



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

Monday, 4 March 2019

**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, 12 MARCH 2019** 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 1525 - 1526

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 1527 - 1530

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 Friday 8 March 2019

5. MINUTES 1531 - 1538

6. MATTERS REQUIRING DECISIONS

6a Quarterly Performance Indicators (Q3) 1539 - 1554
(Portfolio Holder: Councillor I Moran)

6b Council Plan 2019/20 - 2020/21 1555 - 1582
(Portfolio Holder: Councillor I Moran)

6c Corporate Performance Management 2019/20 1583 - 1596
(Portfolio Holder: Councillor I Moran)

6d Use of Section 106 monies in the Parish of Burscough 1597 - 1602
(Portfolio Holders: Councillors Y Gagen & I Moran)

6e Use of Section 106 monies in the Parish of Tarleton 1603 - 1612
(Portfolio Holder: Councillor Y Gagen)

6f Adoption of Revised Safeguarding Policy 1613 - 1674
(Portfolio Holder: Councillor Y Gagen)

6g HRA Revenue and Capital Monitoring 1675 - 1680
(Portfolio Holders: Councillors J Forshaw and A Yates)

6h Ormskirk Town Centre Strategy Update 1681 - 1702
(Portfolio Holder: Councillor I Moran)

6i Risk Management 1703 - 1724
(Portfolio Holder: Councillor A Yates)

6j	Burscough Parish Neighbourhood Plan (Portfolio Holder: Councillor J Hodson)	1725 - 1734
6k	Greater Manchester Spatial Framework Revised Draft (Portfolio Holder: Councillor John Hodson)	1735 - 1740
6l	Leaseholder Properties and the Planning Process (Portfolio Holder: Councillor J Hodson)	1741 - 1744
6m	Local Plan (Portfolio Holder: Councillor J Hodson)	TO FOLLOW

7. EXCLUSION OF PRESS AND PUBLIC

It is recommended that members of the press and public be excluded from the meeting during consideration of the following items of business in accordance with Section 100A(4) of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1 (Any individual) 2 (Identity of an individual) and 3 (financial/business affairs) of Part 1 of Schedule 12A to the Act and as, in all the circumstances of the case the public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

(Note: No representations have been received about why the meeting should be open to the public during consideration of the following items of business).

Part 2 (Not open to the public)

8. MATTERS REQUIRING DECISIONS

8a	Proposed Strategy for the Community Asset Transfer of Banks Leisure Centre (Portfolio Holder: Councillor Y Gagen)	1745 - 1760
8b	Vehicle Provision and Maintenance Contract (Portfolio Holder: Councillor K Wilkie)	1761 - 1794
8c	Purchase of land in Ormskirk (Relevant Portfolio Holder: Councillor I Moran)	1795 - 1800

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**.

	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.)

Agenda Item 5

CABINET

HELD: Tuesday, 15 January 2019

Start: 7.00 pm

Finish: 7.15 pm

PRESENT:

Councillor: Councillor Ian Moran
(Leader, in the Chair)

Councillors:		<u>Portfolio</u>
	Councillor Yvonne Gagen	Deputy Leader of the Council and Portfolio Holder for Leisure & Human Resources
	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 Wilkie	Portfolio Holder for Street Scene
	Councillor Adam Yates	Portfolio Holder for Resources & Transformation

In attendance: Councillor A Owens
Councillors

Officers: Kim Webber, Chief Executive
John Harrison, Director of Development and Regeneration
Jacqui Sinnott-Lacey, Director of Housing and Inclusion
Heidi McDougall, Director of Leisure & Environment
Terry Broderick, Borough Solicitor
Marc Taylor, Borough Treasurer
Sue Griffiths, Principal Member Services Officer

62 APOLOGIES

Apologies for absence were received on behalf of Councillor Wright.

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

There were no items of special urgency.

64 DECLARATIONS OF INTEREST

1. Councillors Forshaw and Wilkie (tenants of Council accommodation) declared disclosable pecuniary interests in agenda item 6(e) (Housing Account – Revenue and Capital Programme) and 8(a) (Forming a Development

Company) but considered they were entitled to speak and vote by virtue of an exemption as nothing in the reports relate particularly to their relevant tenancy or lease.

2. Councillor Cooper declared a non-pecuniary interest in agenda items 6(k) 'Community Involvement in Service Delivery' Review Final Report and 6(l) (Funding of Voluntary Bodies and Other Organisations Working Group) in relation to her association with the Council for Voluntary Service – West Lancashire.
3. Councillor Moran declared a non-pecuniary interest in agenda item 6(l) (Funding of Voluntary Bodies and Other Organisations Working Group) due to his appointment to Citizens Advice Lancashire by the Council.
4. Councillor Gagen declared a non-pecuniary interest in agenda item 6(b) (Use of Section 106 monies for shared cycle/footpath between the rail and bus station in Ormskirk) due to her being an employee of Lancashire County Council.

65 **PUBLIC SPEAKING**

There were no items under this heading.

66 **MINUTES**

RESOLVED That the minutes of the Cabinet meeting held on 6 November 2018 be received as a correct record and signed by the Leader.

67 **MATTERS REQUIRING DECISIONS**

Consideration was given to the reports relating to the following matters requiring decisions as circulated and contained on pages 1263 – 1446 of the Book of Reports.

68 **CIL FUNDING PROGRAMME 2019/20**

Councillor J Hodson introduced the report of the Director of Development and Regeneration which advised of the outcome on the consultation of, and proposed final recommendations for, the CIL funding programme in 2019/20.

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 consultation feedback report provided at Appendix A to the report be noted.

- B. That £91,000 of CIL monies be allocated to the delivery of the following projects in 2019/20:

- Improvements to Hunters Hill Country Park, Parbold (£60,000)
 - Improvements to Sluice Lane Public Right Of Way (£31,000)
- C. That £103,000 of the neighbourhood portion of CIL raised in Ormskirk be allocated to the delivery of the following projects in 2019/20:
- Ormskirk town centre – improvements to signal co-ordination for gyratory traffic (£50,000)
 - Ormskirk town centre – cycle and pedestrian link between the rail station and the bus station (£53,000)

69 **USE OF SECTION 106 MONIES FOR SHARED CYCLE/FOOTPATH BETWEEN THE RAIL AND BUS STATION IN ORMSKIRK**

Councillor J Hodson introduced the report of the Director of Development and Regeneration which sought authorisation to utilise Section 106 funding to deliver a shared use cycle and footpath between Ormskirk rail station and bus station.

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 use of S106 monies be authorised to deliver the proposed shared use cycle and footpath between Ormskirk rail station and bus station.
- B. That delegated authority be given to the Director of Development and Regeneration to take all necessary steps to procure contractors and enter into agreements with landowners and any other parties as required to deliver this scheme.

70 **DRAFT REVENUE BUDGET 2019 - 2020**

Councillor Yates introduced the report of the Borough Treasurer which provided a summary of the current General Revenue Account budget position.

The Borough Treasurer advised on the current position in respect of the draft revenue estimates and the draft medium term capital programme. He proposed revised recommendations to reflect the current position in order to submit firm revenue and capital proposals to Council on 27 February 2019. The Portfolio Holder for Resources and Transformation indicated his support for the revised recommendations.

In reaching the decision below, Cabinet considered the revised recommendations of the Borough Treasurer, the comments of the Portfolio Holder for Resources and

Transformation and the details as set out in the report before it and accepted the reasons contained therein.

- RESOLVED A. That the financial position for 2019-20 and later years be noted, and consideration given to how a balanced budget can be achieved.
- B. That the Portfolio Holder for Resources and Transformation be given delegated authority to submit firm revenue and capital proposals to Council on 27 February 2019 to enable the budget to be set.
- C. That a virement of up to £30,000 from the Planning Application Fee Income budget to the Local Plan Consultancy budget as set out in section 8 be approved.
- D. 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 31 January 2019.

71 **DRAFT MEDIUM TERM CAPITAL PROGRAMME**

This item was withdrawn.

72 **HOUSING ACCOUNT - REVENUE AND CAPITAL PROGRAMME**

Councillor Forshaw introduced the joint report of the Director of Housing and Inclusion and Borough Treasurer which provided a summary of the Housing Account's financial position.

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 financial position be noted.
- B. 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.
- C. That the report be used for consultation purposes prior to the Council considering this matter in February 2019.
- D. That the Housing and Landlord Services Portfolio Holder be given delegated authority to submit firm proposals to Council on 27 February 2019 to enable the budget to be set.

- E. 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 31 January 2019.

73 QUARTERLY PERFORMANCE INDICATORS (Q2 2018/19)

The Leader introduced the report of the Director of Housing and Inclusion which presented performance monitoring data for the quarter ended 30 September 2018.

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 Council's performance against the indicator set for the quarter ended 30 September 2018 be noted.
- B. That the call-in procedure is not appropriate for this item as the report was considered by the Corporate & Environmental Overview and Scrutiny Committee meeting on 6 December 2018.

74 RIPA ACT REGULAR MONITORING OF USE OF POWERS - ANNUAL SETTING OF THE POLICY

The Leader introduced the report of the Borough Solicitor which reported upon the Council's use of its powers under the Regulation of Investigatory Powers Act 2000 and presented an updated RIPA policy document.

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 the updated RIPA Policy at Appendix 1 to the report be approved.

75 USE OF SECTION 106 MONIES IN THE PARISH OF HESKETH WITH BECCONSALL

Councillor Gagen introduced the report of the Director of Leisure and Environment which considered a proposal in respect of the use of Section 106 monies for the enhancement of public open space provision in Hesketh Bank.

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 the use of up to £12,540 of S106 monies be approved, as outlined at paragraph 5.1 of the report, to enable improvements to be made at Shore Road Recreation Ground in Hesketh Bank.

76 USE OF S106 MONIES IN THE PARISH OF SCARISBRICK

Councillor Gagen introduced the report of the Director of Leisure and Environment which considered a proposal in respect of the use of Section 106 monies for the enhancement of public open space provision in Scarisbrick.

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 the use of up to £13,254 of S106 monies be approved, as outlined at paragraph 5.1 of the report, to enable improvements to be made at Scarisbrick Village Hall, Smithy Lane.

77 USE OF SECTION 106 MONIES IN THE PARISH OF HALSALL

Councillor Gagen introduced the report of the Director of Leisure and Environment which considered a proposal in respect of the use of Section 106 monies for the enhancement of public open space provision in Halsall.

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 the use of up to £5,500 of S106 monies be approved, as outlined at paragraph 5.2 of the report, to enable improvements to be made at Shirdley Hill Village Green, Halsall.

78 'COMMUNITY INVOLVEMENT IN SERVICE DELIVERY' REVIEW FINAL REPORT

Councillor Cooper introduced the report of the Director of Leisure and Environment which presented the final report and recommendations of the review conducted by the Corporate and Environmental Overview and Scrutiny Committee entitled "Community Involvement in Service Delivery".

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 the final report, attached as an Appendix to this report, and the recommendations therein at paragraph 1 to 4, page 3, be approved.

79 FUNDING OF VOLUNTARY & OTHER ORGANISATIONS CABINET WORKING GROUP

Councillor Cooper introduced the report of the Director of Housing and Inclusion which advised Cabinet of the recommendations of the Funding of Voluntary & Other Organisations Cabinet Working Group in respect of the monitoring arrangements for the current grant recipients and the applications for one year revenue funding for 2019/20.

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 subject to B. below, the recommendations arising from the scoring of the applications received from voluntary organisations for one year revenue funding from April 2019 by the Funding of Voluntary and Other Organisations Cabinet Working Group at its meeting on 19 December 2018 be endorsed as detailed in the minutes of the meeting attached at Appendix 3 to the report.
- B. 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 27 February 2019.

80 EXCLUSION OF PRESS AND PUBLIC

RESOLVED That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 (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.

(Note: No representations had been received in relation to the following item being considered in private.)

81 MATTER REQUIRING DECISION

Consideration was given to the report relating to the following items of business as contained on pages 1447 to 1524 of the Book of Reports.

82 FORMING A DEVELOPMENT COMPANY

Councillor Forshaw introduced the joint report of the Director of Housing and Inclusion and Borough Treasurer which provided an update on progress

following the resolution of Cabinet and Council meetings on 17 October 2018 and sought approval to proceed with the appointment of the Board of Directors and for the Company to become operational and to approve the Development Company's Business Plan for implementation together with its funding arrangements.

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 contents of the report and the resolutions of the Executive Overview and Scrutiny Committee meeting on 22 November 2018 be noted and recommendations 2.1 to 2.9 (inclusive) as set out in the joint report of the Director of Housing and Inclusion and Borough Treasurer, 'Forming a Development Company' (at Appendix A to this report) be approved.
- B. That call-in is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 31 January 2019.

.....
Leader



**CORPORATE & ENVIRONMENTAL
OVERVIEW & SCRUTINY COMMITTEE:
7 MARCH 2019**

CABINET: 12 MARCH 2019

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 (Q3 2018/19)

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To present performance monitoring data for the quarter ended 31 December 2018.

2.0 RECOMMENDATIONS TO CORPORATE & ENVIRONMENTAL OVERVIEW & SCRUTINY COMMITTEE

2.1 That the Council's performance against the indicator set for the quarter ended 31 December 2018 be noted.

3.0 RECOMMENDATIONS TO CABINET

3.1 That the Council's performance against the indicator set for the quarter ended 31 December 2018 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 7 March 2019.

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 38 data items are reported for Quarter 3. Five of these are data only. Of the 33 PIs with targets reported:

- 22 indicators met or exceeded target
- 8 indicators narrowly missed target; 3 were 5% or more off target

1 data only item has information unavailable: *WL_18 Use of leisure and cultural facilities*. Methods of collecting data for the Chapel Gallery element are being reviewed.

As a general comparison, Q3 performance in 2017/18 gave 21 (from 29) 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 a performance plan versus resource implications. This is indicated in the table.

4.6 This quarterly suite of indicators and targets was agreed by Cabinet in March 2018. Targets for 2018/19 were finalised through Cabinet following consideration of comments from the Executive Overview and Scrutiny Committee.

