not be accepted.

6.2 Wild or Farmyard animals

The Dangerous Wild Animals Act 1976 prohibits individuals from keeping wild animals as pets, such as: Venimous Snakes,etc; therefore these will not be permitted.

Permission will also not be granted for farmyard animals. Exceptions may be agreed for keeping chickens in areas where this would not cause a nuisance or annoyance to neighbours.

7.0 Responsibilities of owning a pet in Sheltered Housing.

The Animal Welfare Act 2006 states that anyone who owns a pet must care for their animal in a proper manner. In addition any tenant requesting to keep a pet has to act as a responsible pet owner and to ensure that any pet owned, does not cause a nuisance to the quiet enjoyment of other residents living within the scheme.

7.1 Responsibilities include ensuring that

- Cats/dogs are neutered
- Cats/dogs are micro-chipped
- Pets are vaccinated and treated appropriately to prevent flea infestation
- Faeces is picked up and disposed of correctly in an appropriate bin suitable for animal faeces
- Litter trays and cages should be cleaned out regularly and disposed of in an appropriate manner
- Pets are not allowed to roam in internal or external communal areas.
- Dogs must be kept on a lead when outside of the tenants' home in communal areas
- There must be a named responsible person who will take responsibility for the pet in an emergency or should the tenant become incapacitated in any way. (In the event of the tenant becoming incapacitated and the responsible named person is not able to take responsibility for the pet then the Council will arrange for the pet to be taken care of in an appropriate manner, however any costs incurred will be recharged to the tenant.)
- Where possible, tenants should always take out insurance for their pets
- Excessive noise (such as dog barking constantly) will not be tolerated. If the owner is unwilling to cooperate, then he/she will be given the option of either rehoming the pet or giving up their tenancy.
- For the consideration of other tenants, pets must not be left on their own for any length of time as this can cause excessive behaviour problems.
- Communal rooms such as lounges (residents lounges would be used for access to gardens / footpaths only where applicable), communal kitchen, laundry and other residents' apartments are out of bounds and pets are not allowed.
- If in sheltered housing tenants must advise the Sheltered Housing Team of any changes in circumstances to the details required to maintain their pet records.
- You cannot leave your pet in the property when you are away. The pet should be taken with you or boarded elsewhere. Pet owners are responsible for making arrangements to have their pet cared for in the event of ill health, hospitalisation, holidays or emergencies

If these responsibilities are not adhered to then tenancy enforcement actions will be taken.

8.0 Visiting Pets

Tenants will not be permitted to look after other pets whilst their family or friends are on holiday etc.

9.0 Withdrawing Permission

West Lancashire Borough Council reserves the right to withdraw permission for a tenant to keep a pet under the following circumstances:

- You have failed to comply with the obligations set above.
- Persistent complaints, which have been substantiated have been made about your animal's behaviour.
- There is evidence of cruelty to the animal or lack of responsibility.
- You become unable to look after the pet due to physical or mental frailty.

DRAFT

Equality Impact Assessment Form



Directorate: Housing & Inclusion	Service: Housing Management
Completed by: Nicola Bradley	Date: 24.11.17
Subject Title: Housing Allocations Policy	
1. DESCRIPTION	
Is a policy or strategy being produced or revised:	Yes
Is a service being designed, redesigned or cutback:	No
Is a commissioning plan or contract specification being developed:	No
Is a budget being set or funding allocated:	No
Is a programme or project being planned:	No
Are recommendations being presented to senior managers and/or Councillors:	Yes
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	Yes
Details of the matter under consideration:	Update to the Council's Housing Allocations Policy
<i>If you answered Yes to any of the above go straight to Section 3</i> <i>If you answered No to all the above please complete Section 2</i>	
2. RELEVANCE	
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	Yes/No* <i>*delete as appropriate</i>
If Yes , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered Yes go to Section 3</i>	
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>	
3. EVIDENCE COLLECTION	
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	Existing and future housing applicants
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	The Policy will be applied to existing and future housing applicants and will not disadvantage any one group in terms of their housing needs and our ability to meet them.

Which of the protected characteristics are most relevant to the work being carried out?	
Age	Yes
Gender	No
Disability	Yes
Race and Culture	No
Sexual Orientation	No
Religion or Belief	No
Gender Reassignment	No
Marriage and Civil Partnership	No
Pregnancy and Maternity	Yes

4. DATA ANALYSIS

In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	<p>The Council's Allocations Policy aims to promote equality of opportunity and allocate social housing within the borough to those applicants in most housing need.</p> <p>The following table shows the breakdown in terms of age of main applicant. This shows that there is a fairly even distribution in terms of the age groups wishing to access housing.</p> <table border="1"> <thead> <tr> <th>Age</th> <th>Number of applicants</th> </tr> </thead> <tbody> <tr> <td>16-17</td> <td>1</td> </tr> <tr> <td>18-24</td> <td>99</td> </tr> <tr> <td>25-35</td> <td>261</td> </tr> <tr> <td>36-60</td> <td>366</td> </tr> <tr> <td>60+</td> <td>206</td> </tr> <tr> <td>Grand Total</td> <td>933</td> </tr> </tbody> </table> <p>5.8% of applicants have a physical disability and require and adapted property.</p>	Age	Number of applicants	16-17	1	18-24	99	25-35	261	36-60	366	60+	206	Grand Total	933
Age	Number of applicants														
16-17	1														
18-24	99														
25-35	261														
36-60	366														
60+	206														
Grand Total	933														

What will the impact of the work being carried out be on usage/the stakeholders?	<p>The proposed changes</p> <ul style="list-style-type: none"> • aim to increase the number of allocations to those in most need by updating the local connection policy operation in some parts of the borough. • assist expectant parents in securing suitable accommodation prior to the birth of their child, households with an expectant mother will now be treated as though the child has been born at 30 weeks of pregnancy. • Improve choice for those nearing
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	<p>retirement age by allowing them to access sheltered housing</p> <ul style="list-style-type: none"> • Improve wellbeing of elderly residents by allowing pets in sheltered housing
<p>What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?</p>	<p>Results of previous New Tenant Satisfaction surveys show a high level of satisfaction across the customer base.</p>
<p>What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?</p>	<p>Data relating to current live applications Data relating to the allocations of housing</p>
<p>If any further data/consultation is needed and is to be gathered, please specify:</p>	<p>12 week public consultation to be carried out with customers and other interested agencies and support groups.</p>
<p>5. IMPACT OF DECISIONS</p>	
<p>In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?</p>	<p>There will be a positive effect on older applicants in terms of being able to move into sheltered accommodation with a pet. There will be a positive impact on those nearing retirement age and who may be disabled or have health issues as they will now be able to access sheltered accommodation. This may be particularly beneficial in some of the rural areas where there is a limited supply of general needs flats. Pregnant applicants will be considered for family housing prior to the birth of their child.</p>
<p>6. CONSIDERING THE IMPACT</p>	
<p>If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).</p>	<p>There is no negative impact.</p>
<p>What actions do you plan to take to address any other issues above?</p>	<p>No actions</p>
<p>7. MONITORING AND REVIEWING</p>	
<p>When will this assessment be reviewed and who will review it?</p>	<p>1 year after implementation by Tenancy Service Manager</p>

Scenarios to demonstrate effect on individual applicants

1. Mrs Buck is a Council tenant, she currently owes £654 rent arrears, she has made an arrangement to reduce her arrears by £5 per week, and has made 1 payment.

Under current policy – arrears must be under £500 and then regular agreed payments have been made for 3 months before she can be registered onto Housing Register

Under new policy – applicant will not be accepted onto the housing register. Arrears must be under £250 and regular agreed payments have been made for at least 3-months

2. Mr Joel is a Council tenant, he currently owes £94 rent arrears. His rent payment is £7 per week, he has just made an arrangement to reduce the arrears by £12 per month, but has not made any payments.

Under current policy- he would be accepted onto the housing register and allowed to bid

Under new policy – the application will be suspended the arrears have reduced by 50% and regular payments made for 3 months

3. Mr & Mrs Smith applied for housing in July 2015, they are Council tenants living in a one bed flat which meets all their housing needs. They want to move to Birch Green because they prefer the area.

Ms Jones applied for housing in Sept 2016; she is currently living in a 1 bed flat in the private rented sector whilst she can meet her rent obligations she wishes to move to a more affordable property.

Both bid on a 1 bed flat in Birch Green

Under current policy both households would be in Band D on the basis that they are adequately housed. Mr & Mrs Smith would be in a higher position as they have been on the housing register longer.

Under new policy Mr & Mrs Smith as Council tenants who are adequately housed would be in Band E. Ms Jones due to the insecurity of tenure and affordability of current tenancy would be in Band D. She would therefore be in a higher position.

4. Ms Neilson lives in Burscough in a 3 bed house in the private sector, which meets her household needs. She wishes to move closer to her mum in Banks. On the basis that her mum has lived in Banks for 6 years she would be registered in Band D but with Local connection to Banks

Miss Williams lodges with her mum in Tanhouse, with her 2 children, girl aged 2 years, and a boy aged 12 years. The property is a 2 bedroom house, Miss Williams is in Band A to reflect her overcrowding.

Both bid on a 3 bed house in Banks

Under current policy – All applicants with a Local connection are given preference despite their priority band therefore Ms Neilson would be offered the tenancy.

Under new policy – Local connection preference would operate within priority Band, therefore Miss Williams would be offered the tenancy.

Lettings by Band 2016-17

Lettings In all Areas by Band 2016-17

The table below shows the total number of properties allocated by West Lancashire Borough Council across all areas of the Borough in 2016-17. This information is broken down by allocation area and the priority bands of the successful applicants

Area	Band				Grand Total
	Band A	Band B	Band C	Band D	
Appley Bridge		1		2	3
Ashurst	3	5	6	5	19
Aughton	3	1	1	2	7
Banks	1	1	1	5	8
Birch Green	28	31	27	25	111
Birch Green Central	4	5	7	2	18
Burscough	6	1	1	4	12
Clay Brow	2	5	7	11	25
Digmoor	5	9	20	22	56
Halsall		2			2
Haskayne		2			2
Hesketh Bank	1	1		5	7
Holland Moor	1	2		1	4
Little Digmoor	1	2	7	5	15
New Church Farm	4	3	3	3	13
Newburgh	1				1
Old Skelmersdale	11	14	24	20	69
Ormskirk	12	11	5	17	45
Parbold				1	1
Scarisbrick	1	1		1	3
Tanhouse 1&2	1	10	14	28	53
Tanhouse 4&5	6	11	6	20	43
Tarleton	2	3	1	7	13
Upholland	4	11	7	13	35
Westhead		1			1
Wrightington				2	2
Grand Total	97	133	137	201	568
%of Allocations	17%	23.5%	24%	35.5%	100%

Lettings In 50% Local Connection Areas by Band 2016-17

The table below shows the number of properties allocated in those areas designated as 50% Local Connection areas in 2016-17. This information is broken down by allocation area and the priority bands of the successful applicants. It demonstrates that 56% of allocations in these areas are currently made to those applicants with low levels of housing need, that is those in our non-priority bands C&D.

Area	Band				Grand Total
	Band A	Band B	Band C	Band D	
Aughton	3	1	1	2	7
Burscough	6	1	1	4	12
Old Skelmersdale	11	14	24	20	69
Ormskirk	12	11	5	17	45
Upholland	4	11	7	13	35
Grand Total	36	38	38	56	168
%of Allocations	21.5%	22.5%	22.5%	33.5%	100%

Lettings In 100% Local Connection Areas by Band 2016-17

The table below shows the number of properties allocated in those areas designated as 100% Local Connection areas in 2016-17. This information is broken down by allocation area and the priority bands of the successful applicants. It demonstrates that 58% of allocations in these areas are currently made to those applicants with low levels of housing need, that is those in our non-priority bands C&D.

Area	Band				Grand Total
	Band A	Band B	Band C	Band D	
Appley Bridge		1		2	3
Banks	1	1	1	5	8
Halsall		2			2
Haskayne		2			2
Hesketh Bank	1	1		5	7
Newburgh	1				1
Parbold				1	1
Scarisbrick	1	1		1	3
Tarleton	2	3	1	7	13
Westhead		1			1
Wrightington				2	2
Grand Total	6	12	2	23	43
%of Allocations	14%	28%	5%	53%	100%

*As there are some Allocations Areas where we do not operate a Local Connection criteria the data in the second and third tables will not total those shown in the first table.

Number of Lettings to those with Local Connection 2016-17

Number of Lettings to those with Local Connection in 50% Local Connection Areas 2016-17

The table below shows the number of allocations in the 50% Local Connection areas and how many of these applicants in each area satisfied the local connection criteria. This demonstrates that we are achieving 56% allocations to applicants with Local Connection.

Area	Total Lets	Lets to Local Applicants
Aughton	7	5
Burscough	12	9
Old Skelmersdale	69	32
Ormskirk	45	32
Upholland	35	16
Grand Total	168	94

Number of Lettings to those with Local Connection in 100% Local Connection Areas 2016-17

The table below shows the number of allocations in the 100% Local Connection areas and how many of these applicants in each area satisfied the local connection criteria. This demonstrates that whilst we aim to allocate every property to someone who has a local connection in reality because of the lack of demand from local people we only allocate 39% of properties in these areas to those with a Local Connection.

Area	Total Lets	Lets to Local Applicants
Altcar	0	0
Appley Bridge	3	2
Banks	8	3
Bickerstaff	0	0
Halsall	2	0
Haskayne	2	1
Hesketh Bank	7	2
Newburgh	1	0
Parbold	1	0
Rufford	0	0
Scarisbrick	3	2
Tarleton	13	6
Westhead	1	1
Wrightington	2	0
Grand Total	43	17

Sheltered Lettings in Local Connection Areas 2016-17

Many of the allocations in the 100% local connection areas are in our sheltered housing stock. This is because there is a greater supply and a higher turnover of sheltered housing.

Sheltered Lettings in 50% Local Connection Areas 2016-17

The table below shows the number of allocations in the 50% local connection areas broken down into general needs and sheltered properties. Of the 168 allocations for the whole year 33% were in sheltered accommodation and 67% of allocations to general needs accommodation.

Area	General Needs	Sheltered Housing	Grand Total
Aughton	5	2	7
Burscough	7	5	12
Old Skelmersdale	56	13	69
Ormskirk	20	25	45
Upholland	25	10	35
Total	113	55	168

Sheltered Lettings in 100% Local Connection Areas 2016-17

The table below shows the number of allocations in the 100% local connection areas broken down into general needs and sheltered properties. Of the 43 allocations made in the whole year 77% of allocations were made to sheltered accommodation and 23% of allocations to general needs accommodation.

Area	General Needs	Sheltered Housing	Grand Total
Appley Bridge		3	3
Banks	2	6	8
Halsall	2	0	2
Haskayne	2	0	2
Hesketh Bank	1	6	7
Newburgh		1	1
Parbold		1	1
Scarisbrick		3	3
Tarleton	1	12	13
Westhead	1	0	1
Wrightington	1	1	2
Total	10	33	43



**CORPORATE & ENVIRONMENTAL
OVERVIEW & SCRUTINY COMMITTEE:
4 JANUARY 2018**

CABINET: 9 JANUARY 2018

Report of: Director of Housing and Inclusion

Relevant Portfolio Holder: Councillor I Moran

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

SUBJECT: QUARTERLY PERFORMANCE INDICATORS (Q2 2017/18)

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To present performance monitoring data for the quarter ended 30 September 2017.