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 Q3 October-December 2018/19

Appendix B1: NI 192 Percentage of household waste sent for reuse, recycling and composting

Appendix C: Actions from Previous Performance Plans

Appendix D: Minute of the Corporate & Environmental Overview and Scrutiny Committee held on 7 March 2019 (to follow)

APPENDIX A: QUARTERLY PERFORMANCE INDICATORS

Icon key					
PI Status			Performance against same quarter previous year		
	OK (within 0.01%) or exceeded	22		Improved	12
	Warning (within 5%)	8		Worse	15
	Alert (by 5% or more)	3		No change	5
	Data only	5	/	Comparison not available	6
N/A	Data not collected for quarter	0		Awaiting data	0
	PIs awaiting data	0			
	'Data only' awaiting data	0			
Total number of indicators/data items					38

Shared Services QPI¹

Code & Short Name	Q3 2016/17	Q4 2016/17	Q1 2017/18	Q2 2017/18	Q3 2017/18	Q4 2017/18	Q1 2018/19	Q2 2018/19	Q3 2018/19	Current Target	Comments	Q3 18/19 vs Q3 17/18	Quarter Status
	Value	Value	Value	Value	Value	Value	Value	Value					
ICT1 Severe Business Disruption (Priority 1)	100%	100%	100%	100%	100%	100%	100%	100%	100%	99.0%			
ICT2 Minor Business Disruption (P3)	98.0%	98.0%	98.0%	99.0%	99.0%	99.0%	99.0%	99.0%	99.0%	97.0%			
ICT3 Major Business Disruption (P2)	94.0%	96.0%	100%	100%	100%	100%	100%	100%	100%	98.0%			
ICT4 Minor Disruption (P4)	99.0%	99.0% ¹	98.0%	99.0%	99.0%	99.0%	99.0%	99.0%	99.0%	98.0%			
R1 % of Council Tax collected	84.38%	96.74%	29.30%	56.28%	83.97%	96.51%	29.22%	56.10%	83.81%	85.90%	Performance Plan in progress, see Appendix C.		
R2 % council tax previous years arrears collected	22.54%	26.82%	7.13%	13.37%	18.22%	26.78%	11.1%	17.14%	21.85%	18.20%			
R3 % of Non-domestic Rates Collected	82.98%	97.72%	29.18%	55.15%	80.66%	98.18%	28.18%	55.08%	81.05%	81.85%	Performance Plan in progress, see Appendix C.		
R4 Sundry Debtors % of revenue collected against debt raised	80.87%	95.06%	39.49%	74.71%	87.99%	95.78%	38.01%	83.96%	87.41%	76.25%			

PI Code & Short Name	Q3 2016/17	Q4 2016/17	Q1 2017/18	Q2 2017/18	Q3 2017/18	Q4 2017/18	Q1 2018/19	Q2 2018/19	Q3 2018/19	Current Target	Comments	Q3 18/19 vs Q3 17/18	Quarter Status
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
B1 Time taken to process Housing Benefit/Council Tax Benefit new claims and change events(ytd)	8.10	6.41	6.87	7.10	6.93	5.63	6.98	6.05	6.41	12.00			
B2 Overpayment Recovery of Housing Benefit overpayments (payments received)	£226,000	£311,409	£69,860	£140,362	£212,841	£294,695	£87,070	£178,006	£270,313	£144,713			





Development & Regeneration Services

PI Code & Short Name	Q3 2016/17	Q4 2016/17	Q1 2017/18	Q2 2017/18	Q3 2017/18	Q4 2017/18	Q1 2018/19	Q2 2018/19	Q3 2018/19	Current Target	Comments	Q3 18/19 vs Q3 17/18	Quarter Status
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
PS 157a Processing of Planning applications: Major applications	71.43%	83.33%	100%	100%	100%	87.50%	100%	100%	88.89%	65.00%			
NI 157b Processing of planning applications: Minor applications	96.49%	94.67%	76.56%	93.90%	93.62%	89.09%	90.77%	92.31%	90.16%	75.00%			
NI 157c Processing of planning applications: Other applications	92.68%	89.52%	87.31%	93.62%	94.87%	96.15%	96.55%	93.84%	95.27%	85.00%			





Housing & Inclusion Services













PI Code & Short Name	Q3 2016/17	Q4 2016/17	Q1 2017/18	Q2 2017/18	Q3 2017/18	Q4 2017/18	Q1 2018/19	Q2 2018/19	Q3 2018/19	Current Target	Comments	Q3 18/19 vs Q3 17/18	Quarter Status
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
WL19bii Direct dial calls answered within 10 seconds ²	82.41%	82.69%	81.39%	81.24% ²	80.07% ²	78.43%	77.67%	77.96%	78.93%	80.26%	Figures relate to 45,712 calls received. 88% of calls were answered in 20s Head of Service assessment: performance plan not required.		
WL85a Website: no. visits	118,663	135,387	170,854	138,044	131,395	152,154	193,813	143,749	152,659				

PI Code & Short Name	Q3 2016/17	Q4 2016/17	Q1 2017/18	Q2 2017/18	Q3 2017/18	Q4 2017/18	Q1 2018/19	Q2 2018/19	Q3 2018/19	Current Target	Comments	Q3 18/19 vs Q3 17/18	Quarter Status
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
WL85aa Website: number of unique visitors	79,741	88,887	114,960	92,108	84,757	97,821	125,685	108,838	98,894				
WL85b Website: use of online forms	3,370	1,900	4,787	3,131	2,076	3,587	5,772	4,150	3,429				
WL85c Website: no. online payments	11,253	10,174	30,331	14,997	12,791	15,560	29,206	14,393	12,943				
WL90 % of Contact Centre calls answered	93.7%	91.9%	80.1%	90.3%	88.3%	71.9%	61.9%	89.3%	87.7%	88.0%	Figures relate to 23,461 calls into the contact centre. Narrowly missed target by 0.3%. This was due to resource issues due to vacant posts. These posts were appointed to in December and the successful candidates are currently undergoing security and reference checks ahead of starting in post as soon as possible. Performance Plan in progress, see Appendix C.		
WL108 Average answered waiting time for callers to the contact centre (seconds)	58.00	69.00	163.00	83.00	102.00 ³	214.00	288.00	100.00	117.00	145.00	Performance Plan in progress, see Appendix C.		
BV8 % invoices paid on time	98.65%	98.37%	99.11%	98.05%	98.79%	98.13%	98.30%	98.14%	97.85%	98.75%	Data relates to just over 15,000 invoices processed. Processing guidance was updated and re-issued on the intranet in December. Head of Service assessment: performance plan not required.		
WL111 % Housing repairs completed in timescale	98.13%	98.40%	95.88%	96.06%	98.44%	99.10%	96.32%	96.51%	95.23%	97.00%	Performance Plan in progress, see Appendix C.		
TS1 Rent Collected as a % of rent owed (excluding arrears b/f)	99.96	99.09	102.46	99.97	100.50	99.48	103.61	99.66	100.55	99.5			
TS11 % of rent loss through dwellings being vacant	1.8%	1.79%	1.84%	1.79%	1.87%	1.59%	1.25%	1.1%	1.01%	1.9%			
HS27 % of properties with a valid Landlord Gas Safety Record (homes and buildings) ⁴	N/A - PI not developed at this time.							100.0%	100.0%	100.0%		/	



PI Code & Short Name	Q3 2016/17	Q4 2016/17	Q1 2017/18	Q2 2017/18	Q3 2017/18	Q4 2017/18	Q1 2018/19	Q2 2018/19	Q3 2018/19	Current Target	Comments	Q3 18/19 vs Q3 17/18	Quarter Status
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
HS28 % of properties with a valid Electrical Installation Condition Report (homes and buildings) ⁴	N/A - PI not developed at this time.							93.4%	96.0%	100.0%	Outstanding certificates relate to access issues. These are being regularly pursued in accordance with our tenancy agreements. This is not a statutory requirement. Performance Plan in progress, see Appendix C.	/	
HS29 % non-domestic that require an asbestos management survey/re-inspection ⁴	N/A - PI not developed at this time.							92.4%	99.7%	100.0%	Single outstanding item relates to commercial / industrial unit where we have had only partial access to carry out surveys. Head of Service assessment: performance plan not required.	/	
HS30 % of non-domestic properties with fire risk assessment in place ⁴	N/A - PI not developed at this time.							100.0%	100%	100.0%		/	
HS31 % of properties covered by water hygiene risk assessment (homes and buildings) ⁴	N/A - PI not developed at this time.							100.0%	100%	100.0%		/	

Leisure & Environment Services

PI Code & Short Name	Q3 2016/17	Q4 2016/17	Q1 2017/18	Q2 2017/18	Q3 2017/18	Q4 2017/18	Q1 2018/19	Q2 2018/19	Q3 2018/19	Current Target	Comments	Q3 18/19 vs Q3 17/18	Quarter Status
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
NI 191 Residual household waste per household (Kg) ⁵	125.32	120.83 ⁶	128.66 ⁶	124.07 ⁶	123.57 ⁶	124.76	128.66	126.15 ⁶	118.11	125	Note ⁶ refers to data restated for Q4 16/17-Q2 18/19 due to admin error. Outturns are slightly improved as a result.		
NI 192 Percentage of household waste sent for reuse, recycling and composting ⁵	51.41%	46.05% ⁶	40.93% ⁶	48.67% ⁶	46.25% ⁶	40.52% ⁶	34.68%	46.57% ⁶	44.84%	50.00%	As above Performance Plan attached as Appendix B1.		

PI Code & Short Name	Q3 2016/17	Q4 2016/17	Q1 2017/18	Q2 2017/18	Q3 2017/18	Q4 2017/18	Q1 2018/19	Q2 2018/19	Q3 2018/19	Current Target	Comments	Q3 18/19 vs Q3 17/18	Quarter Status
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
NI 195a Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Litter	1.11%	0.00% ⁷	N/A	1.22%	0.33%	0.67%	N/A	1.33%	0.83%	1.61%			
NI 195b Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Detritus	2.96%	2.05% ⁷	N/A	3.13%	3.86%	6.17%	N/A	3.28%	4.61%	5.00%			
WL01 No. residual bins missed per 100,000 collections	78.68	79.62	91.48	93.36	74.31	116.77	138.39	89.43	107.01	80.00	Performance Plan in progress, see Appendix C.		
WL06 Average time taken to remove fly tips (days)	1.03	1.03	1.03	1.03	1.05	1.07	1.09	1.24	1.06	1.09			
PL122 % Vehicle Operator Licence Inspections Carried Out within 6 Weeks	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%			
WL18 Use of leisure and cultural facilities (swims and visits) ⁸	245,996	348,199	318,045	333,750	229,272	348,783	312,627 (chapel gallery n/a)	295,404 (chapel gallery n/a)	225,032 (chapel gallery n/a)		Sports development activities/events (2,328); Golf course visits (1,052); Leisure/sports centre visits (217,269); Parks/countryside activities/events (4,383); Visits to Chapel gallery – data currently unavailable whilst mechanisms to collect footfall data revised.	/	

Finance and HR Services

PI Code & Short Name	Q3 2016/17	Q4 2016/17	Q1 2017/18	Q2 2017/18	Q3 2017/18	Q4 2017/18	Q1 2018/19	Q2 2018/19	Q3 2018/19	Current Target	Comments	Q3 18/19 vs Q3 17/18	Quarter Status
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
WL_121 Working Days Lost Due to Sickness Absence ⁹	7.40	7.44	6.92	7.54	7.67	8.28	9.34	9.69	10.14	8.08	Performance Plan in progress, see Appendix C.		

Notes:

~ Not collected at this time

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: Data does not include BTLS seconded staff. Technical issues affected the call logging system. Data for Q2 2017/18 is therefore only for the period 01.07 – 15.09.17 and Q3 data from 13.10.17.

³ WL108: New telephony platform introduction impacted collection. Data entered for Q3 17/18 refers to 01.10.17–12.12.17. Data from 13.12.17 following new telephony platform was 106s.

⁴ HS27 % of properties with a valid Landlord Gas Safety Record; HS31 % of properties covered by a suitable 'in date' water hygiene risk assessment; HS28 % of properties with a valid Electrical Installation Condition Report; HS29 % of non-domestic (communal) and 'other' asset numbers with an 'in-date' asbestos management survey/re-inspection; HS30 % of properties with a valid in date fire risk assessment. New for Q2; for Q2 2018/19, data was reported as at end of October.

⁵ NI191-192: Data is provided to WLBC with a time lag due to time involved to confirm/validate final figures. The quarter data reported reflects an outturn verified within the quarter, rather than an outturn produced within the quarter.

⁶ NI191: data restated from published due to admin error, rectified Jan 2019

⁷ NI195a - previously reported as 0.65%; NI195b - previously reported as 2.19%.

⁸ WL18 - Chapel Gallery data forms part of this PI and is managed through the Development & Regeneration Service. From Q1 18/19, 2 entrances to the gallery caused issues for collecting footfall data. This will be resolved in 2019.

⁹ WL_121: Data does not include BTLS seconded staff. Quarter data shows a rolling 12 month outturn against the annual target rather than 'within quarter' performance.

The following changes to reported QPIs for 2018/19 were approved by Cabinet in March 2018:

TS1: Rent Collected as a % of rent owed (excluding arrears b/f) - target changed from 99% to 99.5%;

TS11: % of rent loss through dwellings being vacant - target changed from 2% to 1.9%;

WL19bii: Direct Dials answered within 10 seconds – target decreased from 82.21% to 80.26%;

WL90: % of Contact Centre calls answered – target decreased from 91% to 88%;

WL108: Average answered waiting time for callers to the contact centre - target decreased from 60 to 145 seconds;

WL85a: Website no. visits – new, data only; WL85aa: Website no. unique visitors – new, data only; WL85b: use of online forms - new, data only; WL85c: Website no. online payments – new, data only.

HS27 % of properties with a valid Landlord Gas Safety Record for all homes and buildings owned or managed by WLBC which require one (replacing HS13 – LA properties with Landlord Gas Safety Record); HS31 % of properties covered by a suitable 'in date' water hygiene risk assessment (no older than 2 years) in place for all buildings owned or managed by WLBC which require one; HS28 % of properties with a valid Electrical Installation Condition Report for all homes and buildings owned or managed by WLBC which require one; HS29 % of non-domestic (communal) and 'other' asset numbers with an 'in-date' asbestos management survey/re-inspection which require one; HS30 % of properties with a valid in date fire risk assessment in place for all buildings owned or managed by WLBC which require one. All new for Q2. For Q2 2018/19, data was reported as at end of October.

PERFORMANCE PLAN	
Indicator	NI 192 Percentage of Household Waste sent for reuse, recycling and composting.
Reason(s) for not meeting target	
<p>Since the introduction of the garden waste subscription service there has been a significant reduction in green tonnage collected.</p> <p>In addition, as a result of a decision made by LCC residual waste from the Borough is no longer being reprocessed at the material recycling facility at Farington, it is being sent to landfill. This results in a loss of recycling material that would have been recaptured during reprocessing.</p>	
Additional Commentary	
<p>Proposed Actions Increase participation through publicising/promoting the garden waste collection service.</p> <p>These actions will have an impact in the new subscription season – first and second quarters in 2019/20.</p>	
Resource Implications	
Support from Communications team for the publicity plan.	
Priority	
Medium	
Future Targets	
No change at this stage.	
Action Plan	
Tasks to be undertaken	Completion Date
Publicity plan	June 2019

ACTIONS FROM PREVIOUS PERFORMANCE PLANS

APPENDIX C

Indicator	Task created following Q	Tasks to be undertaken	Completion Date	Progress	Comment/Impact
WL01: Missed Bins per 100,000 Collections	Q1 17/18	Continue to monitor performance	Ongoing	Underway	Q3 outturn is 107.01 (red).
		Review performance indicator	November 2019	Revised date. A more precise no. of properties/bins will be determined through the route optimisation project. Work is currently ongoing to classify and record all communal bin sites.	
		Review classification of missed bins	July 2019	Revised date. We are now recording missed bins through In Cab technology. The classification of a missed bin is currently being reviewed.	
HS1 % Housing Repairs Completed in timescale Code 1551	Q1 18/19	3 Contractor meetings	July 2018	Complete	Q3 outturn is 95.23% (amber) As anticipated, actions have had a positive impact in relation to 'no access' delays and it is no longer the primary reason for repairs being completed out of timescale. Action to improve further on 'no access' issues still in progress. Due to reporting mechanisms in place, where tenants request completion after the target date (for example due to holiday, convenience etc) this is still included in the PI data as falling outside the
		Identify reasons for underperformance	July 2018	Complete	
		Remind staff of the importance of keeping contact details on QL up to date and to check the details held for a tenant at every opportunity	August 2018	Complete	
		Implement changes to Mobile Working to include updated tenant contact telephone number on any order raised during surveyor visit.	October 2018	These changes are pending the development of a functioning compliant mobile working test environment. Work is ongoing with BTLS and the Service Development Manager to scope out the full requirements for the test environment to enable this work and subsequent mobile modules to be utilised from the first touch platform, linked to business requirements. Test environment anticipated for March.	