2.0 RECOMMENDATIONS TO CORPORATE & ENVIRONMENTAL OVERVIEW & SCRUTINY COMMITTEE

2.1 That the Council's performance against the indicator set for the quarter ended 30 September 2017 be noted.

3.0 RECOMMENDATIONS TO CABINET

3.1 That the Council's performance against the indicator set for the quarter ended 30 September 2017 be noted.

3.2 That the call-in procedure is not appropriate for this item as the report was submitted to the meeting of the Corporate & Environmental Overview & Scrutiny Committee on 4 January 2018.

4.0 CURRENT POSITION

4.1 Members are referred to Appendix A of this report detailing the quarterly performance data for key performance indicators. The performance information aims to help demonstrate performance against the corporate priorities as well as providing some service-specific information.

4.2 31 data items are reported quarterly, two of these are data only. Of the 29 PIs with targets reported:

- 18 indicators met or exceeded target
- 7 indicators narrowly missed target; 4 were 5% or more off target

As a general comparison, Q2 performance in 2016/17 gave 23 (from 30) performance indicators on or above target.

4.3 Performance plans prepared by service managers are already in place for those indicators where performance falls short of the target by 5% or more for this quarter, if such plans are able to influence outturn and will be relevant for future monitoring purposes.

4.4 These plans provide the narrative behind the outturn and are provided in Appendix B1. Where performance is below target for consecutive quarters, plans are revised only as required, as it is reasonable to assume that some remedial actions will take time to make an impact. Progress on actions from previous Performance Plans are provided in Appendix C.

4.5 For those PIs that have flagged up as 'amber' (indicated as a triangle), an assessment has been made at head of service level based on the reasons for the underperformance and balancing the benefits of implementing an performance plan versus resource implications. This is indicated in the table.

4.6 Performance against the full corporate suite of indicators 2017/18 will be reported within the Council Plan Annual Report. This suite of indicators and targets was agreed by Cabinet in March 2017.

5.0 SUSTAINABILITY IMPACTS

5.1 The information set out in this report aims to help the Council improve service performance. There are no significant sustainability impacts associated with this report/update and, in particular, no significant impact on crime and disorder.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

6.1 There are no direct financial or resource implications arising from this report.

7.0 RISK ASSESSMENT

- 7.1 This item is for information only and makes no recommendations. It therefore does not require a formal risk assessment and no changes have been made to risk registers as a result of this report. Monitoring and managing performance information data helps the authority to ensure it is achieving its corporate priorities and key objectives and reduces the risk of not doing so.

Background Documents

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

Equality Impact Assessment

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

Appendices

Appendix A: Quarterly Performance Indicators for Q2 July-September 2017/18

Appendix B1: R1 % of Council Tax collected & R3 % of Non-domestic Rates Collected

Appendix C: Actions from Previous Performance Plans

Appendix D: Minute of Corporate & Environmental Overview and Scrutiny Committee 4 January 2018 (Cabinet only) – to follow







APPENDIX A: QUARTERLY PERFORMANCE INDICATORS

Icon key		
PI Status		Performance against same quarter previous year
	OK (within 0.01%) or exceeded	18
	Warning (within 5%)	7
	Alert (by 5% or more)	4
	Data only	2
N/A	Data not collected for quarter	0
	Awaiting data	0
Total number of indicators/data items		31







	Improved	14
	Worse	13
	No change	4
/	Comparison not available	0
	Awaiting data	0

Shared Services ¹



Page 109	Code & Short Name	Q2 2015/16	Q3 2015/16	Q4 2015/16	Q1 2016/17	Q2 2016/17	Q3 2016/17	Q4 2016/17	Q1 2017/18	Q2 2017/18	Current Target	Comments	Q2 17/18 vs Q2 16/17	Quarter Performance
		Value	Value	Value	Value	Value	Value	Value	Value	Value				
	ICT1 Severe Business Disruption (Priority 1) ytd	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	99.0%			
	ICT2 Minor Business Disruption (P3) (ytd)	99.0%	98.0%	98.0%	98.0%	97.0%	98.0%	98.0%	98.0%	99.0%	97.0%			
	ICT3 Major Business Disruption (P2) (ytd)	100.0%	89.0%	92.0%	100.0%	92.0%	94.0%	96.0%	100.0%	100.0%	98.0%			
	ICT4 Minor Disruption (P4) (ytd)	99.0%	97.0%	98.0%	99.0%	99.0%	99.0%	99.0%	98.0%	99.0%	98.0%			
	B1 Time taken to process Housing Benefit/Council Tax Benefit new claims and change events (ytd)	8.07	8.00	7.02	7.22	7.24	8.10	6.41	6.87	7.10	12.00			
	B2 Overpayment Recovery of Housing Benefit overpayments (payments received) ytd	£149,382	£207,159	£276,577	£79,368	£157,338	£226,000	£311,409	£69,860	£140,362	£94,430			
	R1 % of Council Tax collected	56.69%	84.37%	97.02%	29.38%	56.67%	84.38%	96.74%	29.30%	56.28%	57.31%	Head of Service's amber assessment: performance plan attached at Appendix B1		

PI Code & Short Name	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Current Target	Comments	Q2 17/18 vs Q2 16/17	Quarter Performance
	2015/16	2015/16	2015/16	2016/17	2016/17	2016/17	2016/17	2016/17	2017/18				
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
R2 % council tax previous years arrears collected	25.31%	32.64%	37.31%	9.98%	17.3%	22.54%	26.82%	7.13%	13.37%	12.36%			
R3 % of Non-domestic Rates Collected	54.83%	80.41%	98.32%	29.27%	56.87%	82.98%	97.72%	29.18%	55.15%	55.55%	Head of Service's amber assessment: performance plan attached at Appendix B1		
R4 Sundry Debtors % of revenue collected against debt raised	83.67%	88.84%	95%	66.42%	72.43%	80.87%	95.06%	39.49%	74.1%	65.75%			







Development & Regeneration Services











PI Code & Short Name	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Current Target	Comments	Q2 17/18 vs Q2 16/17	Quarter Performance
	2015/16	2015/16	2015/16	2016/17	2016/17	2016/17	2016/17	2016/17	2017/18				
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
PI 157a Processing of Planning applications: Major applications	100%	100%	81.82%	100%	92.31%	71.43%	83.33%	100%	100%	65.00%			
PI 157b Processing of Planning applications: Minor applications	66.15%	67.14%	62.26%	70.97%	91.67%	96.49%	94.67%	76.56%	93.90%	75.00%			
NI 157c Processing of planning applications: Other applications	83.33%	81.82%	80.00%	85.95%	96.64%	92.68%	89.52%	87.31%	93.62%	85.00%			

Finance and HR Services







PI Code & Short Name	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Current Target	Comments	Q2 17/18 vs Q2 16/17	Quarter Performance
	2015/16	2015/16	2015/16	2016/17	2016/17	2016/17	2016/17	2016/17	2017/18				
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
WL_121 Working Days Lost Due to Sickness Absence ³	10.43	10.47	9.64	8.89	7.61	7.40	7.44	6.92	7.54	8.08			

Housing & Inclusion Services











PI Code & Short Name	Q2 2015/16	Q3 2015/16	Q4 2015/16	Q1 2016/17	Q2 2016/17	Q3 2016/17	Q4 2016/17	Q1 2017/18	Q2 2017/18	Current Target	Comments	Q2 17/18 vs Q2 16/17	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
HS1 % Housing repairs completed in timescale	96.11%	97.02%	95.38%	94.93%	97.42%	98.13%	98.40%	95.88%	96.06%	97.00%	Performance with one contractor has been discussed at a contractor meeting. Processes were put in place to improve identified issues, and performance has improved, with the monthly target having been on target for October. Performance Plan in progress. See Appendix C.		
HS13 % LA properties with Landlord Gas Safety Record outstanding	0.01%	0.08%	0.13%	0.13%	0.22%	0.07%	0.19%	0.16%	0.13%	0.00%	Target based on legal requirement for all eligible properties to have certificate. Reported performance is an average from months in the period. 0% was achieved in July. 0.13% represents an average of 7 properties. Performance Plan in progress. See Appendix C.		
TS1 Rent Collected as a % of rent owed (excluding arrears b/f)	100.12	99.74	99.81	102.3	99.96	99.96	99.09	102.46	99.97	99.00	As more tenants move to Universal Credit (UC) the target becomes more challenging. The Income team prioritise pre tenancy money advice and early intervention to minimise rent arrears and maximise rental income. We continue to maximise the amount of Discretionary Housing Payment for customers and advise those on UC of advanced payments for their housing costs (rent) and that when 8 weeks rent arrears accrue we will request a managed payment or an alternative payment arrangement for rent arrears from the DWP. UC work has had a significant impact on staffing resources. We are looking to secure additional staff to assist manage performance ahead of full UC on 13.12.17 utilising both existing budgets and funding from the DWP to provide support for UC claimants.		





PI Code & Short Name	Q2 2015/16	Q3 2015/16	Q4 2015/16	Q1 2016/17	Q2 2016/17	Q3 2016/17	Q4 2016/17	Q1 2017/18	Q2 2017/18	Current Target	Comments	Q2 17/18 vs Q2 16/17	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
TS11 % of rent loss through dwellings being vacant	1.56%	1.66%	1.74%	1.76%	1.79%	1.8%	1.79%	1.84%	1.79%	2.00%			
BV8 % invoices paid on time	98.65%	99.28%	98.36%	98.54%	98.33%	98.65%	98.37%	99.11%	98.05%	98.75%	This relates to over 9,000 invoices in the quarter. Performance for October is on target. Head of Service's amber assessment: performance plan not required.		
WL19bii Direct dial calls answered within 10 seconds ²	80.79%	82.35%	81.00%	80.15%	79.95%	82.41%	82.69%	81.39%	81.24% ²	82.21%	Please note that due to technical issues with the call logger, data is not available for the period 16.09.17-12.10.17. The outturn for Q2 therefore refers to quarter data up to 15.09.17. Head of Service's amber assessment: performance plan not required.		
Page 1072 WL90 % of Contact Centre calls answered	93.8%	92.4%	91.1%	92.2%	94.6%	93.7%	91.9%	80.1%	90.3%	91.0%	The successful launch of the garden waste collection service resulted in increased call volumes. However actively promoting channel shift via the Interactive Voice Response encourages residents to hang up and sign up online instead, which registers as an abandoned call and therefore has a direct impact on call handling performance. Calls have started to reduce during this quarter in relation to garden waste and performance has started to improve. Performance Plan in progress. See Appendix C.		
WL108 Average answered waiting time for callers to the contact centre (seconds)	23.00	37.00	60.00	64.00	47.00	58.00	69.00	163.00	83.00	60.00	The successful launch of the Garden Waste collection service has resulted in an increase in call volumes which has had a direct impact on call waiting times. Performance Plan in progress. See Appendix C.		

Leisure & Wellbeing Services

PI Code & Short Name	Q2 2015/16	Q3 2015/16	Q4 2015/16	Q1 2016/17	Q2 2016/17	Q3 2016/17	Q4 2016/17	Q1 2017/18	Q2 2017/18	Current Target	Comments	Q2 17/18 vs Q2 16/17	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
WL08a Number of Crime Incidents	1,169	1,271	1,205	1,359	1,224	1,388	1,199	1,432	1,504				
WL_18 Use of leisure and cultural facilities (swims and visits)	303,157	215,442	331,443	307,707	311,904	245,996	348,199	318,045	333,750				

Street Scene Services

PI Code & Short Name	Q2 2015/16	Q3 2015/16	Q4 2015/16	Q1 2016/17	Q2 2016/17	Q3 2016/17	Q4 2016/17	Q1 2017/18	Q2 2017/18	Current Target	Comments	Q2 17/18 vs Q2 16/17	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
NI 191 Residual household waste per household (Kg) ⁴	122.66	124.96	138.46	128.7 ⁵	121	125.32	126.71 ⁶	133.82 ⁷	127.18	125	Performance Plan in progress. See Appendix C.		
NI 192 Percentage of household waste sent for reuse, recycling and composting ⁴	51.08%	51.37%	41.81%	42.05% ⁸	54.16%	51.41%	43.42% ⁹	38.57% ¹⁰	47.38%	50.00%	Increase publicity and promotion for the Garden Waste collection season 18/19 to increase uptake of the service. Performance Plan in progress. See Appendix C.		
NI 195a Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Litter	1.17%	1.17%	2.00%	N/A	1.33%	1.11%	0.00% ¹¹	N/A	1.22%	1.61%			
NI 195b Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Detritus	3.41%	5.97%	5.47%	N/A	3.24%	2.96%	2.05% ¹¹	N/A	3.13%	5.00%			
WL01 No. residual bins missed per 100,000 collections	93.34	87.42	97.41	73.06	75.87	78.68	79.62	91.48	93.36	80.00	Route Optimisation project is ongoing. The aim is to have more balanced rounds. This is due for completion in March 2018.		

PI Code & Short Name	Q2 2015/16	Q3 2015/16	Q4 2015/16	Q1 2016/17	Q2 2016/17	Q3 2016/17	Q4 2016/17	Q1 2017/18	Q2 2017/18	Current Target	Comments	Q2 17/18 vs Q2 16/17	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
											Performance Plan in progress. See Appendix C.		
WL06 Average time taken to remove fly tips (days)	1.05	1.06	1.08	1.03 ¹²	1.05 ¹²	1.03	1.03	1.03	1.03	1.09			
WL122 % Vehicle Operator Licence Inspections Carried Out within 6 Weeks	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%			

¹ Managed through LCC/BTLS contract. Contractual targets are annual. Quarter targets are provided as a gauge for performance only. ICT data and RBS data reflect progress to year end. ICT 4 Q4 2016/17 data previously reported as 100% (which was December 2016 performance) rather than year to date 99%

² WL19bii / WL121: Data does not include BTLS seconded staff. Data for Q2 2017/18 was only for the period 01.07 – 15.09.17.

³ WL_121: From 2016/17, quarter data shows a rolling 12 month outturn against the annual target rather than 'within quarter' performance. Outturns of previous quarters re-stated to show this.

⁴ NI191-192: Data is provided to WLBC with a time lag due to time involved to confirm final figures. The data provided therefore reflects an outturn verified within the quarter rather than an outturn produced within the quarter. Data shown has been re-stated to reflect this change.

⁵ NI191: Data restated from the originally published 131.82; ⁶ Data restated from the originally published 121.6. NB these outturns and time periods have been adjusted from those originally published in line with the revised reporting arrangements. ⁷ Data restated from originally published 130.26

⁸ NI192: Data restated from originally published 40.61; ⁹ Data restated from originally published 44.43. NB these outturns and time periods have now been adjusted from those originally published in line with the revised reporting arrangements. ¹⁰ Data restated from originally published 40.93

¹¹ NI195a - previously reported as 0.65%; NI195b - previously reported as 2.19%

¹² WL06: Data restated from originally published Q1 1.07, Q2 1.01 2016/17.

Following the annual review of PIs, the following changes to QPIs were approved by Cabinet in March 2017 for 2017/18: *B2: Overpayment Recovery of Housing Benefit overpayments (payments received)* – annual target changed from £170K to £195K. Quarter profile changed to reflect this; *NI191: Residual household waste per household* and *NI192: Percentage of household waste sent for reuse, recycling and composting* - Quarter reporting period amended. There is a significant lag in reporting data for each quarter due to the external reporting and validating process. This has frequently meant that there is no quarterly data reportable for these PIs within the relevant quarter report. To allow quarterly figures to be monitored, data validated during the period being monitored will now be reported, and this will refer to outturn of the previous quarter; *TS1: Rent Collected as a % of rent owed (excluding arrears b/f)* - target changed from 97% to 99%; *TS24a: Average time taken to re-let local authority housing (General Needs)* and *TS24b: Average time taken to re-let local authority housing (Supported Needs)*. These PIs have been replaced by *TS11: % of rent loss through dwellings being vacant*, which identifies how much money is being lost through delays in turnaround of properties for letting; *WL108: Average answered waiting time for callers to the contact centre* - target decreased from 50 to 60 seconds to reflect end of year outturn. Since this PI was introduced the contact centre service has developed to provide greatly increased call resolution at first point of contact which has resulted in call duration being longer. Whilst maintaining an efficient contact centre remains integral to our customer service, the resourcing of this needs to be balanced with the promotion of other access routes for services via the Council's Digital by Preference initiative and the drive for channel shift. To support this approach, the annual target will therefore reflect annual outturn.

'NI' and 'BV' coding retained for consistency/comparison although national reporting no longer applies.

PERFORMANCE PLAN	
Indicator	R1 % of Council Tax collected / R3 % of Non-domestic Rates Collected
<p>Reason(s) for not meeting target: As in previous years at this point in the calendar year the outturn has dipped below the Current Year Council Tax & NNDR Recovery service targets. The contractual Service Level Agreement is an annual target.</p> <p>Both of these annual targets remain the most challenging for the service to deliver. Although resources were increased in both areas early on this financial year and work trays are at very low levels, which indicates the level of resource allocated to these areas is not an issue, the service haven't managed to meet their internal target this quarter. New management information should help identify the specific areas for future focus.</p>	
<p>Additional Commentary</p> <p>Proposed Actions The service are currently reviewing options in terms of how best to address this and bring performance back on track, initial action includes:</p> <ul style="list-style-type: none"> • Increased monitoring and review of high value recovery cases to target non payers • Liaising closely with Valuation Office to ensure accurate Rating Lists maintained • Appointment of specialist Revenues Agency worker to assist with the collection process and enable staff to target specific workstreams such as alternative payments • Implementation of new Management Information Software to assist identification of areas for focus. <p>It is anticipated that these actions will have a positive impact and improve performance by the end of the financial year.</p>	
<p>Resource Implications Resource issues have been considered during the updating of the Recovery Strategy and will be met within the existing service.</p>	
<p>Priority The collection of both Council and Business Rates Tax remains an ongoing key priority for the Service and Council.</p>	
<p>Future Targets No proposed change to target. The contractual Service Level Agreement is an annual target, however this reports performance against where the service would like recovery to be at that point in the financial year.</p>	
Action Plan	
Tasks to be undertaken	Completion Date
Increased monitoring and review of high value recovery cases to target non payers	Ongoing
Liaising closely with Valuation Office to ensure accurate Rating Lists maintained	Ongoing
Appointment of specialist Revenues Agency worker to assist in maximising collection process	Ongoing
Implementation of new Management Information Software to assist identification of areas for focus – Go Live	November 2017

ACTIONS FROM PREVIOUS PERFORMANCE PLANS

APPENDIX C

Indicator	Task created following Q	Tasks to be undertaken	Completion Date	Progress	Comment/Impact
HS13 % LA properties with Landlord Gas Safety Certificate outstanding	Q316/17	Form a working group. Involving Legal, Property Services, Housing Operations and the councils heating contractor.	March 2017	Complete.	Performance for Q2 remains under target. Actions should impact on performance once recommendations are implemented, so should be visible from Q4 onwards.
		Review current processes with the group	May 2017	A project is now underway to put the gas servicing process onto QL, the Housing Management System. This will facilitate improved team working, make it easier to recognise and manage issues and identify opportunities to enhance the current process.	
		Review best practice from other organisations	June 2017	We have identified that additional contact with the tenant earlier in the process, and more reliable information in a shared format (to enable other teams to assist with access problems) is needed. Our procedures are being changing to address this. We are also exploring communications to raise tenants' awareness around gas servicing.	
		Make recommendations for changes to the process.	July 2017	Initial changes recommended (as above) and we will monitor their impact. Once gas servicing	

				is on QL we will identify any further improvements necessary.	
		Implement changes.	Sept 2017	The changes are being implemented alongside the project to move gas servicing onto QL, so will be implemented during November.	
		Rewrite of the Gas Policy and re-working of the procedure to be implemented with the advice of external adviser.	Dec 2017	In progress.	
TS24b Average time taken to re-let local authority housing SUPPORTED NEEDS Page 1077	Q3 16/17	Hall Green Redevelopment	Ongoing	In progress	The re-let QPIs have been replaced for 2017/18 with <i>TS11% of rent loss through dwellings being vacant</i>
		Appraisal of sheltered bedsit accommodation	June 2017	Complete. Queens Court Options Appraisal signed off by service managers September 2017.	
		Investigate options for reducing age limit from 60 to 55 years for selected Category 1 accommodation.	June 2017	Complete. Proposal for reducing age limits to go to Cabinet as part of the Allocations Policy review in January.	
WL108 Average answered waiting time for callers to the contact centre & WL90 % of Contact Centre calls answered	Q1 17/18	Continue discussions with the project/ implementation team to plan subscriptions for year 2.	January 2018	Planning work is underway	Whilst the Customer Services team will continue to focus on call handling performance, it is unlikely that performance targets will be achieved for 2017/18 due to the sheer volume of calls received in the first quarter.
		Use data gathered from the initial subscriptions to target all current subscribers with information about year 2 and to actively encourage them to subscribe online.	March 2018	Data gathering exercise is complete. Targeted messages will be used to encourage current subscribers to re-subscribe online.	
HS1 % Housing Repairs Completed in timescale	Q1 17/18	Contractor meeting	06/09/17	Completed. Monthly meetings now	Q2 performance remains below target.

				scheduled with contractors to allow swift identification and resolution of issues.	Other reasons identified for underperformance have been also been the focus of our improvement work, such as improving our processes around approving target date extensions where appropriate, and clearing the backlog of work awaiting further instruction from WLBC.
		Develop 'approaching target date' report	29/09/17	Complete. Contractors already have access to a report of jobs approaching their target date available on Epix which is used as part of their management of repairs within their area.	These tasks are anticipated to show an impact on performance from October (Q3). Performance data for October was above target.
N 191 Residual household waste per Household	Q1 17/18	Monthly performance monitoring	Ongoing	Underway	Performance for Q2 was Amber.
N 192 Percentage of Household Waste sent for reuse, recycling and composting.	Q1 17/18	Publicity plan publicising/promoting the garden waste collection service	April 2018	Plan is in development.	Performance for Q2 was Red. The publicity plan will have an impact at the start of the new subscription season - first quarter in 2018/19
WL01: Missed Bins per 100,000 Collections	Q1 17/18	Continue to monitor performance	Ongoing	Underway	These tasks are anticipated to show an impact on performance from October (Q3). Performance for Q2 was below target.
		Review performance indicator	March 2018	A more precise number of properties/bins will be determined through the route optimisation project.	
		Review classification of missed bins	March 2018		

Performance plans often include actions which, by the time of publication, have already been completed and/or become part of the day to day operations of a service. The above table details those actions from Performance Plans in previous quarters that contained a future implementation date.



CABINET: 9 January 2018

**EXECUTIVE OVERVIEW AND
SCRUTINY: 25 January 2018**

Report of: Borough Treasurer

Relevant Portfolio Holder: Councillor Adam Yates

Contact: Marc Taylor (Extn. 5092)
(E-mail: Marc.Taylor@westlancs.gov.uk)

SUBJECT: DRAFT REVENUE BUDGET 2018-19

Wards affected: Borough Wide

1.0 PURPOSE OF THE REPORT

1.1 To provide a summary of the current General Revenue Account budget position.

2.0 RECOMMENDATIONS TO CABINET

- 2.1 That the financial position for 2018-19 and later years be noted, and consideration given to how a balanced budget can be achieved.
- 2.2 That the Portfolio Holder for Finance be given delegated authority to submit firm proposals to Council on 28th February 2018 to enable the budget to be set.
- 2.3 That call in is not appropriate for this item as it is to be submitted to the next meeting of the Executive Overview and Scrutiny Committee on 25th January 2018.

3.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

- 3.1 That the budget position be considered and that any comments agreed by the Committee be submitted to the Portfolio Holder for Finance in advance of the Council meeting to be held on 28th February 2018.
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4.0 BACKGROUND

- 4.1 The Council must set a budget before the start of each financial year, and this budget will set out the financial basis for the Council's corporate and service plans. The budget that is set must enable the Council's priorities to be delivered but must also be affordable. In addition it should comply with best practice requirements on budget setting, and must meet statutory and accounting regulations. The Council meeting on the 28th February will provide all Members with the opportunity to debate and agree this budget.
- 4.2 The Policy Options report to July Council estimated that there was a projected budget gap of £1.925m facing the Council in 2018-19. This budget gap figure reflects the difference between the spending that is required to maintain services at their agreed level and the resources that are expected to be available.
- 4.3 A series of policy options have been agreed at the July, October and December Council meetings to maximise income opportunities, seek efficiencies and economies, and to deliver procurement, treasury management and other savings. The total value of these measures in 2018-19 will be £0.954m. A further factor that will have an impact on the budget position will be the value of the proposed pay settlement that has been made by the Employers Organisation to the Trade Unions. This proposal is for a 2% pay increase for most staff but with higher increases for the lowest paid staff. This is higher than the 1% pay increase allowed for in the Medium Term Financial Forecast, and so consequently would add an additional £145,000 to the size of the budget gap. Taken these factors into account means that the residual budget gap for 2018-19 now stands at £1.116m.
- 4.4 It will not be possible to finalise the scale of the budget gap until the Local Government Finance Settlement has been published, and the work on producing detailed budget estimates for next year has been completed. These issues are explored in more detail in the following sections.

5.0 LOCAL GOVERNMENT FINANCE SETTLEMENT

- 5.1 At the time of writing this report the Local Government Finance Settlement had not yet been issued. This Settlement has a key part to play in budget setting as it provides confirmation of government grant levels as well as a range of other financial matters. Details on the Settlement will be circulated to Members once it is available.

6.0 DRAFT ESTIMATES

- 6.1 Draft estimates have been prepared for next year that set out a provisional budget for the Council covering all areas of expenditure and income. These estimates cannot be finalised until the Local Government Finance Settlement has been issued, but will be circulated to Members as soon as possible once this information is available.
- 6.2 The estimates are based on rolling forward existing budgets to enable agreed service levels to be maintained. These estimates also include a number of increases to cover standard budget factors including the impact of the proposed national pay increase, contractual increments, and contract inflation in line with contractual agreements. In addition the estimates incorporate the policy option measures that have been agreed this year at Council meetings.
- 6.3 The Medium Term Financial Forecast was based on an assumed £5 increase in the level of the Band D Council tax next year, which is equivalent to a 2.6% rise, and this has been built into the draft estimates. No changes are proposed to the Local Council Tax Support Scheme, which complies with statutory requirements and continues to operate effectively. Relevant values in this scheme will though be updated to reflect changes in national benefit figures in line with our standard practices.
- 6.4 The draft estimates will be reviewed to ensure that they are robust for the purposes of the budget calculation in accordance with the requirements of the Local Government Act 2003, and the results of this review will be reported to the February Council meeting.

7.0 BUDGET POSITION FOR 2018-19

- 7.1 Through the budget process, Heads of Service have identified a range of new budget issues or pressures for next year that mainly relate to unavoidable cost increases or income reductions. Members will need to carefully consider these proposals and determine which items to include in the final budget to meet corporate and service objectives. In line with the approach adopted in the Medium Term Financial Forecast a provision of £125,000 has been allowed for this factor in 2018-19, but its final value will depend on Member decisions.
- 7.2 In looking at finalising the budget for next year consideration will need to be given to a number of different factors including:
- How the remaining budget gap should be addressed taking into account the Local Government Finance Settlement
 - The challenging financial position facing local authorities over the medium term where any budget increases will need to be met by savings elsewhere in the budget
 - The acceptance of budget issues and pressures identified by Heads of Service

- Changes to fees and charges and the level of the Council Tax
- Use of current and previous year's favourable budget variances
- The Council's Reserves policy

7.3 The Group leaders and their financial spokespersons are currently examining in detail various budget options, and the Council meeting in February will provide an opportunity for each Political Group to put forward proposals that combine both expenditure and the means of funding it and to set the Council Tax.

8.0 MEDIUM TERM FINANCIAL POSITION

8.1 The Council currently has a healthy financial position where there is a projected favourable budget variance in the current year. However looking forward there remains a significant budget gap for 2018-19, with further savings required in subsequent years. Consequently the medium term financial picture remains very challenging, and a process will need to be put in place in 2018 to ensure that this position is addressed.

9.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

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

10.0 RISK ASSESSMENT

10.1 The formal consideration and reporting of the budget estimates is part of the budgetary management and control framework that is designed to minimise the financial risks facing the Council. This process is resource intensive for both Members and Officers but ensures that a robust and achievable budget is set.

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. A formal Equality Impact Assessment will be produced when the Council agrees the budget at its meeting in February.

Appendices

Draft GRA Estimates (***TO FOLLOW***)

Minute of Cabinet (Executive Overview and Scrutiny Committee only) – to follow



CABINET: 9 January 2018

EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:
25 January 2018

Report of: Borough Treasurer

Relevant Portfolio Holder: Councillor A. Yates

Contact for further information: Marc Taylor (Ext. 5092)
(E-mail: marc.taylor@westlancs.gov.uk)

SUBJECT: MEDIUM TERM CAPITAL PROGRAMME

Wards Affected: Borough wide

1.0 PURPOSE OF THE REPORT

- 1.1 To set out details on the GRA medium term capital programme position for the next 3 years.

2.0 RECOMMENDATIONS TO CABINET

- 2.1 That the medium term financial position be noted, and consideration given to how a balanced capital programme can be achieved.
- 2.2 That the Portfolio Holder for Finance be given delegated authority to submit firm proposals to Council on 28 February 2018 to enable the capital programme to be set.
- 2.3 That call in is not appropriate for this item as it is to be submitted to the Executive Overview and Scrutiny Committee on 25 January 2018.