					target date. If these requests were excluded, the target would have been met.
WL108 Average answered waiting time for callers to the contact centre WL90 % of Contact Centre calls answered	Q1 18/19	Effectively plan the roll out of year 3 subscriptions for garden waste during July/August 2018 in line with the development of this service within ServiceNow.	January 2019	Underway/Ongoing	Performance targets are unlikely to be met for the year end due to the sheer volume of enquiries received in the first quarter.
		Use data gathered from the second year of subscriptions to target all current subscribers ahead of the relaunch date with information about year 3 to actively encourage them to re-subscribe online.	February 2019	Underway and on target	Q3 WL108 was green with WL90 being 0.3% under target Action work is still underway.
H528 % of properties with a valid Electrical Installation Condition Report (homes and buildings)	Q2 18/19	Secure all access information from electrical contractor.	November 2018	Completed	End of third quarter anticipated 96%; actual 96.0%. This is not a statutory requirement but is considered best practice to demonstrate electrical installations are kept in a good condition. These tasks are anticipated to steadily improve performance and achieve target by end of Q4.
		Prepare Legal packs to enforce tenancy agreement.	January 2019	Ongoing. Notice Seeking Possession now being sent to tenants where we are comfortable with the level of our previous	

				access attempts. Further visits being scheduled as required.	
R1: Council Tax : Current Year Collection ; R3: NNDR : Current Year Collection	Q2 18/19	Implementation and delivery of 2018/19 recovery strategy	March 2019	Delivery of the strategy remains a key focus as we move into the final quarter of the financial year. Actions include liaison with the Valuation Office to ensure accurate Rating Lists maintained, review of high value recovery cases to target non payers, and appropriate bespoke action taken to collect. We have recently met with enforcement agents to provide direction and emphasise the need to maximise collections in respect of outstanding NNDR and Council Tax cases	Outturn for Q3 is 83.81% (amber) for CTax and 81.05% (amber) for NNDR collection. The NNDR collection rate although below the profiled target is above collection rate for this time last year. Quarter targets are provided as a gauge for performance. These contractual annual targets remain the most challenging for the service to deliver.
		Implement pilot using recovery specialists for outstanding debts in hard to collect cases. This will initially focus on NNDR cases which have more value to the Council. Only account holders with arrears where there are no current apparent reasons for non-payment or current active contact with BTLS will be included.	Dec 2019 (completion and review of pilot)	Preparatory work such as identification of cases underway, with work due to start in March 2019, taking into account critical Year End annual billing priorities. Due to the time taken to progress this initiative, the pilot is not anticipated to have any impact on outturn of 2018/19.	
WL121 Working Days Lost Due to Sickness Absence	Q2 18/19	The HR Team will examine the reasons for absence in more detail and seek to identify any specific trends or possible common links for any hot spot areas.	Jan 2019	Complete. A review of reasons for absences was undertaken. Any frequent reasons where highlighted with Head of Service, as appropriate. Any specific trends that were identified have been considered and discussed with Head of Service to determine any appropriate action either corporately or locally. This action includes the delivery of stress	Outturn for Q3 is 10.14 days (red)

				management training which is taking place in January 2019 for both Managers and staff. Research is also taking place into the potential availability of local Council funded physiotherapy support (which will be subject to funding availability). It should also be noted that a number of Health and wellbeing initiatives have been opened up to staff e.g a negotiated reduced gym membership and weight management course. Reasons will continue to be monitored and where appropriate raised with Head of Service.	
		Additional tools to assist managers to encourage people back into work explored on a pilot basis.	Jan 2019	Complete. A pilot in-depth work place assessment company were used to try to assist an employee return to work with appropriate reasonable adjustments. Whilst the resultant report was useful to a degree, it is not intended to roll this out wider, as it was not as useful as it had been anticipated. HR will continue to be open to any new initiatives that may become available in the future.	
		Sickness Management Training will be delivered for Managers during early 2019.	May 2019	Sickness Management Training is currently being procured, with the intention of delivering this to part of the Manager workforce before the end of May 2019.	

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



CABINET: 12 MARCH 2019

**EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE:
28 MARCH 2019**

COUNCIL: 10 APRIL 2019

Report of: Chief Executive

Relevant Portfolio Holder: Councillor I Moran

Contact for further information: Ms K Webber (Extn. 5005)
(E-mail: Kim.Webber@westlancs.gov.uk;
Alison.Grimes@westlancs.gov.uk)

SUBJECT: COUNCIL PLAN 2019/20 – 2020/21

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To seek approval for the “Council Plan 2019/20 – 2020/21” (Appendix A).

2.0 RECOMMENDATIONS TO CABINET

2.1 That the “Council Plan 2019/20 – 2020/21” attached as Appendix A to this report be approved and referred to Council for adoption.

2.2 That authority is given to the Chief Executive in consultation with the Leader to make any final amendments to the document, prior to publication.

2.3 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 28 March 2019.

3.0 RECOMMENDATION TO EXECUTIVE OVERVIEW AND SCRUTINY

3.1 That the “Council Plan 2019/20 – 2020/21” attached at Appendix A to the report be considered and that agreed comments be referred to Council on 10 April 2019 for consideration.

4.0 RECOMMENDATIONS TO COUNCIL

4.1 That the “Council Plan 2019/20 – 2020/21” attached at Appendix A to the report be adopted.

5.0 BACKGROUND AND CURRENT POSITION

- 5.1 The Council Plan 2018/19 – 2020/21 was agreed at Council in April 2018. An annual refresh is attached at Appendix A and sets out the Council's vision, values and priorities, together with key strategy actions and measures for 2019/20 - 2020/21. The Plan enables the Council to communicate its direction with the public, stakeholders and staff, and supports transparency and accountability. Having a clear statement of corporate priorities also assists effective planning and prioritisation of work within services, informs the development of staff work programmes and annual development appraisals, and is recognised good practice.
- 5.2 The Council Plan 2019/20 - 2020/21 will have a further annual refresh to ensure it reflects progress and remains up to date and relevant during its lifetime. Progress will be monitored with six-month reports provided through Members Updates against a detailed delivery plan, and a full Annual Report to Council.

6.0 SUSTAINABILITY IMPLICATIONS

- 6.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder. The vision, values, priorities and key projects set out in Appendix A should contribute to the sustainability of services and the borough as a whole.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 The Council Plan 2019/20 – 2020/21 appended to this report will ensure the Council is able to continue to pursue its objectives, within the resources available. An agreed Council Plan will assist in shaping budget decisions and enable clear priorities to be set for services.

8.0 RISK ASSESSMENT

- 8.1 The difficult financial position facing Councils, together with changing legislative requirements and the regional agenda, means that having a clear statement of Council priorities is particularly important. By having well-defined priorities, attention and resources can be effectively focussed on achieving the Council's core objectives.

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: Council Plan 2019/20 – 2020/21 (version dated 18.02.19)

Appendix B: Equality Impact Assessment

Appendix C: Minute of Cabinet (Executive Overview and Scrutiny Committee only)

- *To follow*

Appendix D: Minute of Executive Overview and Scrutiny Committee (Council only)

- *To follow*



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**Council Plan
2019/20 – 2020/21**

Version 18.02.19

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Foreword

by the Leader of the Council

In order to achieve our ambitions for our economy, environment, health and wellbeing, the Council's key priorities to 2020/2021 are to focus on:

- delivering tangible and visible improvements in the Borough
- engaging and empowering our local communities
- actively promoting the Borough as a great place to live, work, visit and invest.

Our projects ensure these priorities will result in meaningful change for the borough. I have been delighted with the excellent progress in the first year of the plan and since no project is the result of just one team, everyone across the organisation should be proud of what has been achieved.

Looking to 2019/2020, proposals for a new multi-purpose development on the site of Ormskirk's current bus station and car park site are progressing. The mixed use scheme will see the development of a new bus station alongside a commercial leisure/cultural offer, and new student accommodation. We will continue to work with our partners Lancashire County Council and Downing Developments on this important project which will contribute to the regeneration of this part of Ormskirk town centre.

The formation of the Tawd Valley Developments Ltd development company is an exciting opportunity for the Council and a pivotal moment for us as an organisation as it is the first time the Council has

established such a venture. 2019/2020 will see this company moving from shadow to full operation. We hope to see Tawd Valley Developments Ltd become a worthwhile and in time profitable venture for the Council and the borough.

We will also continue to work with our partners St. Modwen and Homes England on the hugely important Skelmersdale town centre project, which will be of significant benefit to the residents of Skelmersdale. A £19m funding deal has allowed the first phase to be given the green light. This has been a long time coming, needing belief and perseverance from all involved, but we can finally look forward to building work starting in 2019.

A further stimulus for our growth plans has come with the appointment of Mark Whitworth, Chief Executive of Peel Ports and Chair of West Lancashire College, as the new Chair of Skelmersdale Place Board. As a partner on the Place Board, I look forward to the Council working with Mark in raising the business profile of the town this year.

Away from a business focus, the Tawd Valley Park scheme has really begun to take shape this year with a variety of improvements carried out and plenty more planned. This scheme is a success story of working with partners and the local community to meet their aspirations.

Improving this green space adds to supporting our ambitions for health and wellbeing. We have also officially launched our Health and Wellbeing Strategy and are continuing to make good headway with the substantial work around delivering new and improved leisure and wellbeing facilities across the Borough.

A project that won't initially result in changes on the ground but is attracting an understandable amount of attention is our Local Plan review. Due to the timespan of the emerging plan (to 2050), the numbers involved are necessarily larger than West Lancs is perhaps used to considering in previous plans. We have done this to emphasise the Council's long term ambition for economic growth and to meet our future market and affordable housing needs. A long term strategy also positions the Council in a better place to secure funding from Government and other public sector bodies to meet the Borough's infrastructure and community needs. We will be consulting and listening to views on the proposals in the plan during the year.

A greater engagement with partners and the community and a commercial outlook runs throughout the plans for our services. The drivers of balancing budgets and value for money are the foundations to our Sustainable Organisation Review work, decisions on which will be taken during the year, with consultation as appropriate. The pace and nature of change is an ongoing adjustment for Councillors, officers, and as importantly, for residents, businesses and other stakeholders. We will assist with this through clear communications of our intent and of decisions taken.

I am proud to lead a Council with committed staff whose talents have allowed us to confidently put together an exciting and ambitious programme for the forthcoming year. We will continue to develop services for the whole of our Borough and ensure that we make a difference for all – our businesses, our places and our people.

Councillor Ian Moran
Leader of West Lancashire Borough Council

Introduction

from the Chief Executive

This document provides a clear statement of the vision, values and priorities of the Council over the next few years. By focusing on clear priorities and the key projects that will help to deliver these, good progress has been made in the first year of the three-year plan. This refreshed plan will take us into its second year.

The intention once again is to focus on the delivery of a series of specific initiatives alongside day-to-day service delivery including the Sustainable Organisation Review Project, a cross-cutting review touching on every aspect of the Council's operation, to ensure sustainability of services going forward.

The environment in which local government operates continues to undergo significant change and a traditional model of operation no longer fully reflects the expectation of our residents, businesses and other stakeholders, or the funding available for public service delivery. During the past year the Council began work on our Sustainable Organisation Review Project (SORP), which will:

- deliver a sustainable operating model and strategy for delivery for the Council
- address the estimated £2m GRA gap in funding by savings or income generation
- enable the Council to be 'self-financing' to meet Government's requirements by 2020/21
- provide a consistent and quality based customer experience with effective, efficient and accessible services

- be in the best possible position to deliver the area's ambitions.

The importance of SORP in enabling the continued delivery of Council services cannot be underestimated. It is also an opportunity to be creative and re-imagine the way services are provided, using technology to the best advantage for all. Consultants RedQuadrant were appointed in November 2018 following a competitive tender exercise to assist with this review, which staff, as our key resource, have also been instrumental in shaping.

The conclusions of the review will be reported to Council in the summer and we will then be consulting on change that impacts on service users and staff, and will listen to this, before applying a new operating model.

Notwithstanding the financial challenges facing all councils, West Lancashire Borough Council continues to be in a strong position. We have plans in place for financial sustainability and service delivery, an engaged and motivated workforce proud of working for the Borough, and focused on priorities, projects and service delivery. The most recent external audit of the organisation provided a positive review of the Council's arrangements, underlining the ability of the organisation to consider and adapt to new ways of working whilst maintaining high standards. Our annual staff survey shows that staff are motivated and committed to delivering this plan. My aspiration is that we now continue to build on this record, looking for further ways to improve services, and communicate, including through the use of technology, social and traditional media.

I look forward to working with Councillors, staff and partner organisations to deliver the Council's vision and priorities over the next year.

Kim Webber
Chief Executive

Financial Position

*[**Text from the Borough Treasurer to follow after Local Government Finance Settlement is analysed. (est mid March)**]*

Organisational Overview

West Lancashire is served by a Borough Council, County Council, 20 Parish Councils and one Parish Meeting. There are 54 elected Members for 25 wards. As a Borough Council, working in partnership with these organisations as well as the police, fire service, NHS, businesses, schools, colleges, university and other stakeholders is vital for delivering lasting improvements for the benefit of the borough. Council policy is determined by Councillors, with advice from officers. The Cabinet is the Executive Councillor body for the Council. The Cabinet and senior management structures and responsibilities are provided overleaf.

The Borough Council provides services for around 113,800 people or 49,540 households (including approximately 5,890 council homes) as well as businesses and organisations. Services are delivered by around 435 full time equivalent staff (not including employees managed through our secondment agreement with Lancashire County Council/BT Lancashire Services).

The organisation's success depends on our staff. Our staff are the face of the Council, representing the whole organisation. We are committed to ensuring that staffing levels are appropriate for delivering services and that the workforce is equipped to meet our commitments to the community and wider stakeholders, whilst fulfilling their own potential.

We are using the feedback from our staff survey to continue to build a great place for Council staff to work. As a result of the survey, we are creating a culture where our values can flourish and as part of this have introduced values agreements for staff and have developed staff and management behaviours framework through staff focus groups. This

framework will help staff contribute and shape the culture of the Council and improve working practices such as inter-team working. The frameworks will be launched in March 2019. Also as a result of staff feedback, we will be introducing a staff award scheme based on categories suggested by staff that recognise, reward and motivate staff.

We have also been promoting our health and wellbeing initiatives for staff, such as the Health and Wellbeing e-learning module and health checks.

Sustainable Organisation Review

We are fundamentally reviewing how all our services are delivered as well as the design of the organisation through the Sustainable Organisation Review Project (SORP). This work will help us improve how efficiently we function as an organisation including ensuring value for money and focusing our financial and staff resources on service provision and outcomes that support our priorities. A modernised Council will be better able to meet anticipated future needs of our communities and provide financial sustainability beyond 2020/21. In November 2018, we began work with Red Quadrant on the project, and this work will deliver proposals for a new Target Operating Model for approval by Council and consultation as required in July 2019. To complete a full review of how the Council operates, following SORP, the Council's size, numbers of councillors and ward boundaries will also be reviewed.

Members of the Cabinet with Portfolios



Leader of the Council: Councillor Ian Moran

Chairman of the Cabinet; community leadership; partnership working including One West Lancs; major policy issues not specified within other portfolios; matters of urgency; liaison for management issues. Liaison for: LGA; DCN; other Lancashire & neighbouring authorities; Parish Councils; town twinning; Lancashire & Liverpool LEAs; Marketing Lancashire. Economic Regeneration: town centre developments; external funding & inward investment; borough marketing; business grants & training advice; corporate & commercial property portfolio; asset management; valuation advice; rating appeals. Legal & democratic services: corporate procurement; Freedom of Information. Transformation: service design; customer relations; consultation & community engagement; press/media; corporate planning & performance; ICT and revenues & benefits services, including LCC/BTLS contract.



Portfolio Holder for Health and Community Safety

Councillor Kevin Wright

Commercial Safety: health promotion, health & safety and food safety. Public Protection and Licensing: licensing for taxis, public entertainment/alcohol, charities etc; pest control and animal welfare. Environmental Protection: environmental monitoring & sampling; public health; pollution control; nuisance complaints; foul drainage & private sewers; flytipping; dog control; unsanitary premises; disposal of the dead. Private Sector Housing: renovation & disabled facilities grants; home energy efficiency; Home Care Link; homelessness; unfit homes. Community safety, emergency planning/business continuity. Social cohesion.



Deputy Leader and Portfolio Holder for Leisure & Human Resources

Councillor Yvonne Gagen

Properties held and the services delivered for sports development, swimming pools, sports centres, arts development, the Chapel Gallery, playgrounds and community centres. Leisure Trust Partnership. Countryside service; golf course, formal parks, open spaces, rights of way, environmental improvements. Outdoor recreation; facilities and services in partnership to develop local communities. Children's services. Human Resources; equalities.



Portfolio Holder for Planning

Councillor John Hodson

Planning policy; Local Development Framework; development control, building control & enforcement; conservation of built & natural environment; arboricultural & landscape services. Council-owned unadopted footways, highways & grit bins; liaison with utility companies/Highway Authority for highway works & transport issues; off-street public car parking & enforcement; Ormskirk market & bus station; land drainage & coastal engineering; 'green' & sustainability issues.