3.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

- 3.1 That consideration be given to how a balanced capital programme can be set and that any comments agreed by the Committee be submitted to the Portfolio Holder for Finance in advance of the Council meeting to be held on 28 February 2018.
-

4.0 BACKGROUND

4.1 The Council has a medium term rolling capital programme, which is reviewed and updated on a regular basis. As part of the budget setting process, a programme covering the next three years will need to be agreed by Council at its meeting in February 2018. This report concentrates on the general capital programme and does not consider the HRA capital programme which is determined through a separate process.

5.0 CAPITAL RECEIPT FUNDING

5.1 The main source of Council funding available to support the general capital programme are receipts from the sale of assets, and at the start of this financial year there were £2.399m of receipts being held for this purpose. The number and value of assets sold each year can vary significantly depending on a range of factors. In particular Council House sales under Right to Buy (RTB) legislation can be volatile depending on the state of the economy and changes in government rules.

5.2 Table 1 shows details of sales by number and value in recent years. Part of the proceeds from the sale of Council Houses must be repaid to the Government, and the usable sale proceeds shown below reflect the amount available for new capital spending after taking these payments into account.

Year	Number of Sales		Usable Sale Proceeds £000	
	Council Houses	Other Assets	Council Houses	Other Assets
2008/09	27	2	326	158
2009/10	12	2	174	43
2010/11	18	2	226	97
2011/12	10	0	123	0
2012/13	25	3	240	102
2013/14	48	4	307	29
2014/15	35	4	300	273
2015/16	57	5	338	142
2016/17	81	6	329	174

5.3 Based on recent trends and projecting forward on a prudent basis it is anticipated that there will be receipts of £0.980m generated from an estimated 200 RTB Council House sales over the next 4 years, as well as £0.400m of receipts from land sales. It is also expected that a surplus of around £0.53m should be generated from the Westec site development over the next few years

5.4 In addition to the funding shown above the Council is also able to retain a further share of the proceeds from RTB sales under government regulations in relation to an "Allowable Debt" factor. Part of this funding is set aside for the repayment of Housing debt and the remaining element is then available for new capital

spending. It is estimated that this should enable new spending of £1.552m over the next 4 years in addition to the figures shown above.

- 5.5 Taking all of these factors into account, it is anticipated that there will be capital receipts of £3.462m generated over the 4 year period 2017-18 to 2020-21 that will be available to fund new capital expenditure. These projections are potentially subject to significant variation as, for example, a single large asset sale could produce a large receipt and the level of future house sales is difficult to predict. However, in looking at medium term financial plans it is best practice to use a prudent approach when estimating future available resources. The assumptions underlying these projections will be reviewed on a regular basis to ensure they take account of new developments.

6.0 SPENDING REQUIREMENTS

- 6.1 The Council's current 3 year programme covers the period 2017/2018 to 2019/2020. Consequently, in addition to current year budgets there are also indicative spending approvals in place for the following two years. It should be recognised, however, that as we operate a medium term capital programme, approvals that have been given for future years are indicative allocations only that are potentially subject to change.
- 6.2 The current value of spending approvals to be funded from capital receipts is £3.804m which is analysed in Appendix 1. In addition to the existing scheme approvals it is our normal practice in developing the rolling medium term programme to include provisional allocations for the next year of the programme (in this case 2020/2021). Consequently, Appendix 1 also contains provisional allocations of £0.574m for ongoing capital schemes which typically receive funding each year. No funding has been allocated for the Leisure Trust scheme in 2020/21 as the current leisure contract comes to an end in March 2020.

7.0 OVERVIEW

- 7.1 Table 2 overleaf summarises the current position in terms of estimated capital receipt funding and spending requirements. The bottom line position is that there is estimated funding available of £1.483m over the programme period. This funding position is before any consideration is given to potential new capital schemes that have been identified by Heads of Service. Appendix 2 provides a summary of these budget options, which in total comes to £0.474m.
- 7.2 There is more capital receipt funding available at this time than there has been for several years. This is down to a combination of the relatively high level of capital receipts that are currently being generated, the anticipated returns from the Westec site development, and the relatively small size of the existing capital programme.

Table 2 – General Capital Receipts Funding Available	£000
Usable capital receipts held in April 2017	2,399
Estimate of receipts that will be generated between April 2017 and the end of the 2020/2021 financial year	3,462
Existing spending approvals covering period 2017/2018 – 2019/2020	-3,804
Provisional spending approvals for 2020/2021	-574
Total Funding Available for new schemes	1,483

8.0 WAY FORWARD

8.1 There are a number of options that can be considered to realign and update the programme. Members will need to carefully consider what proposals to include in the final budget to meet corporate and service objectives but also to ensure a balanced overall financial position.

8.2 There are a number of factors that can be considered or given regard through this process including:

- The Council has been very successful in attracting external capital investment over many years, and further opportunities should be considered
- The priority that is attached to the potential new capital schemes set out in Appendix 2
- The need for investment in IT to provide more effective and efficient services
- Reviewing existing spending approvals to assess whether they are still relevant and appropriate
- Prudential borrowing could be assessed as a mean of providing additional capital resources. This type of borrowing can be used to finance investment in long term fixed assets where it is prudent, affordable and sustainable. The costs associated with this borrowing would then need to be factored into the revenue budget, and this could be difficult to achieve given the GRA's challenging medium term financial position.
- The scope to develop new capital schemes funded through Section 106 Agreements or Community Infrastructure Levies which are subject to separate processes
- The potential financing requirements of the proposed new Development Company, the Skelmersdale Town Centre Vision, and the Leisure Strategy

- 8.3 Officers will work with each Political Group during the budget process to review the available options. The Council meeting will then provide an opportunity for each Political Group to put forward proposals to produce a balanced capital programme.

9.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 9.1 The proper management of the Council's asset base enhances service delivery. Assets consume a high level of resources both in terms of capital investment and revenue maintenance and having a proper strategy in this area ensures that the capital base can shape the future direction of the Council.

10.0 RISK ASSESSMENT

- 10.1 The level of capital receipts generated by asset sales is a significant risk to the future development of the programme. If receipts exceed the projections contained in this report, it would enable additional schemes to be developed. However, if receipts are below the projections, it would require reductions to be made.
- 10.2 Some schemes in the Programme are dependent on external partner funding. To minimise the risk of funding not being available, such schemes will only begin once their funding details have been finalised.

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

Appendices

Appendix 1 - Capital Receipt Funding Approvals

Appendix 2 – Potential new capital schemes

Appendix 3 - Minute of Cabinet (Executive Overview and Scrutiny Committee only) – to follow

APPENDIX 1 - CAPITAL RECEIPT FUNDING FOR INDIVIDUAL SCHEMES

SERVICE AND SCHEME	Current Allocations				Provisional
	2017/18	2018/19	2019/20	Total	2020/21
	£'000	£'000	£'000	£'000	£'000
<u>Finance & HR Services</u>					
Parish Capital Schemes	35	45	30	110	30
Environmental / Town and Village Centre Improvement Fund		10	140	150	
<u>Leisure & Wellbeing - General</u>					
Playground Improvements	30	60	30	120	30
Leisure Trust	228	228	228	684	
CCTV	28	25	25	78	
Park Pool		150		150	
Beacon Park	2			2	
Allotment Improvements	11			11	
Sports Fields	72			72	
Chapel Gallery	24			24	
Play Area Improvements	26			26	
Beacon Park Garage and Compound	25			25	
Upgrade to Northgate M3PP IT system	40			40	
<u>Leisure & Wellbeing - Private Housing</u>					
Housing Renewal Grants	50	100	100	250	100
Disabled Facilities Grants		100	100	200	100
<u>Development & Regeneration</u>					
Free Tree Scheme	3	3		6	
Preservation of Buildings at Risk	2			2	
Planning OR Recommendations	3			3	
Skelmersdale Town Centre	11			11	
Purchase of EDRM IT system	44			44	
Affordable Housing		247		247	
<u>Development & Regen - Tech Services</u>					
Appley Bridge Quarry	22			22	
Moor Street Phase 1	35			35	
Micro Drainage Software	12			12	
Mill Lane Landfill Site	75			75	
<u>Housing & Inclusion - Corporate Property</u>					
Corporate Property Investment Programme	266	164	164	594	164
Replace IT equipment - Council Chamber	10			10	
<u>Housing & Inclusion - IT investment</u>					
I C T Infrastructure	50	50	50	150	50
ICT Development Programme	219	100	100	419	100
Replacement CRM system	68	84		152	
Website Contract Management System	5			5	
Web redesign to promote customer accounts		15		15	
Investment to enable digital services		40	20	60	
Total Programme	1,399	1,421	987	3,804	574

APPENDIX 2 - POTENTIAL NEW CAPITAL SCHEMES	2018-19 £000	2019-20 £000	2020-21 £000
Development and Regeneration			
1 Moor Street (Moorgate – Railway Road) Footway / Carriageway Repaving	100	80	3
2 Planning, Building Control & Land Charges IT System Upgrades	20	0	0
Housing and Inclusion			
1 Civica ICON IT upgrade to deal with PCI DSS and other issues	31	0	0
3 Install LED lighting to office and internal communal areas with associated revenue savings	65	65	65
Leisure and Environment			
1 Robert Hodge Centre building works	28	6	6
2 Beacon Park CCTV	5	0	0
Total	249	151	74

TOTAL FUNDING REQUIREMENT OVER 3 YEARS	474
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CABINET: 9 January 2018

**EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:
25 January 2018**

Report of: Director of Housing and Inclusion and Borough Treasurer

Relevant Portfolio Holder: Cllr J. Forshaw

**Contact for further information: Peter Quick (Extn. 5203)
(peter.quick@westlancs.gov.uk)**

SUBJECT: HOUSING ACCOUNT – REVENUE AND CAPITAL PROGRAMME

Wards Affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To provide a summary of the Housing Account's financial position.

2.0 RECOMMENDATIONS TO CABINET

2.1 That the financial position be noted and consideration given to the budget matters set out in this report.

2.2 That the use of the Director of Housing and Inclusion's delegated authority in relation to rent and service charge changes be noted and endorsed.

2.3 That this report be used for consultation purposes prior to the Council considering this matter in February 2018.

2.4 That the Housing Portfolio Holder be given delegated authority to submit firm proposals to Council on 28 February 2018 to enable the budget to be set.

2.5 That call in is not appropriate for this item as it is to be submitted to the next meeting of the Executive Overview and Scrutiny Committee on 25 January 2018.

3.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

- 3.1 That the budget position be considered and that any comments agreed by the Committee be submitted to the Housing and Landlord Services Portfolio Holder in advance of the Council meeting to be held on 28 February 2018.
-

4.0 BACKGROUND

- 4.1 The Council must set a budget for its Housing Revenue Account (HRA) before the start of each financial year, and this budget will set out the financial basis for the delivery of services. The budget that is set must enable Council and tenant priorities to be delivered but must also be affordable. In addition it should comply with best practice requirements on budget setting and meet statutory and accounting regulations.
- 4.2 The financial year 2018-19 represents year three of the government's four year rent setting policy to reduce social housing rents by 1% per annum to 2020. This policy continues to progressively add pressure to the HRA over this period, however, the Policy Options agreed by Council in July 2016 and October 2016 have delivered sufficient savings and efficiencies to secure the HRA's financial position over the medium term.

5.0 RENTAL INCOME

- 5.1 As a consequence of the government policy highlighted in paragraph 4.2 and in line with our standard practice, the Director of Housing and Inclusion will use her delegated authority to reduce rent levels by 1% from April 2018 for all properties.
- 5.2 The Government have recently announced that for the five year period from 2020-21 to 2024-25 rent policy will revert to the previous approach of allowing an increase of CPI plus 1% per year. This will aid business planning in the medium term by providing more certainty, ensuring that the real value of rent levels is maintained and provides funds for further investment in the housing stock.
- 5.3 Rental income is the main funding source for the Housing Account. The 2018-19 rent reduction means that the overall level of rental income will reduce next year, although there are a number of other factors that will influence this position including:
- The number of properties within the Housing Stock which will be influenced by Right to Buy Council house sales (which is outside the Council's control), the number of homes built or purchased, and the number of homes demolished as part of revival and development projects

- Void levels and the time it takes to re-let can have an adverse impact on income levels. It is estimated that void levels will continue at their existing 2% level into 2018-19
- The full roll out of Universal Credit from December 2017 will affect relevant tenant's income and how their housing costs are paid, and consequently this may affect their ability to pay their rents. This is likely to have a negative impact on collection rates and levels of bad debts, and consequently this is an area that will need to continue to be monitored closely to assess its impact.

5.4 Government have recently announced that the Local Housing Allowance – a cap on the total value of housing costs that can be paid by benefits – will not be applied to social housing. There are no firm details yet as to exactly what this will mean in practice but it is welcome news for council house residents and for the HRA.

6.0 OTHER CHARGES

6.1 A general principle is applied to service charges that they should be calculated to ensure that they are sufficient to recover the cost of service provision. In keeping with this principle it is proposed to increase the general level of service charges next year by 4.0% (based on the September CPI rate of 3.0% plus 1.0% in line with our standard practices).

6.2 There will be a number of exceptions to this general approach including:

- An analysis of Leaseholder service charges identified that the costs of service provision were being under-recovered. In February 2016 it was agreed to implement service charge increases in a phased manner over a 3 year period to rectify this position, and 2018-19 will be the third year of this approach. Review of leaseholder service charges is an annual activity which will continue as a matter of good practice
- Gas prices for West Lancashire BC reduced in 2017-18 by 8-10% In 2018-19 the level of heating charges to residents will therefore be reduced by 10%
- Work on the Garage Strategy has been carried out during 2017-18 and continues into 2018-19, and garage rents will therefore be increased by 3%, (CPI), after having been frozen for a number of years.

7.0 DRAFT ESTIMATES AND CAPITAL INVESTMENT PROGRAMME

7.1 financial basis for how HRA service objectives will be achieved in the next year. The base assumptions used in the HRA Business Plan and for the HRA Estimates are detailed in Appendix A. The HRA Business Plan sets out projections of expenditure and income over a 30 year period to enable

forward planning and long term investment decisions to be made. The HRA Estimates for 2018-19 then provide more detailed information that sets out the

7.2 The draft estimates for 2018-19 are shown in Appendix B and provide a provisional HRA budget for 2018-19 covering all areas of revenue expenditure and income. These estimates include increases in the base budget required to roll forward agreed service levels and the budget assumptions in appendix A, but do not allow for any service improvements. They also allow for reductions in rents and changes in service charges as highlighted above.

7.3 The draft HRA estimates reflect the following factors:

- Savings that will be delivered as part of the staff reorganisations that have been agreed this year have been included in the estimates. In addition, a savings target of £81,000, (2% of the staff budget) has been included in the estimates to reflect natural staff turnover and the substantial favourable employee variances that have been achieved in recent years
- The budget for response repairs has been reduced by £100,000 with a matching £100,000 increase in voids repairs to better match expenditure profiles on repairs

7.4 In addition to the roll over budget in continuing services, it is also important to consider new budget issues and areas for development. Appendix C comprises a list of budget issues that Officers have identified and that should be considered as part of the budget process. Members will need to carefully consider those options, and any others that emerge through the budget process and determine which proposals to include in the final budget to meet service objectives.