Portfolio Holder for Communities and Older People

Councillor Claire Cooper

Voluntary sector grants. Well Skelmersdale. Community aspects of asylum seekers and refugees. Older people's issues; encouraging and supporting active, independent and healthy lives; raising the profile of and needs of older people; involving older people in the development of relevant council policies and service design; promoting positive images of older people as citizens; liaison with older peoples' networks and organisations.



Portfolio Holder for Street Scene

Councillor Kevin Wilkie

Transport: fleet/ garage/depot facilities; street cleansing; grounds maintenance; stores. Waste disposal & recycling duties as a waste collection authority; waste management, including through partnership; domestic & trade refuse; green waste & recyclables collection; farm round.



Portfolio Holder for Finance

Councillor Adam Yates

Accounting services; general capital and revenue estimates and budgeting; performance against budget; annual statement of accounts; treasury management; internal audit; risk management & insurance; data quality; value for money.



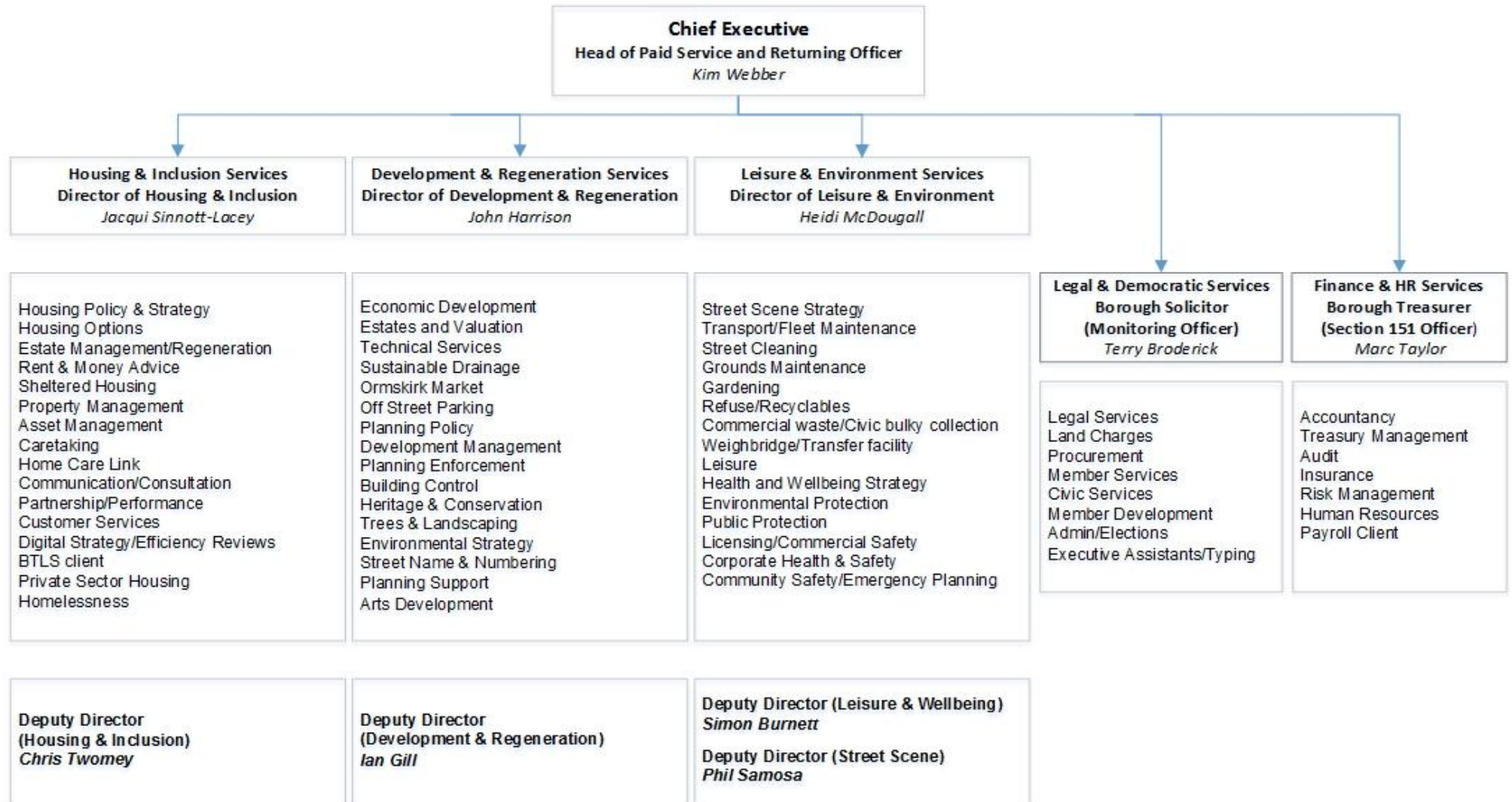
Portfolio Holder for Housing and Landlord Services

Councillor Jenny Forshaw

Public sector housing: repairs & maintenance; housing allocations; tenancy management; rent & money advice; sheltered housing; tenant empowerment/participation. Housing strategy; housing advice service; Supporting People Initiative. Links with social services, health providers and regulatory bodies. Housing finance including self-financing business plan.

Jan 2018

Senior Officer Management Structure



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Council Plan 2019/20 - 2020/21

Our Vision

To be a Council which is ambitious for West Lancashire – our Economy, Environment and for Health and Wellbeing

We are ambitious for our economy, and for inclusive growth in West Lancashire, retaining and growing good quality jobs, increasing skills levels and encouraging business and wealth generation. This is matched by our ambitions for a good quality, clean, built and physical environment, and for ensuring the conditions are in place for people in West Lancashire to live healthy and fulfilling lives. These ambitions are reflected in the priorities and key projects that have been identified.

Our Values

Collaborative – working in partnership to benefit West Lancashire, being open and involving in the way decisions are made, and adopting a co-ordinated 'one Council' approach

Empowering – valuing and developing communities and employees to take responsibility for solutions, and to make the most of our local assets

Enterprising – being innovative and creative, delivering lasting improvements and ongoing efficiencies to bring the Council to a sustainable position

Equality – promoting equality and seeking to reduce inequality

Focussed – being strategic and prioritising the things that make the biggest difference to our communities

Proud – of West Lancashire as a place to live, work, visit and invest

Priorities and Key Projects

Deliver tangible and visible improvements in the Borough, by:

- ❖ Completing the current review of the Local Plan
- ❖ Developing new and improving leisure facilities as health and leisure hubs
- ❖ Delivering retail, housing and public realm improvements with a focus on Skelmersdale Town Centre
- ❖ Establishing a Development Company
- ❖ Creating the Moor Street Gateway
- ❖ Implementing the Route Optimisation Round Review and associated projects
- ❖ Implementing the new Clean & Green Service structure and deliver of the new service standards

Engage and empower our local communities, by:

- ❖ Delivering the Master Plan for Tawd Valley park, subject to resources
- ❖ Seeking the asset transfer of existing leisure facilities in North Meols
- ❖ Delivering digital inclusion initiatives
- ❖ Implementing the Health and Wellbeing Strategy including involvement with the Integrated Community Partnership

Actively promote the Borough as a great place to live, work, visit and invest, by:

- ❖ Promoting the Council's role and West Lancashire's achievements including through digital communications
- ❖ Engaging businesses and communities to enhance and promote Ormskirk and the wider West Lancashire visitor economy
- ❖ Engaging with Liverpool City Region, Lancashire authorities and key decision makers
- ❖ Enhancing and promoting Skelmersdale and the wider West Lancashire business economy

Our Priorities & Key Projects

Working to achieve the priorities to deliver the vision provides a clear strategic direction for the organisation. Our priorities are:

- deliver tangible and visible improvements in the Borough
- engage and empower our local communities
- actively promote the Borough as a great place to live, work, visit and invest.

Our plan allows us to prioritise work and therefore co-ordinate financial and staffing requirements. An annual refresh of a three year plan ensures that the plan remains in line with current thinking and the environment in which we operate. Service delivery throughout the Council supports our priorities with particular projects identified as contributing significantly. These projects are outlined below and their progress, including the key measures and targets, will be monitored and reported on during the year.

Deliver Tangible and Visible Improvements in the Borough

We will:

- ensure new homes, jobs and services are located in the most sustainable places
- provide a wide range of opportunities for promoting health and wellbeing in the community
- work to reduce the build and operational costs of our leisure provision
- regenerate the town centre in Skelmersdale
- deliver financial returns from activity in the development market
- provide quality, value for money homes across a range of tenures
- develop the commercial, leisure and cultural offer in Ormskirk
- improve the cost-effectiveness of refuse and recycling service
- enhance the local environmental quality through the Clean and Green service.

Completing the review of the Local Plan

The review of the current Local Plan 2012-2027 is well underway to ensure that land use plans for the Borough remain in line with evolving national planning policy and local needs. The Local Plan contains the vision and strategy for development in West Lancashire. It not only makes sure that the new homes, jobs and services required by communities are located in the most sustainable places, but also provides the framework for delivering the necessary infrastructure

facilities and other development to make this possible. The review processes and timescales are outlined within the Local Development Scheme. Taking around four years, the full review will involve extensive consultation and culminate in a new Local Plan. Having now completed the public consultation on the Preferred Options document, the review will now progress to the Publication stage (Summer 2019) and Submission of the new Local Plan for Examination by a Planning Inspector (Autumn 2019). Once the new Local Plan is submitted, it is anticipated that the Examination will take approximately a year, meaning that, if it is found sound, the Council would be able to adopt the Local Plan at the end of 2020 / start of 2021. In 2019/20 we will see:

- Local Plan Publication Document considered by Cabinet
- Publication / Pre-Submission Consultation
- Submission of Local Plan considered by Council
- Submission to Planning Inspectorate
- Monitoring the existing Local Plan through the Annual Monitoring Report.

Developing new leisure facilities as health and leisure hubs

Significant physical improvements to the borough can be achieved through replacement leisure facilities in Skelmersdale and Ormskirk. Our leisure facilities are the biggest assets we have for supporting and encouraging people of all ages to live active lives and enjoy healthy lifestyles. Collaborating with the West Lancashire Clinical Commissioning Group (CCG) around options for incorporating health services into the facilities will, in the longer term, provide a wider range of opportunities for further promoting health and wellbeing in

the community and also help to reduce build and operational costs. Work in 2019/20 will see:

- appointment of consultancy team
- confirmation of Memorandum of Understanding with West Lancashire CCG
- site surveys
- community consultation on progression to next phase of design and procurement.

Delivering retail, housing and public realm improvements with a focus on Skelmersdale town centre

Our main scheme in Skelmersdale will secure regeneration in the form of new commercial, leisure and residential development alongside existing property and environmental enhancements across a large area of land within and surrounding the town centre. The project is being implemented in partnership with Homes England and St Modwen. We have already worked with our partners and housing developers to secure development of over 200 houses on three large residential sites adjacent to the town centre.

In 2019/20 we aim to:

- start on site with construction of Phase 1 of the approved retail and leisure scheme, and associated public realm works
- explore all options to ensure the highest levels of occupancy in the Phase 1 scheme by the end of practical completion
- see substantial housing completions on the three town centre housing sites

- start discussions and develop our ideas for future phases of town centre development
- develop plans for new leisure and wellbeing facilities to replace Nye Bevan and Park Pool.

Establishing a Development Company

Tawd Valley Developments Ltd is the new Development Company, wholly-owned by West Lancashire Borough Council. The company has been created in order to enter the development market in West Lancashire, to acquire and develop sites and deliver new homes for the residents of the borough, whilst making financial returns for the Council. The company is due to commence formal trading in 2019/20 and is in the process of establishing the governance and operational arrangements.

The initial business plan is based on the proposed acquisition of a number of initial sites from West Lancashire Borough Council and a delivery of a mixture of market-for-sale properties and affordable homes. This plan is anticipated to be delivered over a five year period from winter 2019.

Key aims over the first five years of operation have been identified to:

- provide quality, value for money, homes across a range of tenures for the people of West Lancashire
- deliver new homes through effective procurement of suppliers and contractors
- deliver financial returns which are able to be reinvested into further schemes
- deliver financial returns for the Council as shareholder to the company.

Creating the Moor Street Gateway

Proposals for a new multi-purpose development on the site of Ormskirk's current bus station and car park site is progressing. The mixed use scheme will see the development of a new bus station alongside a commercial leisure/cultural offer, and new student accommodation. The redevelopment emphasises the importance of the site as a gateway into the town and subject to successful negotiation and relevant approvals, the proposal will contribute to the regeneration of Ormskirk town centre. Lancashire County Council has committed some funding to upgrade the bus station element of any scheme. We will also be working with Network Rail to improve the pedestrian link between the bus and train station.

In 2019/20 we will see:

- the completion of a new footpath and cycleway between the bus and train stations
- a planning application considered for the project
- a start on site for the Moor Street Gateway project.

Implementing the Route Optimisation Round Review and associated projects

A review will ensure that balanced rounds are delivered in the most economical way and provide a more reliable service for residents. The number of households will be arranged more effectively into rounds that can be completed within a standard working day. The review will also take account of the standard approach to the use of wheeled bins across the Borough and the provision of recycling at all households. In addition, where possible it will include capacity for future housing growth to be delivered through the Local Plan. A standard fortnightly service will be delivered across all households and issues such as additional grey bins, weekly sack collections and collections from rural properties will all be reviewed along with the necessity for assisted collections and additional containers for large families. In 2019/20 we will see:

- improved reliability of the service
- standardised service across the borough
- improved recycling provision across the borough.

Implementing the new Clean & Green Service structure and deliver new service standards

Following the Grounds Maintenance and Street Cleansing services review, assisted by the Association for Public Service Excellence, a new structure is to be implemented. Key personnel will be recruited to drive forward the new ambition for the service. This will involve the formation of multi-skilled neighbourhood teams delivering a set of agreed service standards aimed at improving the local environmental

quality. Work records will be digitised and schedules produced using the new asset management system. Performance against the service standards will be reported on a regular basis to Council and reviewed at the end of the year. In 2019/20 we will see:

- implementation of the new Clean and Green structure
- monitoring of new performance standards
- implementation of asset management system and digitisation of service records.

Other work streams also support this priority, including the longer term plan with LCC on their **West Lancashire Highways and Transport Masterplan**. The plan is supporting improvements to transport infrastructure such as around the Skelmersdale rail station location and the Ormskirk town centre movement strategy. Specifically, a preferred location for a new rail station in Skelmersdale has been selected in co-operation with LCC, Merseytravel and Network Rail, and work continues on the feasibility and costs of the **Skelmersdale Rail Link**. In Ormskirk, alongside the town centre movement strategy, the Council continue to explore proposals with LCC for an **Edge Hill Cycle Link**, and will be bringing forward the first section of this in 2019 with the shared-use cycle and footpath between rail and bus stations.

Engage and empower our local communities

We will:

- develop our parks and countryside sites for wider health and wellbeing, economic and social value
- promote volunteer engagement in our parks and countryside sites
- identify a cost-effective delivery model to facilitate the continued operation of Banks Leisure Centre
- support the uptake of basic online skills and access to the internet
- increase awareness of digital Council services
- target our resources to most effectively support improvements in health and/or reduce health inequalities in the borough.

Delivering the Master Plan for Tawd Valley park

The local community continues to play an integral part in planning and implementing the significant environmental and recreational enhancements to the Tawd Valley park. Such an extensive scheme also involves essential collaboration between a number of partners: Groundwork, the Environment Agency, Lancashire County Council, the River Douglas Catchment Partnership, SHARES and West Lancs CVS. During 2018 projects included footpath works, the creation of a community orchard, and improvements to the fishing pond. Structural surveys were undertaken on all bridges to allow path links to be

planned. A new project website www.tawd.net promotes the scheme and its links to the local community. In 2019/20 we will:

- implement infrastructure works in the park's Northern Zone, including footpath and cycle path development
- procure additional improvement works in Northern Zone including access and signing works, mountain bike/BMX track, and picnic area
- work alongside St Modwen to develop the Town Centre Zone of the park, including new play facilities and enhanced landscaping
- support LCC in the construction of the park cycleway
- support the Friends of the Tawd group in their development and assist with volunteer projects and activities
- work with the SHARES group, West Lancashire College and local schools to develop a programme of educational projects.