7.5 The current Capital Investment Programme for the next 5 years is shown in Appendix D and includes the factors below:

- Capital budget virements and reprofiling approved in December 2017 have been built into the estimates
- Reprofiling of the five year capital programme to reflect latest information and resourcing have been built into the estimates

7.6 Work on refreshing the stock condition information – a budget issue raised in Appendix C – will provide updated information that will allow the asset investment plan to be reworked during 2018-19. As a consequence it is anticipated that the five year budget may change significantly once this work has been completed. The programme also contains a number of other schemes that reflect Member and tenant priorities including the Beechtrees Revival Project and the Westec development scheme. The total value of the

proposed programme is £13,199,000 in 2018-19 and this can be funded by a combination of revenue contributions, HRA borrowing, and capital receipts.

8.0 TOWARDS A BALANCED BUDGET POSITION AND LONG TERM PROSPECTS

8.1 The draft estimates contained in the appendices identify that there are additional funds of £xxx available for investment next year, before taking into account the new budget issues included at Appendix C.

8.2 Officers will work with Members from the political groups and will consult with tenants to consider this position and how these funds can be used. In looking at finalising the budget for next year consideration will need to be given to a number of different factors including:

- Tenants comments and feedback on the budget position
- The acceptance of the new budget issues set out in Appendix C
- Potential future developments in the Welfare Reform agenda
- The profiling of capital expenditure and borrowing across future financial years
- HRA reserves and balances

9.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

9.1 The Council with its Tenants wants to ensure that the future business plan allows properties to be brought up to a reasonable standard and that appropriate investment can be made at the appropriate time. Business plan modelling enables a well-informed investment plan to be developed in keeping with the requirements of an effective asset management strategy. The community strategy has highlighted that local people should receive good quality homes for a fair and appropriate rent, and these issues are considered through the business plan process.

10.0 RISK ASSESSMENT

10.1 The formal consideration and reporting of the budget estimates is part of the overall budgetary management and control framework that is designed to minimise the financial risks facing the Council. This process is resource intensive for both Members and Officers but ensures that a robust and achievable budget is set.

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. A formal Equality Impact Assessment will be produced when the Council agrees the budget at its meeting in February.

Appendices

Appendix A – HRA Business Plan Key Assumptions

Appendix B – Draft HRA Estimates – *to follow*

Appendix C – Budget Issues

Appendix D – Draft Capital Investment Plan

Appendix E - Minute of Cabinet (Executive Overview and Scrutiny Committee only)-
to follow

APPENDIX A

KEY BUSINESS PLAN ASSUMPTIONS FOR THE NEXT FIVE YEARS - 2018/19 TO 2022/23

	2018/19	2019/20	2020/21	2021/22	2022/23
<u>General Factors</u>					
CPI Inflation	3.0%	2.5%	2%	2%	2%
RPI Inflation	4.0%	3.5%	3%	3%	3%
Stock numbers	-1.3%	-1.2%	-0.9%	-0.9%	-0.9%
<u>Income</u>					
Dwelling rents	-1%	-1%	3%	3%	3%
General Service Charges (CPI + 1%)	4%	3.5%	3%	3%	3%
Garage rents (CPI)	3%	2.5%	2%	2%	2%
Heating Charges	-10%	0%	3%	3%	3%
Interest income	0.5%	0.5%	0.5%	0.5%	0.5%
Other income (CPI)	3%	2.5%	2%	2%	2%
<u>Expenditure</u>					
Employee related	2%	2%	1%	2%	2%
Repairs, maintenance & energy (RPI)	4%	3.5%	3%	3%	3%
Bad debt provision	1.5%	1.5%	1%	1%	1%
Interest rate on new borrowing	3%	3%	3%	3%	3%
Other expenditure (CPI)	3%	2.5%	2%	2%	2%

Notes

- ✓ (1) As void rates, (currently budgeted at 2%), are not expected to change over the period of this forecast and their impact is built into the starting budgets they have not been included in this analysis
- ✓ (2) The average interest rate on existing borrowing of 3.47% is fixed and will not change over the forecast period and so is not shown above
- ✓ (3) The investment programme is based on long term investment profiles and has been updated to reflect latest information
- ✓ (4) For 2018/19 budgets the above assumptions have been applied but where there is a contractual obligation for a different rate, or there is local knowledge about a specific budget, then that has been used instead
- ✓ (5) No principal repayments of debt will be made over the next 2 years and then this position will be reassessed in 2020/21

AREAS OF UNCERTAINTY WITHIN THE BUSINESS PLAN

- 1) It is difficult to accurately predict future inflation rates, interest rates, and the level of right to buy sales. These will be kept under review and updated if required.
- 2) The continuing welfare reform agenda, along with the implementation of the Local Housing Allowance may potentially have a significant effect on the level of bad debts, as a consequence the underlying rate has been increased from 0.5% to 1% with 1.5% expected for 2018/19 and 2019/20 due to initial timing delays in Universal Credit being paid.

APPENDIX C

BUDGET ISSUES IDENTIFIED

Budget Issue		2018/19 £000	2019/20 £000	2020/21 £000
	Capital Expenditure			
1	Communal Fire Risk Safety Works	200	450	250
2	Install carbon monoxide detectors	180		
3	Purchase Service Charge Management Software	40		
	Sub Total	420	450	250
	Revenue Expenditure			
1	Purchase Service Charge Management Software	-	3	-11
2	Stock Condition Surveys	250	-	-
3	Investment Planning Implementation	50	-	-
4	Creation of Human Resources Business Partner	33	34	35
5	Update to Choice Based Lettings system	10	-	-
6	Develop an ASB Mediation Offer	4	4	4
7	Promote tenant gardening and DIY	3		
	Sub Total	350	41	28
	Total	770	491	278

APPENDIX D

CURRENT INVESTMENT PLAN UNTIL 2021/22

Scheme Description	2018-19	2019-20	2020-21	2021-22	2022-23
	Budget	Budget	Budget	Budget	Budget
	£'000	£'000	£'000	£'000	£'000
Bathrooms	765	781	797	812	247
Electrical	847	733	800	800	746
Fencing and paving	0	0	1,160	1,360	1,218
Heating	862	971	892	910	957
Kitchen	414	423	437	473	594
Lifts	168	172	175	0	0
Roofing	2,206	2,466	1,040	1,096	1,209
Walls	1,068	1,822	385	387	412
Windows and Doors	336	406	351	405	316
Disabled Adaptations	585	656	777	792	808
Communal Areas CAT	436	262	221	259	147
Sheltered Upgrades	133	139	142	145	147
Structural Work	199	209	213	217	222
Contingency	257	263	268	273	278
Garages	124	0	0	0	0
Bins	154	0	0	0	0
LHA Initiatives	51	0	0	0	0
Digital Inclusion	21	21	0	0	0
Beech Trees Revival	3,236	0	0	0	0
Westec	640	0	0	0	0
Fees	697	713	727	741	756
Capital Investment	13,199	10,037	8,385	8,670	8,057

Notes

- (1) 2018-19 budgets include 2017-18 capital budgets reprofiled at mid year
- (2) All budgets have been inflated by RPI and adjusted for changes in stock number as assumed in Appendix A
- (3) The Communal Electrics programme has been reprofiled forward one year to 2018-19
- (4) The Communal Electrics category in the investment plan has been combined within the Electrical category
- (5) The Communal Heating category in the investment plan has been combined within the Heating category

(6) Gulleys, Gutters, Laundry Equipment and double glazing replacement have been removed as separate budgets due to being less than £20,000 each per year and will be met from existing budget resources

(7) Westec budget reflects the updated report that went to Cabinet in December 2017

(8) Walls budget originally planned for 2018-19 has been reprofiled to 2019-20 leaving the 2017-18 budget reprofiled at mid year to be delivered in 2018-19



CABINET: 9 JANUARY 2018

Report of: Borough Treasurer

Relevant Portfolio Holder: Councillor Yvonne Gagen

Contact for further information: Ms S Lewis (Ext 5027)
(E-mail: Sharon.Lewis@westlancs.gov.uk)

SUBJECT: EQUALITY AND DIVERSITY UPDATE

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.0 To provide an update on Equality and Diversity matters and to seek approval for a number of changes to equality policies and objectives.

2.0 RECOMMENDATIONS

2.1 That the revised Equality Statement and Equality in Employment Statement, at Appendix A and B respectively, be agreed.

2.2 That the revised Equality Objectives 2015-2018 document at Appendix C be agreed.

2.3 That progress against the Equality Objectives, that they now form part of the relevant Service Action Plans, and that the actions are recorded and monitored as part of core business, be noted.

3.0 BACKGROUND

3.1 A report entitled "Revised Equality Objectives 2015/18" was considered by Cabinet in January 2016. This report updated the Council's Equality Objectives to reflect changes in the Council Plan 2015-18. It also provided a summary of progress against the Council's Equality Action Plan, confirming that all the actions on the plan were concluded, with the exception of some residual equality training.

4.0 CURRENT POSITION AND UPDATE

4.1 The Equality Action Plan has now been fully delivered and all actions have been completed. Following a period of consolidation since the completion of the Equalities Action Plan, the Equality and Diversity Strategic Steering Group (EDSSG) have met to consider refreshing the work of the group and review the Equality agenda. Following discussions and consideration of the previous equality action plan activities that remained ongoing, the EDSSG identified the following actions:

- Review the ELearning modules of Emerge on Equality Training for both Staff and Members and to make suggested improvements
- Consider whether Equality Objectives should be linked to Service Action Plans and Covalent monitoring
- Ask local service areas whether any new questionnaires or surveys have been produced over the last 18 months that add to information on monitoring in relation to protected characteristics
- Share information on Language Line across the Council
- Review and confirm clear Terms of Reference for the Group
- Review the action plan and consider areas to be incorporated into a new action plan for 2017/18
- Consider updating the Council's Equality Objectives (subject to Cabinet approval)
- Review the equality statistics
- Review equality and diversity information on the Web site with a view to identifying improvements and / or updates
- Updating the Equality Statement and Equality in Employment Statement of the Council to acknowledge the UK Government adoption of the International Holocaust Remembrance Alliance working definition of anti-Semitism

4.2 By way of an update against the existing Equality Objectives, the recent action against each is detailed below:

Equality Objective: **Ambitious for Our Economy** – retain and grow jobs, increase skills levels and encourage business and wealth.

The Council continues to support tenants and residents of West Lancashire to access skills, learning and employment opportunities. The three service areas of Economic Regeneration, Leisure and Cultural Services and Housing and Inclusion worked closely with Lancashire Sport to develop a More Positive Together Scheme which will see support specifically directed towards our housing tenants.

The Skills, Training and Employment Partnership, facilitated by the Economic Regeneration team, continues to be well attended by a range of partners,

including the Lancashire LEP Skills and Employment Hub. This ensures all the relevant parties are involved in discussions, sharing knowledge and information relating to skills, learning and employment opportunities.

Officers are also fully engaged with Growth Lancashire, who are responsible for delivering the Lancashire Boost Gateway, to ensure all our businesses have access to professional advice for development and growth support.

Greenshoots has now been developed and renamed the Greenwood Business Park to reflect that it is open for business. All of the 11 high-spec units are now fully let.

Working with a Skelmersdale based third sector organisation, the Council continues to support businesses to take on apprentices. Between October 2015 and March 2017, 38 businesses had employed an apprentice as a direct result of Council intervention.

Equality Objective: **Ambitious for our Environment** – enhancing the built and physical environment, and cleanliness and tidy and combat crime and the fear of crime.

The Council continues to engage in the ASBRAC programme which looks specifically at high risk victims. We also discuss repeat and vulnerable callers each month at the Local Priorities Group.

The Council does visits to the crisis centre, the youth zone and the refuge to engage with potential new tenants regarding their actions and because they have some potential to be vulnerable in new tenancies.

In addition we have tried to identify if there was any "under reporting", and have had some success in engaging people to discuss any potential gaps.

There is also the community trigger which people can use if they feel that agencies haven't taken their complaint seriously.

Equality Objective: **Ambitious for Our Health and Wellbeing** - improving the health and wellbeing of local communities

The Financial Inclusion Officer has developed a referral system for money advice to ensure that debt and advice is targeted to need. Officers review the financial circumstances of all new tenants to prioritise financial support and wellbeing for tenants.

Drop-ins for advice have been operating in the youth zone, and family centres.

- 4.3 During the year work has been undertaken in relation to the Gender Pay Gap reporting requirement due to be published in April 2018 and an Equal Pay Audit. Both of the reports will be made available for members in due course

5.0 PROPOSALS

- 5.1 Members are now asked to note that the Equality Objectives form part of the relevant Service Action Plans to ensure actions are recorded and monitored as part of core business.
- 5.2 It is recommended that revisions are made to the Equality Statement and Equality in Employment Statement as detailed in Appendix A and B noting the incorporation of specific wording to reflect the UK Government adopting the International Holocaust Remembrance Alliance working definition of anti-Semitism.
- 5.3 It is also proposed to make a number of revisions to the Equality Objectives 2015-2018 document as detailed in Appendix C. These revisions have been made to refresh the objectives and ensure they remain in line with current Council priorities.
- 5.4 A final review of the activities detailed in the 2015-18 Equality Objectives will take place during early 2018. Following this the Equality Objectives will be realigned to meet the priorities of the Council Plan 2018-21, and presented to members for approval around summer 2018.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

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

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 There are no significant financial or resource implications arising from this report.

8.0 RISK ASSESSMENT

- 8.1 The Council has a legal duty to carry out the functions of the Equality Act 2010, in terms of the Public Sector Equality Duty and therefore failure to do so is a breach under this Act. Accordingly there is significant involvement from and impact upon statutory bodies, the public and other interested parties associated with this legislation and its administration. Its implementation links closely with the Council Plan, as the equality objectives relate directly to the core functions of 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

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

- Appendix A Equality Statement
- Appendix B Equality in Employment Statement
- Appendix C Equality Objectives 2015/18
- Appendix D Equality Impact Assessment



We recognise that people who provide and use our services come from diverse backgrounds and have different experiences and needs. We value this diversity and the ways in which it contributes to the richness of life and character of our community.

We will develop, commission and deliver services that will help to overcome discrimination and disadvantage. We want every resident and visitor to West Lancashire to be treated fairly and with dignity regardless of age, gender, disability, race, belief and sexual orientation and with respect to their marriage and civil partnership, pregnancy and maternity or gender reassignment status. We also acknowledge that in December 2016, the UK Government formally adopted the International Holocaust Remembrance Alliance working definition of anti-Semitism;

“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”

We will use our position and influence to promote equality in all aspects of community life.

Everyone that works or has a role at West Lancashire Borough Council will:

- Promote and maintain an atmosphere in which people of all backgrounds feel welcome, valued and respected
- Understand that equality is not about treating everyone the same but about recognising and addressing the specific needs, experience and background of individuals
- Treat each person as an individual and find out what their needs are rather than making assumptions
- Be prepared to take a flexible approach, ensuring all service users can access our services
- Be aware of the behaviours and barriers that can form discrimination and understand the negative impact these can have on service users, visitors and staff
- Speak out and report if they witness, become aware of or are a victim of any form of discrimination, bullying, unfair treatment or harassment
- Not victimise, or attempt to victimise, anyone who has made complaints on discrimination or provided information on discrimination
- Be aware of and take account of the Council's policies

We will regular monitor and report on the progress we make in addressing discrimination and disadvantage in our Borough and this progress will be evaluated regularly by our senior managers and elected members.