Seeking the asset transfer of existing leisure facilities in North Meols

We are working with key partners (Department of Health, West Lancs Community Leisure, North Meols Parish Council and the West Lancashire Sports Partnership) to identify a cost-effective delivery model which will facilitate the continued operation of Banks Leisure Centre. Partners have been informed that transfer or closure are the only options moving forward as this will enable the Council to achieve the broader objectives of our Leisure Strategy. In 2019/20 we will:

- review proposals and business plans for community transfer with key partners

- reduce the Leisure Management Contract fee, if the transfer takes place.

Delivering digital inclusion initiatives

Our work around digital development of services continues to expand to meet both efficiency and public expectations. We are also encouraging the use of digital technology with those members of community who are less confident in this area. This is with the aim of increasing the basic online skills necessary for life and work, access to the internet and therefore the uptake of West Lancashire Borough Council's digital services. Initiatives include working with partner agencies and attending local events to promote digital training opportunities and showcase the Council's on line services which will help promote self-service and further strengthen our customer service. In 2019/20 we will:

- engage with residents to understand their digital aspirations
- further encourage residents to take up digital training opportunities
- continue to support direct uptake of online Universal Credit claims
- promote the Council's online services.

Implementing the Health and Wellbeing Strategy including involvement with the Integrated Community Partnership

The strategy facilitates the ownership and sharing of expertise, interest, and skills, to help determine how best to make consistent improvements to the quality of life for West Lancashire residents. Implementation will allow us to progress the aims and objectives

through practical action in the community, support internal and external initiatives to improve health and wellbeing in the Borough, and try to improve health inequalities. We will also be establishing a mechanism through the development of an Integrated Community Partnership (ICP) to work alongside key partners to align health and care services in the Borough. The ICP establishment will allow us to work with the Clinical Commissioning Group and GP Federation to focus on the needs of our community and develop a person-centred health and social care. Actions in 2109/20 will see:

- seeking to extend existing successful health improvement projects
- improving internal mechanisms to improve health in corporate activities
- providing health improvement training for residents and Council employees
- developing an Integrated Community Partnership.

Other work streams supporting this priority. Implementing the **Homelessness Strategy** to extend the range of housing advice services to meet current and future challenges, enhancing the housing offer to all homeless applicants in the Borough and improve health and wellbeing. We are an established partner in **More Positive Together**, a Lancashire-wide European Structural and Investment Fund project providing various support pathways for people who are most affected by multiple and complex barriers to their employability, through a tailored programme including 1-1 mentoring, employment advice, and access to volunteering and work experience. We will support the progression of the **Burscough Neighbourhood Plan** as submitted by Burscough Parish Council in line with national legislation. Should all stages be completed successfully, this would result in the first neighbourhood plan for the borough. The plan would then be used to

determine planning applications in the Burscough parish area alongside the West Lancashire Local Plan and other local and national planning policies.

Actively promote the Borough as a great place to live, work, visit and invest

We will:

- ensure core messages are effectively delivered and received by all sections of the community and staff
- promote satisfaction with the area as a place to live
- encourage satisfaction with the way the Council runs things
- expand understanding of how the Council provides value for money
- maintain West Lancashire's profile and ambitions within the wider regional agenda
- promote West Lancashire as a place to operate an organisation or business in
- extend the influence of the Skelmersdale Place Board and Ambassadors network in promoting opportunities for business development
- foster West Lancashire's profile as a visitor destination.

Promoting the Council's role and West Lancashire's achievements

Progressing the digital communications plan will help us meet the current trends and changing needs of how customers seek and receive information, building on existing channels of media and public relations. We will continue to work with partners and diverse stakeholder groups to effectively communicate our responsibilities, services, key policies and programmes in line with our priorities to promote a positive image of the borough and its achievements. 2019/20 will see us:

- promote online services on the Council Facebook page
- create a dedicated Housing and Inclusion Facebook page and Twitter account to promote online services and the My Tenant App
- develop quarterly tenant and resident e-newsletters with links to online forms
- undertake resident and tenant consultation for the look and feel of a new Council website
- build in a process of capturing Social Media views into a corporate wide Comments, Compliments and Complaints reporting system.

Engaging with Liverpool City Region, Lancashire authorities and key decision makers

Although we are a Lancashire authority, West Lancashire's geographical position means we benefit from our active engagement with the Liverpool City Region Combined Authority. Within Lancashire, the 'shadow' Combined Authority has been in operation since July 2016. It has a focus on economy, skills and transport matters. One democratically accountable body will avoid duplication and provide

more efficient services; create a stronger basis for bidding for funding; make best use of Council and Government money; and speed up decision-making on a pan-Lancashire basis. Despite some Lancashire Council's doubts over the existing proposals, West Lancashire remains involved in the process and is working with Lancashire Authorities to take this project forward. In 2019/20 we will:

- play an active role as an Associate Member of Liverpool City Region Combined Authority
- further engage with the Lancashire Theme Groups, and play an active role in the economic development, environment & climate change, and housing theme groups
- participate in the development of a Local Industrial Strategy for Lancashire
- maintain membership of Growth Lancashire
- influence key decision makers in relation to our growth and infrastructure ambitions.

Enhancing and promoting Skelmersdale and the wider West Lancashire business economy

In Skelmersdale, key public and private sector leaders including from businesses, the Council, Edge Hill University and West Lancashire College continue to promote Skelmersdale through the Skelmersdale Place Board and Ambassadors network. The Board are looking to grow the Ambassadors network, establishing new relationships, providing information on opportunities and encouraging inward investment. In 2019/20 we will:

- continue to promote Skelmersdale as a great place to do business

- increase the number of paid Skelmersdale Ambassador members
- encourage partnership working with Place Board, Ambassadors and external partner organisations.

Engaging businesses and communities to enhance and promote Ormskirk and the wider West Lancashire visitor economy

We are working to assist our commercial centres in overcoming the challenges currently faced by high streets across the UK. Through the Ormskirk Town Centre Strategy and the borough's Economic Development Strategy a number of interventions support this objective ensuring the economic and social viability of the Ormskirk and wider West Lancashire visitor economy. Delivery of these adopted strategies and key initiatives will focus on:

- branding, marketing and promotion of Ormskirk and the wider West Lancashire visitor economy
- enhancing building and the public realm
- providing an enriched, relevant Ormskirk market offer
- facilitating year round events to animate town centres and enhance the visitor experience
- exploring the sale of branded products that promote the area.

There are a variety of other work streams that also support this priority. The biennial **West Lancashire Design Awards** will be held during 2019. The awards show how good design and well-designed buildings and places can greatly improve our local environment and can be used as a focus for economic and environmental regeneration.

We will continue to work through the **Private Sector Housing Strategy** to provide residents of West Lancashire decent homes which are safe, secure, warm, and in good repair. Our volunteer **Tenant Scrutiny Group** will be reviewing various housing services to recommend improvements to our housing service.

Monitoring Progress

The plan projects are resourced and managed through budget and service action planning. They are monitored directly by the relevant service areas and through budget reports, service action plans, the corporate risk register and individual project reports to committees and working groups as appropriate. In addition, progress on the projects are reported to Members half-yearly and as an annual report. A set of performance indicators spanning various service areas are also reported quarterly to Members to help the authority understand how well it is performing.

Our priorities and resulting projects are informed by working closely with partners and through various consultation and stakeholder engagement activities. We recognise that people who provide and use our services come from diverse backgrounds and have different experiences and needs. We develop, commission and deliver services in a way that will help overcome discrimination and disadvantage.

We aim to keep the public well informed about all our services, how we run things and how we are working to achieve value for money. As well as specific consultation for particular projects, we have a continuous customer engagement programme for housing services and an annual citizen and stakeholder survey. The annual survey is used to gather views to better understand the usage and opinions of Council services, gauge community safety perceptions, and receive views on the Council as a whole. Public opinion was directly sought to inform significant projects including the Tawd Valley Park Project and the Local Plan Review Preferred Options for the emerging West Lancashire Local Plan.

If you require any further information, or copies of this document in an alternative format, please contact:

Partnership & Performance, West Lancashire Borough Council,
Elson House, 49-51 Westgate, Sandy Lane Centre,
Skelmersdale, WN8 8LP
transformation@westlancs.gov.uk
01695 577177

Equality Impact Assessment Form



Directorate: Housing & Inclusion	Service: Partnership & Performance
Completed by: Alison Grimes	Date: 14 January 2019
Subject Title: Council Plan 2019/20-2020/21	
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
<p>Details of the matter under consideration: The assessment is for the Council Plan 2019/20 - 2020/21. The Council Plan reflects the Council's vision, values and priorities.</p> <p>The Council Plan is the overarching strategy for the Council and sets the vision and priorities for the Council, summarising the main actions/projects to achieve this. The Plan sets well-defined priorities to be used during service planning and when shaping future budget decisions. The plan includes projects (actions) which may themselves involve service design, redesign or cutback, or contract specification development, or require budget considerations. The plan has been reviewed and refreshed for year two.</p> <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
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>	Delivery of the vision and priorities is through a variety of actions. Specifying priorities assists with managing resources. Outcomes and outputs will impact on a variety of customers, service users, communities, Councillors and employees depending on the action.
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)?	Given the wide range of actions included in the Plan, there is unlikely to be a disproportionate effect on any single group with protected characteristics, or on any stakeholder group across the whole of the plan. The plan directly or indirectly impacts on all Council services and therefore all who work for the Council, those who use Council services or engage with the Council. Any actions that may impact upon equality groups should be subject to an individual EIA by the relevant service.
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)?	As above. The current wide-range of actions included in the whole plan across many service areas means that there is unlikely to be a 'most relevant' protected characteristics affected, or any particular group affected more than others. This may change with content in the lifetime of the plan.
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	No No No No 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?	The plan applies borough-wide and beyond. Given the wide range of actions included, the work detailed in the plan will therefore likely impact on a variety of stakeholders in different ways.
What will the impact of the work being carried out be on usage/the stakeholders?	By having a clear statement of priorities through the Plan, attention and resources can be effectively focussed on achieving the Council's core objectives. The overall impact should be positive since the priorities of the plan aim for a positive impact on the borough. Negative impact will be mitigated through individual EIAs conducted by the relevant service.
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?	Council priorities are informed by the Citizen/Stakeholder Survey which gathers views on a range of issues including the Council's budget. The survey results can assist the Council in making plans to deliver services and make efficiency improvements.

	<p>The most recent survey results are from the survey conducted in March 2018. Results from the Citizen/Stakeholder Survey provide information about satisfaction with certain Council services. Results are not broken down into protected characteristics. The reason for levels of satisfaction is not explored.</p> <p>Views on services are gathered through informal and formal contacts/consultation throughout the year to provide a wide range of views to service managers about Council services. These will inform planning of services/changes alongside the financial constraints the Council works within.</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?	As above. Individual projects that may impact upon equality groups should be the subject of EIAs themselves by the relevant service with involvement/consultation as appropriate.
If any further data/consultation is needed and is to be gathered, please specify:	As above.
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)?	Outlining the Council's priorities should provide reassurance that resources are being carefully managed. There is unlikely to be a disproportionate effect on any single group with protected characteristics, or on any stakeholder group. The plan can be provided in alternative formats on request. Impacts of changes resulting from individual actions will be dealt with by the relevant service.
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.).	Any initiatives within the plan that may impact upon equality groups should be subject to an individual EIA conducted by the relevant service.
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 assessment will be reviewed as part of the Council Plan annual refresh process. This will include review by the senior management team.



CABINET: 12 March 2019

**EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:
28 March 2019**

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: CORPORATE PERFORMANCE MANAGEMENT 2019/20

Borough wide interest

1.0 PURPOSE OF THE REPORT

- 1.1 To seek approval for the Suite of Performance Indicators (Appendix A) to be adopted as the Council's Corporate PI Suite 2019/20.

2.0 RECOMMENDATIONS TO CABINET

- 2.1 That the Suite of Performance Indicators 2019/20 (Appendix A) and targets identified be approved and adopted as the Council's Corporate PI Suite 2019/20.
- 2.2 That the Director of Housing & Inclusion, in consultation with the Leader of the Council as Portfolio Holder, be authorised to finalise and amend the suite having regard to agreed comments from Executive Overview and Scrutiny Committee made on 28 March 2019, and to make necessary amendments to the suite in year in response to any issues that may arise, for example government policy or collection mechanisms.
- 2.3 That call-in is not appropriate for this item as it is being considered at the next meeting of Executive Overview & Scrutiny Committee on 28 March 2019.

3.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

- 3.1 That the Committee consider the Suite of Performance Indicators 2019/20 (Appendix A) and agree comments as appropriate.
-

4.0 BACKGROUND

4.1 The corporate suite of performance indicators is reported to provide information about service areas and where indicators are relevant help demonstrate performance against the priorities agreed by Members through the Council Plan. The suite assists the authority to understand how well it is performing and provides information as to whether the organisation is on track to achieve the priorities.

4.2 As part of the development of the Council Plan 2019/20, a review of the 2018/19 suite of performance indicators was undertaken. The review resulted in revision to some targets highlighted in the appendix. Proposed changes to indicators themselves are as follows:

- The replacement of the rent indicator:
 - TS1: Rent Collected as a % of rent owed (excluding arrears b/f)with:
 - TS1a: Rent Collected from current and former tenants as a % of rent owed (excluding arrears b/f)
- The revision of the definition to the repairs indicator:
 - HS1: % Housing repairs completed in timescale
- To reflect the Council's agreed Clean & Green service standards, the replacement of the Leisure and Environment indicators:
 - WL01: No. residual bins missed per 100,000 collections
 - WL06: Average time taken to remove fly tips (days)
 - NI 195a: Improved street and environmental cleanliness (litter)
 - NI 195b: Improved street and environmental cleanliness (detritus)with:
 - LE01: No. grass cuts undertaken on the highway between April/September
 - LE02: No. grass cuts undertaken in Sheltered Accommodation between April/September
 - LE03: Average No. missed bins per fortnight for refuse
 - LE04: Average No. missed bins per fortnight for recycling
 - LE05: Average No. missed bins per fortnight for garden waste
 - LE06: % jobs dealt with within response time to remove hazardous fly-tipping
 - LE07: % jobs dealt with within response time to remove non-hazardous fly-tipping
 - LE08: % roads inspected falling into categories A/B - Litter
 - LE09: % roads inspected falling into categories A/B - Detritus
 - LE010: % roads inspected falling into categories A/B – Litter Bins
 - LE011: % roads inspected falling into categories A/B – Grass
 - LE012: % roads inspected falling into categories A/B – Shrubbery/Hedges
 - LE013: % roads inspected falling into categories A/B – Dog fouling
- To better reflect the Leisure and Wellbeing services, the replacement of
 - WL18: Use of leisure and cultural facilities (swims and visits)with
 - HW01: No. of people attending health, wellbeing and sport activities and courses
 - WL133: Chapel Gallery visits

- To better reflect the Council's digital transformation journey, the replacement of the customer contact / digital indicator:
 - WL85aa: Website number of unique visitors
- with
- WL130: No. Self-Serve Customer Accounts
 - WL131: No. Social Media Followers
- To better reflect the absence due to sickness within a period, the revision of the definition for the indicator WL121: Working Days Lost Due to Sickness Absence
 - The indicator *WL 19bii: Direct dial calls answered within 10 seconds* will be reviewed with a view to replacement or revision once the Skype telephony has been rolled out to all staff.
 - To reflect corporate health, the addition of the following data from the staff survey:
 - WL140: % of staff feeling committed to helping achieve our aims and objectives
 - WL141: % staff who feel the Council is a good organisation to work for
 - WL142: % of staff who are proud to work for the Council.

Changes are detailed in Appendix A.

- 4.3 It is recommended that targets for performance in 2019/20 are set to be challenging but realistic. In most cases given resources this means that targets are maintained as for 2018/19, but where circumstances suggest that PIs/targets need to vary then an explanation for the proposed change is provided in the table.
- 4.4 As in previous years, PI targets are reviewed and agreed with Heads of Service and Portfolio Holders prior to submission to committee. Targets for the Revenue & Benefits and ICT Services are determined via the Shared Services contractual process with input from the Director of Housing & Inclusion in consultation with the Portfolio Holder/s.
- 4.5 The outturns from the full suite of performance indicators/data items will be reported with the Annual Council Plan Report. In addition, there are 'key performance indicators' which will be reported to Members on a quarterly basis as indicated in the Appendix. Performance plans will be provided where identified actions can be expected to make a difference to future outturn or provide further detail on any underperformance.

5.0 SUSTAINABILITY IMPLICATIONS

- 5.1 The information set out in this report aims to help the Council to improve and sustain service performance.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 6.1 There are no significant financial or resource implications arising from the recommendations within this report. Several of the indicators/data items report against use of resources, helping to monitor and manage these appropriately within the authority.

7.0 RISK ASSESSMENT

- 7.1 Monitoring and managing performance information data together with the monitoring of progress against the Council Plan helps the authority to ensure it is achieving its priorities 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 a direct impact on members of the public, employees, elected members and/or stakeholders. Therefore no equality impact assessment is required.

Appendices

Appendix A – Proposed 2019/20 Corporate Performance Indicator Suite

Appendix B - Minute of Cabinet 12 March 2019 (Executive Overview and Scrutiny Committee only) – to follow

APPENDIX A: PROPOSED PERFORMANCE INDICATOR SUITE 2019/20

PI Code & Short Name	2015/16	2016/17	2017/18	Annual target 2018/19	Proposed Annual Target 2019/20	Notes	Change to 2018/19	Priority / Purpose	Reporting
	Outturn Value	Outturn Value	Outturn Value						
Leisure and Environment									
WL124 Observations/incidents CCTV operatives involved in	~	6,045	5,633	Data only	Data only			Great place	Annual
WL125 Arrests that CCTV operators were involved in	~	282	282	Data only	Data only			Great place	Annual
WL126 No. incidents identified by CCTV operators in general monitoring	~	1,525	1,634	Data only	Data only			Great place	Annual
NI 191 Residual household waste per household (Kg)	513.15	493.94	500.32	500	500	Target remains challenging.		Great place	Q/Annual
NI 192 Percentage of household waste sent for reuse, recycling and composting	46.80%	48.53%	42.95%	50.00%	50.00%	EU target for the UK to recycle at least 50% of household waste by 2020. Target remains challenging.		Great place	Q/Annual
NI 195a Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Litter	1.44%	0.80%	0.76%	1.61%	Propose deletion	Replacement indicators proposed	Yes – propose deletion/ replacement	Great place	Q/Annual
NI 195b Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Detritus	4.95%	2.16%	4.37%	5.00%	Propose deletion	Replacement indicators proposed	Yes – propose deletion/ replacement	Great place	Q/Annual
WL01 No. residual bins missed per 100,000 collections	89.83	76.81	93.98	80.00	Propose deletion	Replacement indicators proposed	Yes – propose deletion/ replacement	Great place	Q/Annual
WL06 Average time taken to remove fly tips (days)	1.06	1.03	1.04	1.09	Propose deletion	Replacement indicators proposed	Yes – propose deletion/ replacement	Great place	Q/Annual

PI Code & Short Name	2015/16	2016/17	2017/18	Annual target 2018/19	Proposed Annual Target 2019/20	Notes	Change to 2018/19	Priority / Purpose	Reporting
	Outturn Value	Outturn Value	Outturn Value						
LE01 No. of grass cuts undertaken on the highway between April and September	~	~	~	~	8	New indicator based upon service standards agreed at Council.	NEW	Great place	Q/Annual
LE02 No. of grass cuts undertaken in Sheltered Accommodation between April and September	~	~	~	~	10	New indicator based upon service standards agreed at Council.	NEW	Great place	Q/Annual
LE03 Average No. missed bins per fortnight for refuse	~	~	~	~	50	More meaningful replacement for WL01 No. missed bins. A target of 50 or less per fortnight will report as an average for quarter/annual periods.	NEW	Great place	Q/Annual
LE04 Average No. missed bins per fortnight for garden waste	~	~	~	~	50	As above	NEW	Great place	Q/Annual
LE05 Average No. missed bins per fortnight for recycling	~	~	~	~	50	As above	NEW	Great place	Q/Annual
LE06 % jobs dealt with within response time to remove hazardous fly-tipping (1 day)	~	~	~	~	95%	More meaningful replacement for WL06 No. flytips removed. Reflects new service standards agreed by Council	NEW	Great place	Q/Annual
LE07 % jobs dealt with within response time to remove non-hazardous fly-tipping (3 days)	~	~	~	~	95%	As above	NEW	Great place	Q/Annual
LE08 % roads inspected falling into categories A/B - Litter	~	~	~	~	85%	New indicators based upon Land Audit Management System quality inspection model to replace NI195a & b and provide additional measures for increased service overview.	NEW	Great place	Q/Annual
LE09 % roads inspected falling into categories A/B - detritus	~	~	~	~	85%	As above	NEW	Great place	Q/Annual
LE10 % roads inspected falling into categories A/B - Litter Bins	~	~	~	~	90%	As above	NEW	Great place	Q/Annual
LE11 % roads inspected falling into categories A/B - Grass	~	~	~	~	85%	As above	NEW	Great place	Q/Annual
LE12 % roads inspected falling into categories A/B	~	~	~	~	85%	As above	NEW	Great place	Q/Annual

PI Code & Short Name	2015/16	2016/17	2017/18	Annual target 2018/19	Proposed Annual Target 2019/20	Notes	Change to 2018/19	Priority / Purpose	Reporting
	Outturn Value	Outturn Value	Outturn Value						
- Shrubbery/Hedges									
LE13 % roads inspected falling into categories A/B - Dog Fouling	~	~	~	~	85%	As above	NEW	Great place	Q/Annual
WL122 % Vehicle Operator Licence Inspections Carried Out within 6 Weeks	100%	100%	100%	100%	100%			Corporate/service delivery or support	Q/Annual
WL_18 Use of leisure and cultural facilities (swims and visits)	1,164,957	1,213,806	1,229,850	Data only	Propose deletion	PI comprises data from: participants in sports development; numbers attending countryside events and activities; visits to leisure/sports centres, golf course and Chapel Gallery. Chapel Gallery now proposed for separate reporting.	Yes - propose deletion/replacement	Great place	Q/Annual
HW01 No. of people attending health, wellbeing and sport activities and courses	~	~	~	~	Data only	Replacement revised indicator proposed. To better reflect leisure and wellbeing services.	NEW	Great place	Q/Annual
Development and Regeneration									
ER133 No. visitors to Chapel Gallery	~	~	~	~	Data only	A new system to collect footfall data has been put in place; previous data is not comparable. The Gallery visitor offer directly supports promotion of Ormskirk as a visitor destination. Chapel Gallery information was previously included within WL18 swims/visits.	NEW	Great place	Q/Annual
ER01 Apprenticeships created from Council intervention	~	27	15	Data only	Data only			Great place	Annual
ER04 Apprenticeship vacancies within the borough	~	254	182	Data only	Data only	Apprenticeships advertised in the West Lancashire area		Great place	Annual
ER05 Benefit claimant count in West Lancs	~	1.9%	1.9%	Data only	Data only	Includes Universal Credit. Monitors both those out of work claiming benefits and also those in work claiming benefits. However outturn is beyond control of the Council, therefore data only. Information comes from DWP administrative data.		Great place	Annual
NI 154 Net additional homes provided	266^	305	177	Data only	Data only	Monitored through the Local Plan		Tangible/visible	Annual
NI 155 Number of affordable homes	92	95	71	Data only	Data only	The Housing Strategy aspiration was for the development of no less than 500 affordable homes		Tangible/visible	Annual

PI Code & Short Name	2015/16	2016/17	2017/18	Annual target 2018/19	Proposed Annual Target 2019/20	Notes	Change to 2018/19	Priority / Purpose	Reporting
	Outturn Value	Outturn Value	Outturn Value						
Housing & Inclusion									
TS1 Rent Collected as a % of rent owed (excluding arrears b/f)	99.81	99.09	99.48	99.5	Propose deletion	Replacement indicator/s proposed to allow benchmarking and support continuous improvement.	Yes – propose deletion/ replacement	Corporate/service delivery or support	Q/Annual
TS1a Rent Collected from current and former tenants as a % of rent owed (excluding arrears b/f)	~	~	~	~	100.04%	Replacement indicator proposed. The data reported has been revised to reflect Housemark definition. This will allow benchmarking for the service. The data demonstrates income collected from current and former tenants. Income from former tenants was not previously included in TS1.	NEW	Corporate/service delivery or support	Q/Annual
TS11 % of rent loss through dwellings being vacant	1.75%	1.79%	1.59%	1.9%	0.99%	Target amended to support continuous improvement and maximise income.	Yes - target	Corporate/service delivery or support	Q/Annual
TS1 % Housing repairs completed in timescale Page 159	96.39%	97.22%	97.37%	97.00%	98.00%	Definition changed to <i>Any repair job completed on or before its priority deadline, including those completed by a revised date the request of the tenant.</i> This will allow a focus on delays due to no access, availability of materials, or awaiting instruction from WLBC. Due to this change, comparison with previous data will not be possible.	Yes – definition	Tangible/visible	Q/Annual
HS14 % non-decent council homes	0.30%	0.25%	0.07%	0.20%	0.10%	To reflect ongoing investment in housing stock	Yes - target	Tangible/visible	Annual
HS27 % of properties with a valid Landlord Gas Safety Record (homes and buildings)	~	~	~	100%	100%	Reflect WLBC regulatory responsibilities		Corporate/service delivery or support	Q/Annual
HS28 % of properties with a valid Electrical Installation Condition Report (homes and buildings)	~	~	~	100%	100%	Reflect WLBC regulatory responsibilities		Corporate/service delivery or support	Q/Annual
HS29 % non-domestic that require an asbestos management survey/re-inspection	~	~	~	100%	100%	Reflect WLBC regulatory responsibilities		Corporate/service delivery or support	Q/Annual
HS30 % of non-domestic properties with fire risk assessment in place	~	~	~	100%	100%	Reflect WLBC regulatory responsibilities		Corporate/service delivery or support	Q/Annual

PI Code & Short Name	2015/16	2016/17	2017/18	Annual target 2018/19	Proposed Annual Target 2019/20	Notes	Change to 2018/19	Priority / Purpose	Reporting
	Outturn Value	Outturn Value	Outturn Value						
HS31 % of properties covered by water hygiene risk assessment (homes and buildings)	~	~	~	100%	100%	Reflect WLBC regulatory responsibilities		Corporate/service delivery or support	Q/Annual
ICT1 Severe Business Disruption (Priority 1) (ytd)	100.0%	100.0%	100.0%	99.0%	99.0%	Targets to be agreed via contract process *		Corporate/service delivery or support	Q/Annual
ICT3 Major Business Disruption (P2)	92.0%	96.0%	100.0%	98.0%	98.0%	Targets to be agreed via contract process *		Corporate/service delivery or support	Q/Annual
ICT2 Minor Business Disruption (P3)	98.0%	98.0%	99.0%	97.0%	97.0%	Targets to be agreed via contract process *		Corporate/service delivery or support	Q/Annual
ICT4 Minor Disruption (P4)	98.0%	99.0%	99.0%	98.0%	98.0%	Targets to be agreed via contract process *		Corporate/service delivery or support	Q/Annual
ICT5 Advice & Guidance (P5)	100.0%	100.0%	100.0%	98.0%	98.0%	Targets to be agreed via contract process *		Corporate/service delivery or support	Q/Annual
B3 Time taken to process Housing Benefit/Council Tax Benefit new claims and change events	7.02	6.41	5.63	12.00	12.00	Targets to be agreed via contract process *		Corporate/service delivery or support	Q/Annual
B3 Overpayment Recovery of Housing Benefit overpayments (payments received)	£276,577	£311,409	£294,695	£195,000	£195,000	Targets to be agreed via contract process *		Corporate/service delivery or support	Q/Annual
B4 Benefits Local authority Error Overpayments - Lower threshold YTD	£82,401	£96,867	£76,048	£111,205 (Below lower threshold)	tbv (Below lower threshold)	Targets to be agreed via contract process * Annual target cash figure may change, but is arrived at from the annual target of 'lower threshold year to date based on next year estimates' on the subsidy grant claim form. Actual cash figure will not be received until later in the year.		Corporate/service delivery or support	Annual
R1 % of Council Tax collected	97.02%	96.74%	96.51%	97.10%	97.10%	Targets to be agreed via contract process *		Corporate/service delivery or support	Q/Annual
R2 % council tax previous years arrears collected	37.31%	26.82%	26.78%	24.50%	24.50%	Targets to be agreed via contract process *		Corporate/service delivery or support	Q/Annual
R3 % of Non-domestic Rates Collected	98.32%	97.72%	98.18%	97.20%	97.20%	Targets to be agreed via contract process *		Corporate/service delivery or support	Q/Annual
R4 Sundry Debtors % of revenue collected against debt raised	95.00%	95.06%	95.78%	89.10%	89.10%	Targets to be agreed via contract process *		Corporate/service delivery or support	Q/Annual

PI Code & Short Name	2015/16	2016/17	2017/18	Annual target 2018/19	Proposed Annual Target 2019/20	Notes	Change to 2018/19	Priority / Purpose	Reporting
	Outturn Value	Outturn Value	Outturn Value						
BV8 % invoices paid on time	98.81%	98.48%	98.50%	98.75%	98.75%	Monitored by BTLS but mainly dependent on WLBC processes within individual services.		Corporate/service delivery or support	Q/Annual
WL85a Website: no. visits	451,906	516,776	592,447	Data only	Data only			Corporate/service delivery or support	Q/Annual
WL85aa Website: number of unique visitors	301,624	344,140	389,646	Data only	Propose deletion	The data is not a true reflection of unique visitors since if users clear cookies or use another device or browser then the visitor will be counted as a new unique visitor.	Yes – propose deletion	Corporate/service delivery or support	Q/Annual
WL85b Website: use of online forms	13,084	11,204	13,581	Data only	Data only	Data description will be changed to "Number of online forms submitted" better describing information reported.	Yes – PI title	Corporate/service delivery or support	Q/Annual
WL85c Website: no. online payments	40,353	45,134	73,679	Data only	Data only	Data description will be changed to "Number of payments processed online" better describing information reported.	Yes – PI title	Corporate/service delivery or support	Q/Annual
WL130 No. Self-Serve Customer Accounts	~	~	~	~	Data only	To monitor the total number of customers who sign up for a customer account via the online self-serve portal.	NEW	Engage/Empower	Q/Annual
WL131 No. Social Media Followers	~	~	~	~	5%p.q	To evidence the level of social media engagement. This figure will cover the two main Council Facebook and Twitter accounts. Target is to increase the total by 5% each quarter until 2021 (baseline 5500).	NEW	Engage/Empower	Q/Annual
WL90 % of Contact Centre calls answered	92.0%	93.0%	81.7%	88.0%	88.0%	Whilst outturn for the year is likely to miss target, this is as a result of the unprecedented level of calls being offered during Q1. 88% remains a realistic annual target.		Corporate/service delivery or support	Q/Annual
WL108 Average answered waiting time for callers to the contact centre (seconds)	51.00	60.00	145.00	145.00	145.00			Corporate/service delivery or support	Q/Annual
WL19bii Direct dial calls answered within 10 seconds	81.34%	81.23%	80.26%	80.26%	Propose replacement	Skype for Business is being introduced. Reporting capabilities from the system will be reviewed with a view to introducing a meaningful measure to replace this PI the quarter following full implementation.	Yes – propose replacement	Corporate/service delivery or support	Q/Annual
WL140 % of staff feeling committed to helping achieve Council aims and objectives	~	~	87%	~	Data only	Carried out through the staff survey providing a staff view of the Council.	NEW	Great place	Annual
WL141 % staff who feel the Council is a good organisation to work for	~	~	74%	~	Data only	As above	NEW	Great place	Annual

PI Code & Short Name	2015/16	2016/17	2017/18	Annual target 2018/19	Proposed Annual Target 2019/20	Notes	Change to 2018/19	Priority / Purpose	Reporting
	Outturn Value	Outturn Value	Outturn Value						
WL142 % of staff who are proud to work for the Council	~	~	66%	~	Data only	As above	NEW	Great place	Annual
CIT01 % feel West Lancs is safe & secure to live	79%	79%	78%	Data only ^{**}	Data only	Carried out by Citizen Survey providing a citizen view of Council services. This will not be collected in 2018/19 due to a change in scheduling of survey (Feb to May). Survey results are published on the internet.		Great place	Annual
CIT02 % satisfied with cleanliness of streets	65%	56%	54%	Data only ^{**}	Data only	As above		Great place	Annual
CIT03 % satisfied with how WLBC runs things	62%	57%	48%	Data only ^{**}	Data only	As above		Great place	Annual
CIT05 % satisfied with local area as a place to live	78%	80%	74%	Data only ^{**}	Data only	As above		Great place	Annual
CIT06 % satisfied with sports/leisure facilities	41%	27%	30%	Data only ^{**}	Data only	As above		Great place	Annual
CIT07 % satisfied with parks and open spaces	60%	52%	50%	Data only ^{**}	Data only	As above		Great place	Annual
CIT08 % residents agreeing that WLBC provides value for money	41%	35%	30%	Data only ^{**}	Data only	As above		Great place	Annual
CIT12 % of people satisfied with household collections for domestic waste	86%	85%	86%	Data only ^{**}	Data only	As above		Great place	Annual
CIT13 % of people satisfied with household collections for recyclable materials	82%	78%	79%	Data only ^{**}	Data only	As above		Great place	Annual
CIT14 % of residents who feel the Council keeps them well informed about its services and benefits	50%	49%	42%	Data only ^{**}	Data only	As above		Great place	Annual
CIT16 % of residents feel that they belong to their local area	69%	72%	67%	Data only ^{**}	Data only	As above		Engage/Empower	Annual

Notes:

* Managed through BT Lancashire Services contract. SLA targets are annual and are subject to contractual processes. Quarter targets as reported in performance reports are provided only as a gauge.