Appendix B

EQUALITY IN EMPLOYMENT POLICY

WEST LANCASHIRE BOROUGH COUNCIL'S COMMITMENT

West Lancashire Borough Council is committed to a policy of promoting equality of opportunity in recruitment, selection, training, promotion and other conditions of employment, based upon its opposition to any form of discrimination **irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.**

Within this context the Council is also committed to working towards achieving a diverse workforce which is reflective of the local population at all levels within the organisation.

The Council will seek to employ a workforce which reflects the diverse community it serves, because it values the individual contribution of people. The Council will treat all employees with dignity and respect and will provide a working environment free from unlawful discrimination, harassment or victimisation in respect of all Protected Characteristics.

The Council will ensure that under-representation is addressed within a framework which ensures that individuals are recruited, selected, trained, promoted and otherwise treated on the basis of their aptitude, skills and abilities. All employees will be encouraged to take advantage of facilities to improve their skills and knowledge at work. Reasonable steps will be taken to ensure that all employees are equally valued and treated as individuals. Their personal needs as well as the needs of the organisation will be taken into account. To this end, the Chief Executive, with the assistance of Heads of Service, will endeavour to ensure that all appropriate Council activities comply with this Policy.

The Council expects all its employees to behave in the workplace and at any work related social event, in such a way as to treat all other employees, customers and Council partners etc. with dignity, respect and not discriminate, harass or victimize any individual in respect of any Protected Characteristic. It expects each individual employee to promote the spirit of the Equality in Employment Policy. It is recognised that all employees have a duty not to discriminate, harass or victimise each other. The Council will not tolerate acts which breach this policy and all instances of such behaviour or alleged behaviour will be taken seriously, thoroughly investigated and in appropriate cases dealt with within the Disciplinary procedures, in accordance with the Dignity At Work Policy.

The Council will make every effort in the case of an existing member of staff becoming disabled, to retain them within the workforce, wherever it is reasonably practicable to do so.



The Council will monitor its employment practices, and collect appropriate statistics in order to demonstrate the effective application of its Equality Policies. In the light of these statistics, new legislation, Directives, codes of practice and the Council's desire to continually improve, employment practices will be regularly reviewed.

In order to ensure the effective implementation of this Policy, this statement will be brought to the attention of every employee, an abbreviated statement of the Council's policy will be included in every job advertisement and application form, and the Council's employment practices will be subject to regular review and modified as necessary.

SCOPE

This Policy applies to all individuals working at all levels and grades, including Senior Managers, Chief Officers, all other employees, consultants, contractors, apprentices, homeworkers, work experience placements, full time or part time, temporary or permanent, agency workers or casuals. This list is not exhaustive. Elected members must operate in accordance with the members Code of Conduct.

PURPOSE

The objective of this document is to ensure that West Lancashire Borough Council has a coherent and common approach to equalities issues in employment. It complements the Council document, "Equality Statement," and lays a foundation for the development of all current and future employment policies and practices.

This policy applies to all aspects of the Council's relationship with its staff and the relationships between staff at all levels. This includes recruitment and selection, training and development, opportunities for promotion, conditions of service, pay and benefits, conduct at work, disciplinary and grievance procedures, termination of employment and all other HR related policies and procedures.

It is important that elected members and employees understand the legal and ethical implications of equality, as they now exist, and their own individual and collective responsibilities. All concerned need to be aware of the importance the Council places on equality, and the internal and external penalties, which may result from unlawful discrimination, harassment or victimisation in the field of employment.

The Council wishes to create a harmonious working environment where all employees are treated fairly with dignity and respect.

Importantly the Council does not wish to permit any behaviour, which would undermine its efforts to provide a secure and encouraging environment wherein employees may contribute to the best of their ability.

West Lancashire Borough Council recognises that local people come from ever widening backgrounds and have different cultures, experiences and needs. It is the very diversity of the population, which contributes to the richness of the life and character of the community. Whatever their age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex,



sexual orientation individuals have a right to services, opportunity and to be treated with respect and dignity. The Council expects every employee to respect individual difference.

ACTION TO PROMOTE EQUALITY IN EMPLOYMENT

The Council's **recruitment procedures** have been designed to reach eligible candidates from all sections of the community, encourage applications from suitable candidates, and ensure a fair and transparent selection process based on the requirements of the job advertised.

These requirements will be identified from a pre-determined Person Specification and Job Description, copies of which will be made available to all candidates. The Person Specification and Job Description will be prepared with care so that they do not indirectly discriminate against any section of the community.

All candidates will be provided with an abridged version of the Equality in Employment Policy, and an Equality Monitoring Form.

The **terms and conditions of employment** of all employees will reflect national, provincial and local agreements. The Council supports the introduction of discretionary national agreements affecting terms and conditions especially those with equality implications.

The **induction process** will draw new employee's attention to the Equality in Employment Policy and its implications together with the Equality Statement for Induction.

The Council will provide **training/information** to ensure that all managers and supervisors are familiar with, and understand the Equality in Employment Policy and the implications of Equality Legislation. All employees will be made aware of the Policy and the Council's wish to promote Equality.

All managers and supervisors involved in the delivery of employment policy and procedure will be equipped with the skills and knowledge to enable them to undertake their role within the law and council policy. Managers and supervisors will promote the equality to other employees.

Career **development** within the Council will be based solely on merit and ability.

Regular **review** of employment policy and practice will take place, and at suitable intervals **reports** will be submitted to members on the impact of its Equality in Employment Policy in relation to the workforce profile of the Council. Amendments needed to this or other employment policies and practices will be made in order to reflect changing legislation, good practice and operational experience.

COMPLAINTS AND REDRESS



The Council expects that every employee will support its equality policies and seek to promote them. Employees have a duty to comply with the law, codes of practice and Council policy. Acts of unlawful discrimination, harassment or victimisation to colleagues or customers by employees will be dealt with through the Council's Disciplinary Procedures.

If an employee feels that they have been discriminated against in respect of Protected Characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, they should seek redress through the Council's internal Grievance procedures. However if the complaint is about potential bullying or harassment, this should be progressed through the Council's Dignity At Work Policy.

RESPONSIBILITY

The Chief Executive assisted by the Heads of Service and the Head of Human Resources and Organisational Development has overall responsibility for the effective implementation of the Council's Equality in Employment Policy.

Heads of Service are responsible within their Service Areas and must ensure subordinate managers and supervisors are made aware of their responsibilities and are supported by relevant training.

The Head of Human Resources and Organisational Development will ensure that identified training needs are met in order that the principles set out in this policy are promoted, and that the working environment is free from discrimination, harassment and victimisation.

Additional Guidance On Equality in Employment

What laws affect Equality at work?

A number of pieces of UK legislation have been in place to deal with issues arising from the desire to promote equality. There is also a large body of European law, which is binding on the UK and its courts and tribunals. Citizens may bring actions to enforce their rights under European law. These interventions have substantial impact on the workplace.

The Equality and Human Rights Commission (EHRC) have published Codes of Practice relating to discrimination. These codes are not of legally binding but they are to be taken into account by a court or employment tribunal considering discrimination issues.

Employers are well advised to take notice of not just the legislation but the codes of



practice as well as other European Directives.

The law concerning Equality is contained in the following legislation: -

- Equal Pay Act 1970 (Amended)
- Sex Discrimination Act 1975
- Race Relations Act 1976
- Disability Discrimination Act 1995
- Race Relations (Remedies) Act 1994
- Disability Rights Commission Act 1999
- Sex Discrimination (Gender Reassignment) Regulations 1999
- Race Relations Amendment Act 2000
- Human Rights Act 2001
- Race Relations Act 1976 (Amendment) Regulations 2003
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Civil Partnerships Act 2004
- Gender Recognition Act 2004
- Employment Equality (Sex Discrimination) Regulations 2005
- Disability Discrimination Amendments Act 2005
- Employment Equality (Age) Regulations 2006
- Equality Act 2006
- Racial and Religious Hatred Act 2006
- Equality Act 2010

Also impacting in the area of employment are: -

- EEC Equal Pay Directive
- EEC Equal Treatment Directive

Who is responsible if a member of staff acts in breach of equality laws?

The Council has a responsibility for the actions of its employees in relation to discrimination. Anything done by a person in the course of their employment shall be treated as done by the employer as well as by them, whether or not it was done with the employer's knowledge or approval. This issue has particular importance in the delivery of services by employees on behalf of the Council, as well as the actions of supervisors and managers.



What are Protected Characteristics?

The Equality Act 2010 has brought together the many previous equality related legislation into one act. It identifies 9 'Protected Characteristics' and the Act provides protection from unlawful discrimination in respect of these characteristics.

The Characteristics are: **age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.**

Age

People of all ages are protected. However, different treatment because of age is not unlawful direct or indirect discrimination if it can be justified. Justification means demonstrating that it is a proportionate means of meeting a legitimate aim. Age is the only characteristic that allows employers to justify direct discrimination.

Disability

A person is disabled if they have a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day to day activities, which would include things like using the telephone, reading a book or using public transport.

Employers **MUST** make reasonable adjustments for staff to help them overcome any disadvantage resulting from an impairment (e.g. by providing assistive technological support to help a visually impaired person use a computer effectively).

Employees are also protected from discrimination arising from disability. This means it is unlawful discrimination to treat a disabled person unfavourably because of something connected with their disability where it is known or you could reasonably have been expected to know that someone had a disability (e.g. a tendency to make spelling mistakes arising from dyslexia). However, it may be justified if you can show that it is a proportionate means to a legitimate aim.

Indirect discrimination now also covers disability. That means care should be taken not to place a requirement on a job that places a person with a disability at a particular disadvantage.

It is also unlawful to ask about a candidate's health or attendance record before offering them a job during recruitment.

Gender Reassignment

A transgender person is someone who proposes to, starts or has completed a process to change his or her gender. The person does not have to be under medical supervision.

Marriage and Civil Partnership

People who are married or in civil partnerships are protected from discrimination. However, single people are not protected.



Pregnancy and Maternity

A woman is protected from discrimination on the grounds of pregnancy and maternity during the period of her pregnancy and any statutory maternity leave. Pregnancy related illness can not be taken into account when making decisions about employment.

Race

This means that a person is protected against discrimination on the basis of their race, colour, nationality and ethnic or national origin.

Religion or Belief

Employees and job seekers are protected if they have a faith or if they have no particular faith. A religion must have a clear structure and belief system. Belief means any religious or philosophical belief or a lack of such a belief. To be protected a belief must satisfy various criteria i.e. it is a weighty and substantial aspect of human life and behaviour. Dominations or sects within a religion can be considered a protected religion or religious belief. Discrimination can occur even when both the discriminator and the recipient are of the same religion.

The Council acknowledges that in December 2016, the UK Government formally adopted the International Holocaust Remembrance Alliance working definition of anti-Semitism;

“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”

Sex

Men and women are protected from discrimination.

Sexual Orientation

Bisexual, gay, heterosexual and lesbian people are protected from discrimination.

What is Discrimination?

The Equality Act 2010 aims to protect individuals whether as an employee or as a user of services. The purpose is to ensure that everyone has a right to be treated fairly at work and when receiving services. It protects people from discrimination on the basis of the 9 protected characteristics detailed above and the protection provided varies slightly dependant upon whether the person is at work or using a service.

Direct Discrimination

This occurs when someone is treated less favourably than another person because



of a protected characteristic they have, or are thought to have, or because they associate with someone who has a protected characteristic.

Discrimination by Association

This applies to race, religions or belief, sexual orientation, age, disability, gender reassignment and sex. This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Perception Discrimination

This applies to race, religions or belief, sexual orientation, age, disability, gender reassignment and sex. This is direct discrimination against an individual because others think they possess a particular characteristic. This applies even if the person does not actually possess the protected characteristic.

Indirect Discrimination

This applies to race, religions or belief, sexual orientation, age, disability, gender reassignment and sex, marriage and civil partnership. This occurs when you have a condition, rule policy or practice that applies to everyone but is particularly disadvantageous to people who share a protected characteristic. Indirect discrimination can be justified if you can show the requirement is a proportionate means of achieving a legitimate end. Proportionate means being fair and reasonable and demonstrating you have considered less discriminatory alternatives to any decision.

What is Harassment?

Harassment is 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'.

This applies to race, religions or belief, sexual orientation, age, disability, gender reassignment and sex. Employees will be able to complain about behaviours that they find offensive even if it is not directed at them personally. Additionally the complainant does not need to possess the relevant characteristics themselves. Employees are also protected against harassment because of perception and association.

What is Victimisation?

This is when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing.

Why do we have Equality Policies?

The Council's Equality Policies are intended to provide positive benefits to staff and



the organisation e.g.: -

- make full use of the abilities of the entire workforce;
- provide equity in the way opportunities are available for everyone;
- provide an environment which encourages employees to give their best;
- provide fair and transparent management and human resource management practices;
- attract, recruit and retain the widest range of recruits;
- demonstrate good employment practice in the community;
- avoid unlawful practice, damaging and costly litigation.

West Lancashire Borough Council

Equality Objectives 2015-2018

West Lancashire Borough Council recognises that people who provide and use our services come from diverse backgrounds and have different experiences and needs. We value this diversity and the ways in which it contributes to the richness of life and character of our community.

We will develop commission and deliver services that will help to overcome discrimination and disadvantage. We want every resident and visitor to West Lancashire to be treated fairly and with dignity regardless of age, gender, disability, race, belief and sexual orientation and with respect to their marriage and civil partnership, pregnancy and maternity or gender reassignment status. We will use our position and influence to promote equality in all aspects of community life.

As a public body, West Lancashire Borough Council is subject to the requirements of the Equality Act 2010 and the Public Sector Equality Duty (PSED).

We must, in the exercise of all our functions, have due regard to these three aims:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

The Equality Act explains that the second aim (advancing equality of opportunity) involves, in particular:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people.
- Encouraging people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

To assist us in doing this we have the following Equality Objectives, which have been developed to complement the key priorities adopted by the Council in the Council Plan 2015- 2018.

The objectives will remain in place for the duration of Council Plan 2015 - 2018, and will be reviewed annually.

Equality Objectives 2015 to 2018

Council Plan Priority	Equality Objective	What we will do (Updated in 2017)	Lead Officer
<p>Ambitious for Our Economy – retain and grow jobs, increase skills levels and encourage business and wealth.</p>	<p>To support the delivery of appropriate labour market initiative(s) within West Lancashire that improves the life chances of residents and have a positive impact on the West Lancashire economy</p>	<ul style="list-style-type: none"> • Work towards sharing information across local and national partners, such as Job Centre Plus, which allows for fuller analysis of skills and employment activities. • Look at how to sustain and embed the good practice developed from the West Lancashire initiatives into new projects. • Working with businesses and partners to support development and growth whilst matching employment opportunities to skills needs. • Greenwood Business Park – Providing high quality business space for business to grow and develop. • Apprenticeships – Supporting and promoting apprenticeships within both the Council and the wider business community. • Support the Skelmersdale Place Board to deliver the Place Plan, which includes continuing to develop the Skelmersdale Ambassador network. 	<p>Economic Regeneration Manager</p>
<p>Ambitious for our Environment – enhancing the built and physical environment, and cleanliness and tidy and combat crime and the fear of crime.</p>	<p>To combat crime and fear of crime through tackling anti-social behaviour (ASB)</p>	<ul style="list-style-type: none"> • Understanding who is most vulnerable to become a victim of ASB and developing strategies with them to remove or limit risk. • Understanding who is least likely to report ASB or seek help and take action to improve their confidence and address their concerns. • Building on the ASBRAC framework, which identifies at risk young people, with a 	<p>Environmental Protection and Community Safety Manager</p>

		<p>programme of targeted interventions that reflect their specific needs.</p> <ul style="list-style-type: none"> • Working together with other agencies to support families programme, in particular reducing the impact of Anti- Social Behaviour on communities. • Encouraging the development of premises to be built to standards that limit opportunities for crime and anti- social behaviour to take effect. 	
<p>Ambitious for Our Health and Wellbeing - improving the health and wellbeing of local communities</p>	<p>To support the continued development of the financial inclusion strategy and the role of the financial inclusion officer, to improve the financial wellbeing of tenants of the Council.</p>	<ul style="list-style-type: none"> • The Council invest nearly £3/4 million each year on altering properties to meet the requirements of either individuals or families who have physical disabilities. This makes their life more manageable and improves the quality of their life. • Understanding how tenants might be particularly vulnerable because of one or more of their personal characteristics and planning support to meet these specific needs, including debt and budgeting advice. • Specialised support to benefit claimants with complex needs and identifying cases where specific arrangements need to be in place. • Using different communication and delivery channels to meet the specific needs of tenants including digital inclusion. • Alter properties, because of resident's disabilities, to improve the quality of their lives. • Working with community based facilities to improve their accommodation. 	<p>Housing Operations Manager</p>



Equality Impact Assessment Form

Directorate: Finance and Human Resources		Service: Human Resources	
Completed by: S Lewis		Date: 18 September 2017	
Subject Title: Equality and Diversity Strategic Steering Group Update – 2017			
1. DESCRIPTION			
Is a policy or strategy being produced or revised:	Yes	<i>*delete as appropriate</i>	
Is a service being designed, redesigned or cutback:	No		
Is a commissioning plan or contract specification being developed:	No		
Is a budget being set or funding allocated:	No		
Is a programme or project being planned:	No		
Are recommendations being presented to senior managers and/or Councillors:	Yes		
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	Yes		
Details of the matter under consideration:	To update Cabinet on the activities of the Equality and Diversity Strategic Steering Group's (EDSSG) and for the Cabinet to endorse two equality policy updates, and agree revised equality objectives for the Council.		
<p><i>If you answered Yes to any of the above go straight to Section 3</i> <i>If you answered No to all the above please complete Section 2</i></p>			
2. RELEVANCE			
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	Yes/No*	<i>*delete as appropriate</i>	
If Yes , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered Yes go to Section 3</i>			
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>			
3. EVIDENCE COLLECTION			
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	The updated and recommendations will impact on the entire Council workforce and		

	the community of West Lancashire and as such has an impact on all protected characteristics.
If the work being carried out, relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	See Above.
Which of the protected characteristics are most relevant to the work being carried out? Age Gender Disability Race and Culture Sexual Orientation Religion or Belief Gender Reassignment Marriage and Civil Partnership Pregnancy and Maternity	<i>*delete as appropriate</i> Yes Yes Yes Yes Yes Yes Yes Yes Yes
4. DATA ANALYSIS	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	Please note it is considered to potentially have an impact on all protected characteristics.
What will the impact of the work being carried out be on usage/the stakeholders?	The report updates confirm that actions required have been undertaken. It is anticipated that any altered impacts in these areas are envisaged to be positive for the stakeholders and the Council.
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	The Council engages with the local Trade Unions on all aspects of amendments or changes to HR policy or practice. Local community consultation takes place when any service changes are implemented. The actions within the equality action plan have also been shared with the CVS.
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	Census Data Profile information available on the Council's website Workforce Profile Equality Policies within the Council Equal Pay Audit Trade union consultation CVS consultation
If any further data/consultation is needed and is to be gathered, please specify:	N/A
5. IMPACT OF DECISIONS	
In what way will the changes impact on people	The decision to note the updates and agree

with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	to the revisions of the Equality Objectives will influence positively on the stakeholders and not have any adverse impact on any particular Protected Characteristic.
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	See above in 5.
What actions do you plan to take to address any other issues above?	No further actions on equality impact need to be taken.
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	Equality activities are reviewed annually. EIA's will also be reviewed to ensure there has been no change to the assessed impact on any protected characteristic group.



Report of: Borough Solicitor

Relevant Portfolio Holder: Councillor I Moran

Contact for further information: Terry Broderick (Ext 5001)
(E-mail: terry.broderick@westlancs.gov.uk)

SUBJECT: GENERAL DATA PROTECTION REGULATION

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To inform Cabinet of the forthcoming General Data Protection Regulation (GDPR) and seek support for necessary actions and resources to ensure compliance with requirements.

2.0 RECOMMENDATIONS

2.1 The report be noted.

2.2 That the necessary actions being taken to achieve compliance with the General Data Protection Regulation and continuing to ensure the Council maintains high standards in the processing of personal data be supported.

2.3 That a budget of £15,000 be provided to support compliance with GDPR from underspends in the current year (up to 31 March 2018) to meet the resource requirements set out at paragraph 6 of the report and it be recommended that Council give further consideration to the additional resources for 2018/19 and beyond through the budget setting process.

2.4 That the Borough Solicitor be authorised to designate a Data Protection Officer.

2.5 That call In is not appropriate for this item as this matter is one where urgent action is required as early progress needs to be made to ensure services are prepared for the impending deadline for implementation of GDPR notwithstanding delays in issue of legislation and guidance.

3.0 BACKGROUND

- 3.1 Protection of personal data in the UK is governed by the Data Protection Act 1998 (DPA). On 25 May 2018 the GDPR will come into effect replacing the DPA. GDPR is EU based law and is proposed to be supplemented by an Act of Parliament which is currently at Bill stage. Once enacted the Bill will fill gaps or provide additional detail where this is permitted on a national footing by the EU led legislation. At this stage the Bill is only approximately half way through its progress toward becoming an Act of Parliament. Government has made clear that GDPR will apply within the UK in the event of a Brexit arrangement and organisations will have to work to be compliant with GDPR ahead of the deadline of 25 May 2018.
- 3.2 Since the DPA came into force, there have been changes in the way organisations deal with and process personal data. As Members will be aware the move is increasingly to a digital handling of information, including personal data, and the Council seeks to further enhance such arrangements through its digital inclusion strategy. In addition residents and partner organisations work increasingly through electronic means, including arrangements for secure sharing of personal data with a view to improving services and outcomes for residents. Effective management of personal data that is compliant with the DPA has become a normal part of Council processes, systems and behaviours. These are formalised and secured through the Council's Data Protection Policy which is subject to regular review.
- 3.3 GDPR acknowledges changes in processing of personal data and seeks to provide a more modern framework for this. It aims at increasing the safeguards provided to individuals and improving their rights to access their personal data. Organisations that fail to comply with personal data handling requirements could face significant financial penalties.
- 3.4 One of the most significant differences between the current regime and that to be provided under GDPR is the new requirement to report all data breaches which result in a risk to the rights and freedoms of individuals. As result of breaches being reported the Information Commissioner can issue fines of a level up to 4% of turnover or 20 million Euros. This presents a substantial increase to the current powers of the Information Commissioner, who currently may issue fines up to the level of £500,000. At present only a very small number of reported incidents result in fines being issued. This change to the legislation may result in a greater number of fines being issued at a higher financial penalty level. The Information Commissioner has indicated an intent to encourage compliance by training and information provision: more carrot than stick.
- 3.5 The handling of the revised arrangements is a significant ask at a time of lean resources and challenging budgetary issues. This is a position faced also in other local authorities (and relevant organisations) across the UK.

4.0 PROPOSALS

- 4.1 The Council already has in place measures to assist in demonstrating compliance with the current data protection regime. These will need to be improved upon to demonstrate delivery of the revised requirements under GDPR. In addition, there are many GDPR changes which go beyond the current scope of the DPA, providing new areas of regulation and requiring procedures etc, to be revisited and upgraded across the Council's services. Given the multitude of functions undertaken by the Council and the different ways in which personal data is processed, e.g. collected and stored, this means the undertaking of this work will be complex and potentially extensive. Suitable training arrangements need to be in place to promote the changes to enable staff to be supported in securing compliance.
- 4.2 Officers are working towards compliance in a number of areas. At Appendix 1 to the report there is a non-exhaustive High Level Action Plan (indicative) of the new requirements under GDPR with summary notes. Through the Council's Data Protection Policy there is in place an Officer Working Group, which is backed by arrangements within all services to provide an Information Asset Owner and Data Protection Link Officer, providing a suitable network for dissemination of information and providing hands-on "local" support to the process for changes to procedures. As noted above training arrangements are being made to highlight relevant changes to staff on a corporate basis.
- 4.3 GDPR will inevitably impact upon most if not all Council services and systems. In order to manage the programme effectively additional resources are required.
- 4.4 GDPR requires the Council to have in place a designated Data Protection Officer (DPO), setting specific requirements for the role within the relevant legislation and associated guidance. A summary of the role from the GDPR is provided at Appendix 2. Here the DPO will act to assist by providing guidance and advice to Information Asset Owners and Link Officers in Council services ensuring a co-ordinated approach, in addition to meeting the formal requirements of the DPO. Changes are being made within the establishment under delegated arrangements to allow an Assistant Solicitor role to be adapted to meet the requirements of this post (subject to job evaluation). Arrangements will have to be further developed to allow a protocol for the role, adding further clarity to the particular requirements and recognising the statutory protection given to this officer in exercising the DPO role. A delegation is sought to enable the Borough Solicitor to designate an officer/resource to the role of DPO.
- 4.5 At this stage it is difficult to quantify the exact costs associated with compliance. Work may be required with systems providers and the DPO will need to work alongside services to undertake a detailed interrogation of processes to assess the extent of change required. It is to be appreciated that this challenge is one that is faced by all local authorities and whilst it is expected that much of this work may be accommodated within existing budgets and resources, additional significant resource implications may arise as the process is taken forward. Any resources that are to be sought will be taken through the usual Council procedures for decisions in relation to such matters.
- 4.6 As Councillors are also subject to the data protection regulation they will similarly be expected to comply with GDPR once in place. Thus, for example, where information is held by Councillors on behalf of constituents, as a result perhaps of

handling issues faced by residents, they will need to be aware of requirements. For this reason training will be also made available to Councillors.

- 4.7 Councillors may also see changes in the way in which information is presented in reports to Committees etc., e.g. the inclusion of data protection impact assessments where changes to systems and processes are involved in a decision they are asked to consider.
- 4.8 Officers are engaging with colleagues in other local authorities to facilitate a coordination of resources, thereby reducing duplication of efforts. A Lancashire based group has been established for this purpose.
- 4.9 The improvements to processing of data will have a long term positive effect on the business efficiency of the Council, e.g. by improving processes and ensuring only relevant data is held for the functions the Council carries out and, conversely, redundant personal data is not retained, thus assisting with handling requests to access personal data.

5.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 5.1 There are no significant sustainability implications associated with this report and, in particular, no significant impact on crime and disorder.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 6.1 There are financial and resource implications arising from this report in respect of arrangements proposed and some comment has been provided in the report (above).
- 6.2 In order to provide capacity for the Assistant Solicitor to assist the process of GDPR implementation and undertake the DPO role some backfilling of the current role needs to be put in place. It is proposed that underspends in the Legal and Democratic Services budget for the year 2017/18 provide a sum of £10K (see below also need to meet full-year cost) to allow backfilling to cover the regular duties undertaken in that post. This is proposed to be applied to appoint a trainee solicitor on a secondment arrangement for a fixed term, e.g. with a local solicitors firm, or a fixed term legal apprentice post (for one year at Scale 5, subject to job evaluation and the budgetary approval by Council) and, pending putting in place those arrangements, allow services to be maintained with a blended arrangement providing capacity by allowing additional staff time, overtime or outsourcing of items of work as appropriate, having regard to best value. The trainee solicitor or apprentice arrangement would only be able to go forward subject to Council approval of the balance of funding (see 6.3)
- 6.3 For the year 2018/19 it is anticipated there will be a significant need for central co-ordination of arrangements up to and beyond the implementation of GDPR. It is proposed that a budget bid be put forward to February Council seeking funds to backfill for a longer period with a secondment at Trainee Solicitor level or legal apprentice (both arrangements with on-costs and for a term not to exceed one year in total, as at 6.2 above), up to the end of the 2018 financial year, at a level of £29K. In addition to this there is an ongoing need for training, see paragraph 6.4.

- 6.4 There is no current specific budget to meet training requirements in relation to data protection. There is an identified corporate need which will require officers to be suitably trained to undertake their roles, including development of their own processes in service to ensure continued compliance notwithstanding the changes brought about by GDPR. A corporate training budget to allow such training to be undertaken in-house via the Emerge software system is suggested and a sum of £5K is proposed for this purpose in the current year (sourced from underspends). This will enable staff to be trained in a more flexible manner, e.g. at the desk or remotely, and for a suitable training record to be maintained. For future years there will be a need for continuing training and this can be set at a lower level of £3K, which assumes data protection arrangements are by then more settled. Bespoke training for particular roles within services will continue to be undertaken as required, within usual service budgets.
- 6.5 For the DPO role it is necessary to have in place a programme of training to ensure continued expertise in order to deliver requirements as they change over time. A budget of £500 per annum is proposed in this regard, to form part of the budget bid referred to above. It is to be noted that the GDPR requires the DPO role must be appropriately resourced to allow the tasks necessary to carry out the role.
- 6.6 The arrangements for payment of fees to the Information Commissioner are to be revised and, subject to confirmation in regulations, this is likely to be in the order of £1000 each year for the Council. This is an increase on the current year's cost of £500.

7.0 RISK ASSESSMENT

- 7.1 Meeting GDPR is a legal requirement which must be complied with. Failure to meet requirements could result in significant financial penalties being applied by the ICO. There is an opportunity to ensure that better regulated use of data in accordance with the requirements of GDPR will have business efficiency benefits as well as assisting residents in understanding the handling of their personal data.
- 7.2 A Key Risk register entry is on place in relation to this item. This acknowledges that there may be a need for additional resources in services as a result of the changes made by GDPR.

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 or stakeholders. Therefore no Equality Impact Assessment is required.