~ not collected and/or reported at this time or previous calculations not comparable

^ restated following a planning appeal

≠ Data for the Citizen Survey will not be collected in 2018/19 due to a change in scheduling of survey (Feb to May).

Reporting of data is dependent on collection mechanisms remaining in place.



CABINET: 12 March 2019

**Report of: Directors of Leisure and Environment and
Development and Regeneration**

Relevant Portfolio Holders: Councillors Y. Gagen & I. Moran

Contact for further information: Mr S. Kent (Ext. 5169)
(E-mail: Stephen.kent@westlancs.gov.uk)

SUBJECT: USE OF SECTION 106 MONIES IN THE PARISH OF BURSCOUGH

Wards affected: Burscough West and Burscough East wards

1.0 PURPOSE OF THE REPORT

- 1.1 To consider a proposal regarding the use of Section 106 (S106) monies for the development of public open space provision in the Parish of Burscough

2.0 RECOMMENDATIONS

- 2.1 That the bid from Burscough Parish Council for £43,507 of S106 monies be refused on the grounds that the proposed use of the funds for the purchase of land in Burscough would not comply with the criteria of the S106 agreement from where the funds were generated, namely to "provide new/enhance existing public open space in the parish/ward".
- 2.2 The applicants be informed that a future bid for S106 funds, once the land has been purchased, to contribute towards a more detailed and costed programme of deliverable works to create a public open space facility would be more appropriate.

3.0 BACKGROUND

- 3.1 Under policy EN3 of the West Lancashire Local Plan 2012-2027, developers must provide open space facilities as part of housing developments. Where developments are less than 20 dwellings or on sites where it is not reasonable to expect a development to provide on-site facilities, and where there is a deficiency of open space, the Council can require a commuted sum for the provision of new or the enhancement of existing areas of public open space within its area.
- 3.2 An Officer working group was established in February 2011 to co-ordinate the receipt of S106 commuted sums and report to Cabinet on the use of the funding. A function of this group is to establish levels of uncommitted S106 funds across all wards and liaise with Parish Councils/Ward Members as to how this funding could be best utilised in line with the requirements of the S106 agreements.
- 3.3 In accordance with the decision of the Planning Committee on January 10th 2002 the views of the relevant Parish Council/Ward Members have been sought in respect of the potential use of S106 allocations from development of land adjacent to 10 Ivy Close, Burscough

4.0 CURRENT POSITION

- 4.1 The funding from a particular development can only be used in accordance with the terms of the related S106 agreement. The Council currently has unallocated monies from the S106 agreement relating to the development of land adjacent to 10 Ivy Close, Burscough, totalling £43,507. Following consultation with Ward Members and Burscough Parish Council, one proposal has been put forward for the expenditure of this S106 funding.
- 4.2 Burscough Parish Council have applied for the use of the S106 funding to help purchase land off School Lane, Burscough to enable them to develop a public open space recreation facility on the site. (see appendix 1 – Burscough Play Zone : Site Plan). A phased programme of works could include the development of a childrens play area, skatepark area, multi-use games area, cycling facility, picnic area, open events area and car parking.
- 4.3 The Parish Council have provided a series of design ideas and an overall project budget of around £800,000 (increasing to £1.5m if their aspirations to construct a new bridge over the Leeds and Liverpool Canal from the Heathfields Estate comes to fruition).
- 4.4 The initial phase of the proposal is the purchase of the land, which would cost in the region of £80,000 with the S106 funds being combined with Parish Council funds. The Parish Council have indicated that on-going phases of the project will be developed over time and funding realised from a variety of sources including the Parish Council CIL funds (standing at £178,060 at the time of application) and Lottery Funding.
- 4.5 Purchase of this land may help to deliver the land needed to facilitate a new area of public open space but without additional funding in place, there is no guarantee that the scheme will materialise. Consequently, as it stands the proposed use of the available S106 monies to merely purchase land, does not conform with the

criteria specified in the S106 agreement as it will not in itself result in the provision of a new area of public open space for the local community.

5.0 CONCLUSION

5.1 As this bid will not conform with the criteria of the S106 agreement, there is no legal basis to agree to the Parish Councils request.

5.2 It is recommended that the Parish Council use alternative funds to purchase the land, for example the use of existing CIL monies within their possession, and thereafter develop a detailed and costed programme of phased works to develop the land as a public open space facility for Burscough. This could then be used as support for future bids for the necessary funding from various agencies including the Council to enable the actual delivery of an area of POS.

6.0 SUSTAINABILITY IMPLICATIONS

6.1 Public open space development increases the capability of the local community to get involved in healthy outdoor recreation.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

7.1 Burscough Parish Council currently has CIL funding totalling £178,060 which is more suitable to purchase land for open space infrastructure and could be used to purchase the land for this project. The Parish Council could thereafter at an appropriate time in the future submit a bid for the use of S106 monies to support the subsequent implementation of work on site to create a new area of POS in Burscough.

8.0 RISK ASSESSMENT

8.1 Refusing this bid for funding may result in negative feedback for not supporting initiatives to support the local community, however, an alternative proposed method of operation has been proposed which could achieve the same output in a more financially secure way, at the same time as meeting the S106 criteria.

8.2 Approval of the bid would not be in accordance with the terms of the legal S106 Agreement and could therefore be subject of a legal challenge which could result in the need for the money to be reclaimed and in the worst case scenario returned to the developer.

Background Documents

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

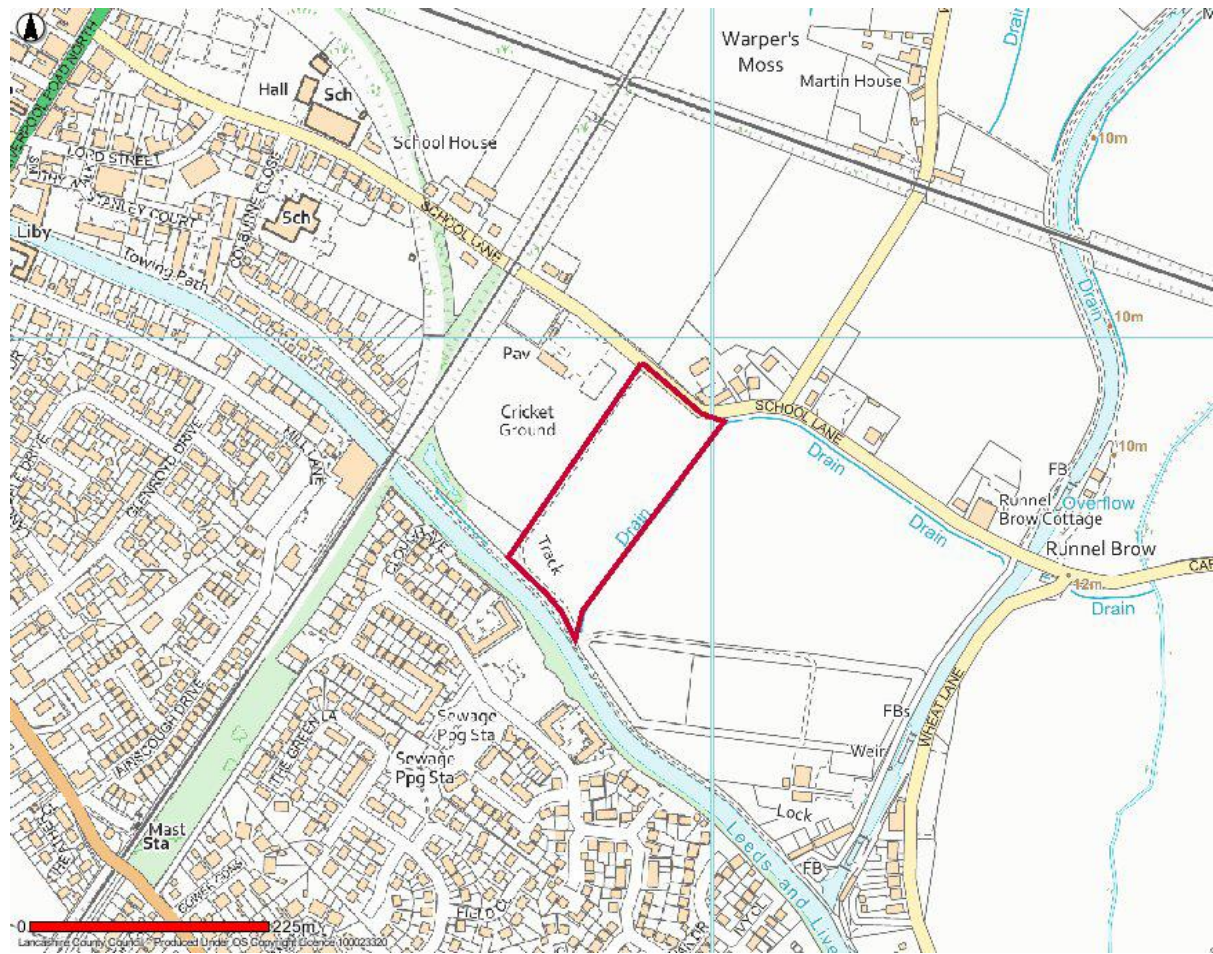
Equality Impact Assessment

There is no direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is not required..

Appendices

Appendix 1 – Burscough Play Zone : Site Plan

Appendix 1 – Burscough Play Zone : Site Plan





CABINET: 12 March 2019

Report of: Director of Leisure and Environment

Relevant Portfolio Holders: Councillors Y. Gagen

Contact for further information: Mr S. Kent (Ext. 5169)
(E-mail: Stephen.kent@westlancs.gov.uk)

SUBJECT: USE OF SECTION 106 MONIES IN THE PARISH OF TARLETON

Wards affected: Tarleton ward

1.0 PURPOSE OF THE REPORT

- 1.1 To consider a proposal regarding the use of Section 106 (S106) monies for the enhancement of public open space provision in the Parish of Tarleton.

2.0 RECOMMENDATION

- 2.1 That S106 monies be approved for use as outlined at 5.1, to enable an extension of Carr Lane Sports Pavilion, Tarleton.

3.0 BACKGROUND

- 3.1 Under policy EN3 of the West Lancashire Local Plan 2012-2027, developers must provide open space facilities as part of housing developments. Where developments are less than 20 dwellings or on sites where it is not reasonable to expect a development to provide on-site facilities, and where there is a deficiency of open space, the Council can require a commuted sum for the provision of new or the enhancement of existing areas of public open space within its area.
- 3.2 An Officer working group was established in February 2011 to co-ordinate the receipt of S106 commuted sums and report to Cabinet on the use of the funding. A function of this group is to establish levels of uncommitted S106 funds across all wards and liaise with Ward Members and Parish Councils as to how this

funding could be best utilised in line with the requirements of the S106 agreements.

4.0 CURRENT POSITION

- 4.1 The funding from a particular development can only be used in accordance with the terms of the related S106 agreement. The Council currently has unallocated monies from the S106 agreements from Mayo Drive (£15,050), land south east of Carr Heyes Lane (£11,045), and Carr Heyes Lane (£4,418).
- 4.2 Following consultation with Ward Members and Tarleton Parish Council there is one new proposal being made for Tarleton ward.

5.0 PROPOSALS

- 5.1 Tarleton Parish Council have bid for £30,513 of S106 funding. The funding is sought to facilitate an extension to the sports pavilion at Carr Lane Recreation Ground. The extension will provide additional storage space for equipment used on the recreation ground and will allow the Parish Council to remove shipping containers which are currently used for this purpose.
- 5.2 This proposed new facility will be of great benefit to the wide range of local community sports clubs that use the facility, it will allow changing facilities currently used for storage to be brought back into their intended use, the range of activities undertaken at the site to be extended, and will also enhance the appearance of the site in general by the removal of the storage containers.
- 5.3 This project fulfils the criteria from all the S106 agreements involved to enhance or improve the existing public open space.
- 5.4 The Parish Council has already gained planning consent for this building extension.

6.0 SUSTAINABILITY IMPLICATIONS

- 6.1 These improvements will contribute towards making Carr Lane Recreation Ground a more attractive, accessible and enjoyable place to visit for the residents of the Parish of Tarleton.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 This project has a total cost of £60,000. The bid from Tarleton Parish Council is for up to £30,513 from S106 funds, which can be made available from the allocations received from the development of Mayo Drive (£15,050), land south east of Carr Heyes Lane (£11,045), and Carr Heyes Lane (£4,418). The remaining funds required for the project will be provided by the Parish Council (£10,000), and contributions from sports clubs currently using the facility (£19,487).