Appendices

1. High Level Action Plan (indicative)
2. Data Protection Officer Role – Summary

APPENDIX 1

High Level Action Plan (indicative)

Key – "pd" = personal data

ACTION REQUIRED		NOTES
1	<p><u>Resources</u></p> <p>Ensure the relevant resources to prepare for change have been allocated.</p>	<p>Implementing GDPR could have significant resource implications in some services in the Council, e.g. in operational delivery and at a central point in coordinating the activities and demonstrating compliance</p>
2	<p><u>Appoint a DPO (Data Protection Officer)</u></p>	<p>Must have a nominated officer to fulfil requirements of Art 37, 38 & 39</p>
3.	<p><u>Create an Art 30 Record of processing activities.</u></p> <p>To do this:</p> <p>(i) Carry out information audit across the Council to map data flows</p> <p>(ii) Identify legal basis for all processing activities and document this</p> <p>(iii) Review and revise existing Corporate</p>	<p>Must have comprehensive records of what personal data is held, where it came from, for what purpose, who it is shared with, the legal basis for doing so and how long it will be retained.</p> <p>Each controller shall maintain a record of processing activities which shall contain all of the following info:</p> <p>(a) name and contact details of controller and DPO (b) purpose of processing (c) description of categories of data subjects and of categories of personal data</p>

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	<p>Catalogue (may require supplementary documentation)</p> <p>(iv) Review and revise existing Retention and Disposal Schedule</p> <p>(v) Review and revise existing Data Protection Policy and ICT Policy to deal with new and revised principles and add further and mended Guidance Notes for officers.</p>	<p>(d) categories of recipients to whom personal data have been or will be disclosed</p> <p>(e) where applicable, transfers of personal data to a third country including identification of that country and documentation of suitable safeguards.</p> <p>(f) where possible, envisaged time limits for erasure of different categories of data</p> <p>(g) where possible, a general description of technical and organisation security measures referred to in Art 32(1)</p>
<p>Page 4 Page 1138</p>	<p><u>Document compliance with the 6 GDPR principles ("Accountability").</u></p> <p>This can be done by Art 30 records</p> <p>Review current processing activities and consider how can demonstrate that its processing of personal data complies with the GDPR</p>	<p><u>ART 5 – THE 6 PRINCIPLES OF DATA PROCESSING</u></p> <p>(a) <u>'lawfulness, fairness and transparency'</u></p> <p>(b) <u>'purpose limitation'</u> - collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.</p> <p>(c) <u>'data minimisation'</u> - adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed.</p> <p>(d) <u>'accuracy'</u> - accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed and erased or rectified without delay.</p> <p>(e) <u>'storage limitation'</u> - kept in a form which permits</p>

Page 1139		<p>identification of data subjects for no longer than is necessary for the purposes for which the pd are processed; pd may be stored for longer periods insofar as the pd will be processed solely for archiving purposes in the public interest, scientific research or historical research purposes or statistical purposes in accordance with Art 89(1) subject to implementation of the appropriate technical and organisational measures required by this reg in order to safeguard the rights and freedoms of data subjects.</p> <p>(f) 'integrity and confidentiality' - processed in a manner that ensures appropriate security of pd including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.</p>
5.139	<p><u>Subject Access Request</u></p> <p>(i) Review and revise existing SAR procedure to reflect new timescales, requirements and removal of fees</p> <p>(ii) Create a policy on refusal of SAR requests to demonstrate criteria to refuse has been met.</p>	<p>No fee* 1 month to respond 2 month extension if complex Can refuse</p> <p>*(although can charge reasonable fee if request is unfounded or excessive)(no guidance yet on charges although may be based on Freedom of Information regime)</p>
6.	<p><u>New Data Subject Rights</u></p> <p>(i) Update existing Data Protection Policy to</p>	<p>Art 12</p> <p>Right to rectification</p>

	<p>ensure that the Council can deliver the new and revised Data Subject rights.</p> <p>(ii) Create a policy on the right of erasure and how erasure will be complied with.</p> <p>(iii) Update existing Data Protection Policy to deal with new and revised exemptions to the Data Subject rights.</p> <p>(iv) Prepare standard responses for anticipated requests for each service area.</p>	<p>Right to erasure (right to be forgotten)</p> <p>Right to restriction of processing</p> <p>Notification obligation regarding rectification or erasure of pd or restriction of processing</p> <p>Right to data portability</p>
<p>7 Page 1140</p>	<p><u>Privacy Notices</u></p> <p>(i) Prepare a corporate policy/guide for staff on privacy notices.</p> <p>(ii) Review and revise current privacy notices to ensure compliance. All documents will have to be changed.</p> <p>(iii) Prepare a privacy policy for data subjects which is easily accessible</p>	<p>Must include ID of Data Controller Contact details for DPO Purpose for processing and legal basis for doing so Legitimate interests Recipients Data transfers Retention Period (could do a link to R & D Schedule) Subject rights (inc right to withdraw consent) Right to complain to ICO Consequences of not providing the data (statutory/contractual requirement) Automated decision making (profiling) Sources (inc public sources)</p>
<p>8.</p>	<p><u>Consent</u></p> <p>(i) Review and revise all consent mechanisms (look at how seeking, obtaining and recording consent).</p>	<p>Must be freely given, specific, informed, and unambiguous. Must be a positive indication of agreement to personal data being processed. Cannot be inferred from silence, inactivity or pre ticked boxes.</p>

<p>(ii)</p> <p>(iii)</p> <p>(iv)</p> <p>(v)</p> <p>Page 1141</p>	<p>Amend all opt ins.</p> <p>Review and consider those situations where implied consent is used and make a decision on whether those consents will remain valid under the GDPR</p> <p>Create a procedure to withdraw consent at any time</p> <p>Review all documentation to make sure consent section is clearly distinguished, written in laymans terms and not comprising a condition of performance</p> <p>Create an effective audit trail for consents</p>	<p>Must be separate terms and conditions</p> <p>If relying on consent then must be:</p> <p><u>Unbundled</u> – consent must be separate from other terms & conditions.</p> <p>Should not be a pre condition of signing up to service unless necessary for that service.</p> <p><u>Active opt in</u> – pre ticked opt out boxes are invalid Need to use unticked opt in boxes or similar active opt in methods</p> <p><u>Granular</u> – give granular options to consent separately to different types of processing wherever appropriate</p> <p><u>Named</u> – name your organisation and any third party who will be relying on the consent – even precisely defined categories of third party organisations will not be acceptable under GDPR</p> <p><u>Documented</u> – keep records demonstrating what the individual has consented to including what they were told and when and how they have consented. (doesn't have to be written, can be verbal but must be recorded)</p> <p><u>Easy to withdraw</u> – tell people they have the right to withdraw their consent at any time and how to do this. It must be as easy to withdraw as it was to give consent. Will need to have simple and effective withdrawal mechanisms in place.</p> <p><u>No imbalance in the relationship</u> – consent will not be freely</p>
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		given if there is an imbalance in the relationship between the individual and the controller – this will make consent particularly difficult for public authorities and for employers who should look for an alternative lawful basis.
9.	<p><u>Legitimate Interests</u></p> <p>Review and revise all situations where legitimate interests are used and consider how this can be amended to ensure compliance with GDPR</p>	Not likely to be relevant to the Council
<p>Page 10:142</p> <p>10:142</p> <p>(i)</p> <p>(ii)</p> <p>(iii)</p> <p>(iv)</p>	<p><u>Contracts</u></p> <p>Assess & review all on-going data sharing agreements with a view to ensuring compliance by the data processors.</p> <p>If consent section then will need to review</p> <p>Review list of all contracts with data processors</p> <p>Amend contracts with data processors to include all Art 28(3) requirements</p> <p>May require renegotiation because of extra obligations</p> <p>Prepare corporate guide for staff when</p>	<p>Data Processor must offer sufficient guarantees.</p> <p>Art 28(3) Contract must include:</p> <ol style="list-style-type: none"> 1.act only on DCs instructions 2. nature of processing, data, subjects 3. ensure confidentiality commitment 4. all necessary security measures 5.respects conditions for choosing another processor 6.assist DC with subject's rights security and risk assessment 7. supply information and allow audits 8. delete or return data

	choosing a Data Processor.	
11.	<u>Security</u>	Art 32(1) taking into account the state of the art, costs of implementation, nature, scope, context and purpose of processing as well as the risk of varying likelihood and severity of rights and freedoms, controller shall implement appropriate technical and organisation measures to ensure a level of security appropriate to the risk including as appropriate: (a) pseudonymisation and encryption of personal data (b) ability to ensure the ongoing confidentiality, integrity, availability and resilience of processing systems and services (c) the ability to restore the availability and access to personal data in a timely manner in the event of a physical or technical incident (d) a process for regularly testing, assessing and evaluating the effectiveness of technical and organisational measures for ensuring the security of processing.
(i)	Review and revise current technical and organisational methods to ensure compliance.	
(ii)	Review and revise existing ICT Security Policy	
(iii)	Are security measures appropriate to risks involved?	
(iv)	Review and revise existing disaster recover policy?	
(v)	Create a policy/guide on Pseudonymisation of data	
12.	<u>Data Protection Impact Assessments</u>	Art 35 - Where processing is likely to result in high risk to the rights and freedoms of natural persons then must carry out DPIA before processing. Art 35(3) Specific requirement to do DPIA in some circumstances. Art 35(7) sets out content Need to include ID of Data Controller
(i)	Carry out DPIAs for those areas of operations which present a potential high risk.	
(ii)	Create a policy/guide to assist staff to understand when they must conduct DPIA and put a process in place to action this.	

<p>(iii)</p> <p>(iv)</p> <p>Page 11/14</p>	<p>Link DPIA framework to existing risk management and project management processes</p> <p>Establish and make public a list of the kind of processing operations which are subject to the requirements of DPIA and communicate the list to the senior management</p> <p>Compliance with approved codes of conduct shall be taken into due account in assessing the impact Art 35(8)</p> <p>If risk is high then must consult with ICO before processing</p>	<p>Contact details for DPO</p> <p>Purpose of processing and legal basis</p> <p>Legitimate interests</p> <p>Recipients</p> <p>Data transfers</p> <p>Retention period (can do link to R & D Sch)</p> <p>Subjects rights</p> <p>Right to complain to ICO</p> <p>Consequences of not providing data (statutory/contractual)</p> <p>Automated decisions</p> <p>Sources</p> <p>Must be easily accessible</p> <p>Can have a general one with more info on website</p> <p>Art 36(1) specific requirements Art 36(3)</p>
<p>14</p> <p>(i)</p> <p>(ii)</p>	<p><u>Profiling</u></p> <p>Conduct a review and assessment of all data activities that may qualify as profiling and determine what steps it needs to take to meet the requirements of the GDPR</p> <p>If so, must tell people in our privacy notices</p> <p>Create a policy/guide on the right to object to automated decisions were has significant affect</p>	<p>Art 22 – any form of automated processing of personal data consisting of the use of pd to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning a natural persons performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.</p> <p>Right not to be subject to a decision based solely on automated processing (human intervention) which significantly affects him.</p> <p>Exceptions: necessary for entering into a contract Authorised by law Data Subject given explicit consent</p>
<p>14</p>	<p><u>Training and awareness</u></p>	<p>All staff must be aware of GDPR requirements and how they</p>

	Train staff on new data protection responsibilities under the GDPR	affect them in doing their job
15.	<u>Special Categories</u>	
(i)	Conduct an assessment of all data it processes which might be considered 'special categories of data'	Sensitive PD is now Special Categories
(ii)	Create a policy/guide to determine what steps it needs to take to meet the requirements of the GDPR	Prohibition unless specific reason Don't ask for it unless really need it.
16.	<u>Breach Procedure</u>	
(i)	Review and revise existing procedure for managing data breaches to include detecting, assessing, reporting and investigating breaches and for notification of breach to ICO.	Art 33 – controller shall without undue delay and, where feasible, not later than 72 hours after having become aware of it, notify the breach to the ICO unless the breach is unlikely to result in a risk to the rights and freedoms of natural persons. Where not made within 72 hours must be accompanied by reasons for the delay.
(ii)	Create guide on when to tell data subject about a breach and procedure for doing so.	If doesn't involve risk to individual then don't have to report.
(iii)	Prepare a guidance note on the remedies, liabilities and penalties.	If doesn't involved high risk then report to ICO within 72 hours If high risk to ICO and data subject without undue delay

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		Art 34 – when breach is likely to result in a high risk to rights and freedoms of natural persons, must tell data subject without undue delay subject to some exceptions.
17.	<p><u>New offences.</u></p> <p>Prepare a guidance note on the new offences</p>	<p>Intentionally or recklessly re-identifying individuals from anonymised or pseudonymised data, and knowingly handling or processing such data</p> <p>Altering records with intent to prevent disclosure following a subject access request</p> <p>Retaining data against the wishes of the data controller (offence by processor)</p>
18.	<p><u>ICO</u></p> <p>(i) Undertake a review of current arrangements with ICO</p> <p>(ii) Prepare a guide for staff on the investigative and corrective powers of the ICO</p>	Art 58
19.	<p><u>Transferring data abroad?.</u></p> <p>(i) Review current processing activities to ensure no breach of Art 44.</p>	<p>Art 46 safeguards</p> <p>Is a list of countries that has adequate protection</p> <p>USA – if using privacy shield then ok (subject to compliance with management of the arrangement)</p>

(ii)	Prepare a guide policy on transferring data abroad	
20.	<u>Children and Consent</u> Put policy in place to verify individuals ages and to gather parental or guardian consent for the data processing activity	The proposed Act (Bill) will allow a child aged 13 years or older to consent to their personal data being processed

Data Protection Officer Role – Summary

Note: reference to "controller" in this appendix is taken to mean the Council. References to "Articles/Art" are to articles in the GDPR

Article 37 Designation of Data Protection Officer

(7) must publish contact details of DPO and communicate them to supervisory authority.

Article 38 – Position of DPO

(1) controller shall ensure DPO is involved, properly and in a timely manner, in all issues which relate to the protection of personal data

(2) controller shall support the DPO in performing tasks by providing resources necessary to carry out those tasks and access to personal data and processing operations, and to maintain their knowledge.

(3) DPO shall not receive any instructions regarding the exercise of those tasks. Shall not be dismissed or penalised by the controller for performing the tasks. DPO shall report to the highest management level of the controller.

(4) data subjects may contact DPO re all issues related to processing of their personal data and to exercise their rights under the regulations

(5) DPO shall be bound to secrecy or confidentiality concerning performance of tasks

(6) DPO may fulfil other tasks or duties but controller shall ensure that such tasks or duties do not result in a conflict of interests.

Article 39 – tasks of DPO

(1)

(a) inform and advise controller of the obligations under the regulations

(b) monitor compliance with the regulations, policies of the controller to protect personal data inc assignment of responsibilities, awareness raising, training of staff and related audits.

(c) provide advice re data protection impact assessment and monitor its performance pursuant to Art 35

(d) cooperate with the supervisory authority

(e) to act as point of contact for the supervisory authority on issue relating to processing, inc prior consultation in Art 36 and to consult where appropriate on any other matter.

2. Shall in performance of tasks have due regard to the risk associated with processing operations, taking into account the nature, scope, context and purpose of processing.