8.0 RISK ASSESSMENT

- 8.1 Implementation of these improvements will be a great asset to the local community but will have to be maintained effectively to continue that benefit. Tarleton Parish Council is fully capable of undertaking this function, and has managed the existing sports pavilion efficiently for many years.
-
-

Background Documents

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

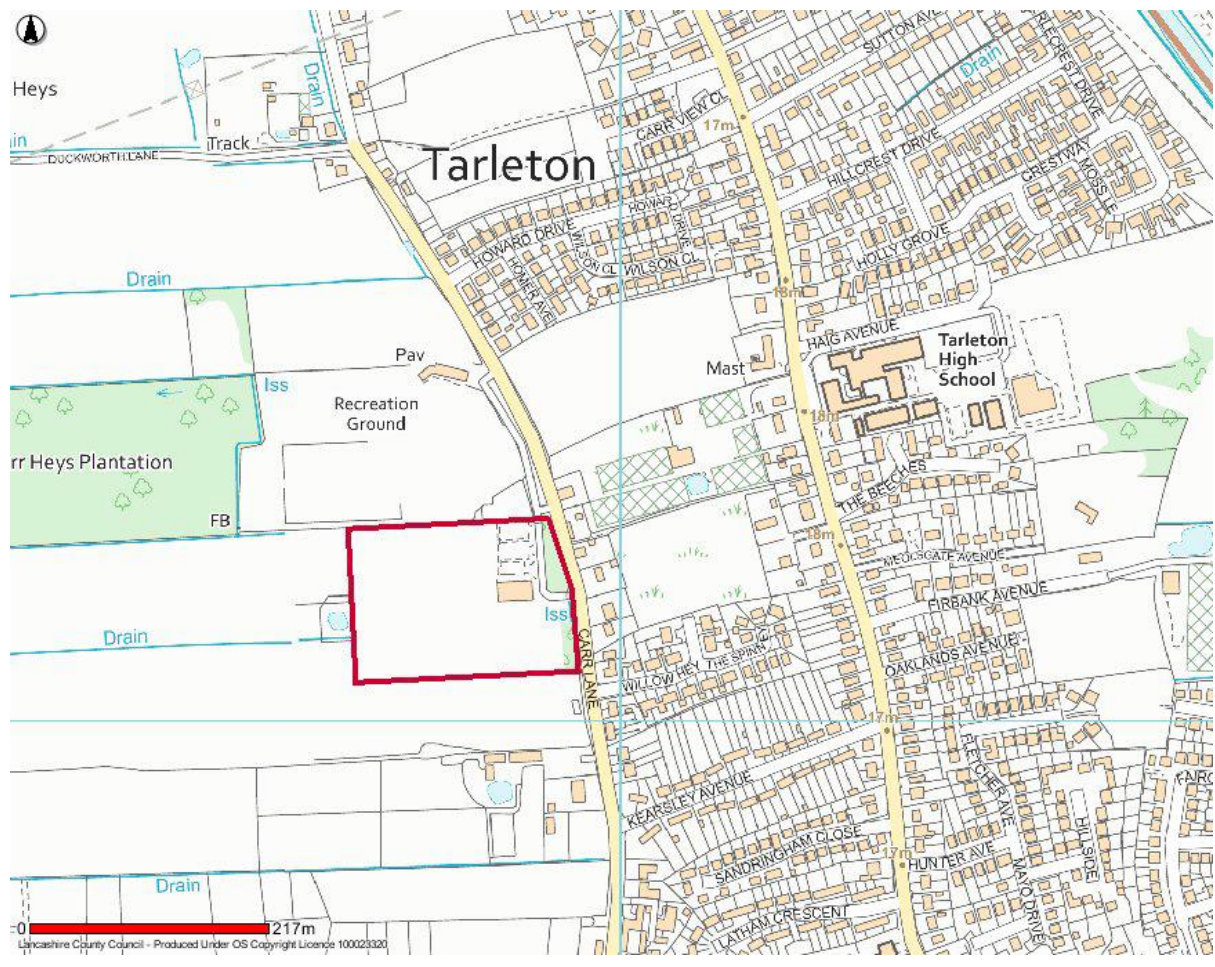
Equality Impact Assessment

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 – Carr Lane Recreation Ground, Tarleton – Site Plan
Appendix 2 – Equality Impact Assessment

Appendix 1 – Carr Lane Recreation Ground, Tarleton



Appendix 2 – Equality Impact Assessment

Equality Impact Assessment Form	
Directorate: Leisure and Environment	Service: Leisure Operations
Completed by: Stephen Kent	Date: 24/1/2019
Subject Title: Use of S106 monies in Tarleton	
1. DESCRIPTION	
Is a policy or strategy being produced or revised:	<i>*delete as appropriate</i>
	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:	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):	No
Details of the matter under consideration:	
<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):	
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)?	Tarleton residents and visitors
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any	Tarleton residents, particularly those involved in community sports clubs and family groups.



particular group affected more than others	
Which of the protected characteristics are most relevant to the work being carried out?	<i>*delete as appropriate</i>
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	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?	Site is currently public open space used for outdoor recreation.
What will the impact of the work being carried out be on usage/the stakeholders?	Works will allow the site to be used for a wider range of activities. Residents of Tarleton will also benefit from a facility whose appearance will be enhanced by the removal of a shipping container from a public opens space facility.
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 recreation ground is a hub of sporting and outdoor activity for the local community, and is supported well by the parish council on behalf of the community.
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?	As managers of the current facility the parish council are aware through direct approaches and anecdotal evidence that the project proposed is needed to develop the use of the facility.
If any further data/consultation is needed and is to be gathered, please specify:	Future monitoring will be undertaken as the project progresses, and the parish council will be available to receive feedback from both users and other members of the community.
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)?	This site will provide good facilities for people with mobility issues
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.).	Monitoring use will establish any negative issues and deal with them accordingly

What actions do you plan to take to address any other issues above?	On-going liaison with the community through normal parish council channels.
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	January 2019. Reviewing officer – Stephen Kent



Report of: Director of Leisure and Environment

Relevant Portfolio Holder : Councillor Y. Gagen

Contact for further information: Simon Burnett
(E-mail: Simon.burnett@westlancs.gov.uk)

SUBJECT: ADOPTION OF REVISED SAFEGUARDING POLICY

Wards affected: Borough Wide

1.0 PURPOSE OF THE REPORT

1.1 To present the revised Safeguarding Policy to Cabinet for adoption.

2.0 RECOMMENDATION

2.1 That the Safeguarding Policy 2019 attached at Appendix 1 be approved.

2.2 That the Director of Leisure & Environment be authorised to Implement, publish and keep under review the Safeguarding Policy 2019 and to update the Safeguarding Policy 2019 as necessary; and nominate an officer as the Designated Safeguarding Officer.

3.0 BACKGROUND

3.1 Safeguarding, in the context of this report, is the means by which agencies and organisations working with children and vulnerable adults take to ensure the risks of harm to the individual's welfare are minimised.

3.2 Section 11 of the Children Act 2004 places duties on a range of organisations and individuals, including Local Authorities to ensure their functions, and any services that they contract out to others, or otherwise arrange are discharged having regard to the need to safeguard and promote the welfare of children. In discharging that duty the Council must have regard to any advice given to them by the Secretary of State.

- 3.3 Section 2 of the Care Act 2014 requires Local Authorities, which in West Lancashire is the County Council, to ensure that the wellbeing and the rights of vulnerable adults must always be promoted and poor practice challenged. Whilst this function is primarily the responsibility of Social Services and would therefore be discharged by Lancashire County Council, it is a statutory duty for all organisations that work with children and vulnerable adults to share the commitment and responsibilities of upper tier authorities in relation to the safeguarding requirements.
- 3.4 In keeping with the requirement to comply with upper tier authorities in their safeguarding responsibilities, WLBC are required to have appropriate policies in place, identify a Designated Safeguarding Officer (senior board level lead to take leadership responsibility for the organisations safeguarding arrangements) and to undertake an annual Section 11 Safeguarding Audit.
- 3.5 The 2018 Section 11 Audit, which was reported to senior officers on 9th May 2018, contains information on how WLBC complies with the Local Safeguarding Children's Board (LSCB) and Local Safeguarding Adults Board (LSAB) requirements to safeguard children and vulnerable adults. This work was initiated by the Deputy Director of Leisure & Wellbeing who currently represents WLBC at the Lancashire Designated Safeguarding Officers Group and the South Ribble, Chorley & West Lancashire Children's Trust.
- 3.6 Having reviewed the previous submission it was felt appropriate to seek input from across the Council to confirm that the previously stated position remained valid. An inter-service working group was subsequently established to review the Audit and the Council's Safeguarding Policy.
- 3.7 This exercise highlighted a need to revise the Safeguarding Policy so as to ensure the Council continues to comply with its safeguarding requirements. Following this other actions can be completed, most notably staff training and awareness raising along with the formal identification of a WLBC Designated Safeguarding Officer which will be reflected in the Constitution and Scheme of Delegation.
- 3.8 The Safeguarding policy will need to be updated periodically to reflect any changes that may be necessary due to changes in legislation, emerging best practice, feedback from the Local Safeguarding Board etc. Any update will be publicised in accordance with requirements for the time being in force.

4.0 CURRENT POSITION

- 4.1 The revised Safeguarding Policy has now been completed and is included at Appendix 1 –West Lancashire Borough Council: Safeguarding Policy 2019. Due to the level of detail contained within the revised policy, a quick reference guide has also been produced which is included in Appendix 2- . West Lancashire Borough Council: Safeguarding Summary Document 2019.
- 4.2 The Policy covers a range of issues which together will promote good practice, provide children and vulnerable adults with appropriate safety/protection, and allows Council representatives to make informed and confident responses to specific safeguarding issues that may arise.

4.3 The revised Safeguarding Policy includes:-

- Policy statement
- Roles and responsibilities
- Recognising abuse
- Response procedures
- Recruitment, employment and redeployment procedures
- Code of conduct
- Partnership working, voluntary organisations and contractors
- Use of photographic equipment at organised events

4.4 Many of the gaps identified by the Section 11 Safeguarding Audit are addressed by the revision of the Safeguarding Policy. It is therefore recommended that this Policy be adopted by Cabinet to enable the other actions to be progressed, in particular the staff training and awareness raising elements.

5.0 SUSTAINABILITY IMPLICATIONS

5.1 Compliance with Safeguarding policy will ensure that this Council complies with its safeguarding obligations as set out in section 3.2-3.4 of this report.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

6.1 All staff will be required to undertake safeguarding training which will be developed in conjunction with neighbouring authorities as an e-learning package. The vast majority of staff will undertake Level 1 training which will be available at no extra cost to the Council, however, Officers required to fulfil specific roles set out in the revised policy or those requiring enhanced DBS clearance to fulfil their job description will need more detailed (Level2) training for which there will be an additional cost. It is estimated there will be a one off cost of c£3,000 with funding being made available from the Corporate Training Budget. A timetable for the implementation of staff training will be agreed following the adoption of the policy and the allocation of resources, however it is anticipated that all staff will be trained within 2019.

7.0 RISK ASSESSMENT

7.1 Safeguarding is a statutory responsibility for Local Authorities, and whether directly through its own actions and operations, or indirectly through a duty to support and share the commitment and responsibilities of the upper tier authority, a failure to comply with the safeguarding regulations could result in legal action being taken against the Council.

Background Documents

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

Appendices

Appendix 1 - WLBC revised Safeguarding Policy 2019



Safeguarding Policy

2019 - 2022

Safeguarding Policy

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WLBC Taking Action Flow Chart

I'm worried about a child / vulnerable adult

Is the child / vulnerable adult in immediate danger?

'No' – Lower Level Concern

'Yes' - Serious Concern

Emergency or Immediate risk to life or limb - Contact Police 999

For Adults – Get Consent or inform them of your intention to share if you override consent

For Adult – Get Consent, refer to Adult Social Care and log observations on 'Incident Report Form' (*Safeguarding Policy, Appendix A*). If help refused, log and discuss with Line manager or Nominated Lead Safeguarding Officer (NLSO)

For Child, Discuss with Line Manager or Nominated Lead Safeguarding Officer (NLSO)

NEXT STEP

Inform Nominated Lead Safeguarding Officer (NLSO)

Lol Aitchison	01695 585181	Paul Waring	01695 585127
Emma Davies	01695 585145	Michelle Williams	01695 585449
Kay Lovelady	01695 585075		

For Child - Forward completed 'Incident Reporting Form' (Appendix A) to NLSO within 24 hrs max

For Adult – Get Consent or inform them of your intention to share, if you override consent and log all observations

For Children - Inform parents prior to referral being made unless this would increase risk of harm or might impede an investigation.
For Adults - Ask them if they want help and get consent.

Contact Adult & Children's Social Care
Tel: 0300 123 6721

WLBC Designated Safeguarding Officer (DSO) or Deputy DSO Follows up and Feeds-back to Employee as Appropriate
'Incident Report Form' record (for Child) retained centrally & securely including any advice sought, action taken / decisions & rationale.

Remember – Keep Clear and Accurate Notes

Introduction

West Lancashire Borough Council is committed to safeguarding children and vulnerable adults and to delivering services that promote good practice and expects all Council representatives, colleagues and partners to share this commitment.

Children and vulnerable adults have the right to be safe in the services provided for them and the activities they choose to participate in and the Council is committed to fostering a safeguarding culture across the organisation.

This policy provides guidance on how to deal with concerns relating to the safeguarding of children and vulnerable adults and specifies the roles and responsibilities of the Council's representatives for whom this policy is mandatory.

The aim of the policy is to promote good practice, providing children and vulnerable adults with appropriate safety/protection and to allow Council representatives to make informed and confident responses to specific safeguarding issues that may arise.

Key Definitions:

Safeguarding - is the generic term which refers to ensuring that children and vulnerable adults are protected from harm.

Child Protection - the process of protecting individual children identified as either suffering or at risk of suffering, significant harm as a result of abuse or neglect.

Vulnerable Adults (18yrs +) - are people who receive or may be in need of community care services by reason of disability, age or illness; and who are or may be unable to take care of themselves, or unable to protect themselves against significant harm or exploitation.

Children/Young people - in line with the Children Acts 1989 and 2004 a child is anyone who has not yet reached his or her 18th birthday. 'Children' therefore means 'children and young people' throughout this policy. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital, in prison or in a young offenders' institution, does not change his or her status or entitlement to services or protection under the Children Act 1989.

West Lancashire Borough Council representatives are defined as:

- Employees
- Agency and casual Staff
- Elected Members
- Contract Staff
- Volunteers (including people under 18) and Work Experience placements -

when working for and on behalf of West Lancashire Borough Council

Prevent –The Prevent strategy, published by the Government in 2011, is part of the overall Counter-terrorism strategy-CONTEST. The aim of the *Prevent* strategy is to reduce the threat to the UK from terrorism by stopping people becoming terrorists or supporting terrorism. In the Act, this has simply been expressed as the need to “prevent people from being drawn into terrorism”.

Channel – Channel, which is part of the Prevent strategy, is a programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. The programme uses a multi-agency approach to protect vulnerable people by:

- identifying individuals at risk
- assessing the nature and extent of that risk
- developing the most appropriate support plan for the individuals concerned

Disclosure and Barring Service (DBS) – this is the agency that administers applications for criminal records. Legislation, guidance and local job descriptions indicate which representatives need to undergo a DBS check prior to working with children and vulnerable adults.

Designated Safeguarding Officer (DSO) – the West Lancashire Borough Council Senior Officer with overall responsibility for ensuring the Council's obligations and responsibilities with regard to safeguarding issues are carried out.

Deputy Designated Safeguarding Officer (DDSO) – the West Lancashire Borough Council Senior Officers responsible for deputising for the DSO and for leading on aspects of the policy relating to Staff Training, Licensing and Community Safety.

Nominated Lead Safeguarding Officer (NLSO) – a role undertaken by identified Council officers following appropriate training. These officers act as a first point of contact for other Council employees and advise on safeguarding issues.

Lancashire County Council Children or Adult Care Services –the upper tier authority service responsible for delivering safeguarding services across the County.

Local Authority Designated Officer (LADO) – this is a specific designated officer within Lancashire County Council involved in the management and oversight of individual cases of allegations of abuse made against those who work with children. Their role is to give advice and guidance to employers and voluntary organisations; liaise with the Police and other agencies, and monitor the progress of cases to ensure that they are dealt with as quickly as possible consistent with a thorough and fair process. The Police also have an identified officer to fill a similar role.

Local Safeguarding Children’s Board (LSCB)/Local Safeguarding Adults Board (LSAB) – the statutory, multi-agency bodies that have strategic oversight for the delivery of safeguarding issues. The overall role of the LSCB/LSAB is to coordinate local work to safeguard and promote the welfare of children and vulnerable adults and to ensure the effectiveness of what the member organisations do individually and together.

Monitoring Officer – a statutory Council appointment held by the Borough Solicitor at West Lancashire Borough Council. The role includes the responsibility for ensuring Elected Members actions and activities are within set standards.

Parent is used throughout this document as a generic term to represent parents, carers and guardians.

Substantial and/or unsupervised access to children and vulnerable adults is defined as:

- Where individuals are regularly caring for, in contact with, training or supervising a child/vulnerable adult.

and/or

- Where an individual has sole charge of children or vulnerable adults.

1. Policy Statement

As a provider of public services, West Lancashire Borough Council fully accepts its legal and moral obligations to provide a duty of care and will take all reasonable steps to protect all those using Council services or working with the Council, from harm, discrimination or degrading treatment and respect their rights, wishes and feelings.

The welfare of the child or vulnerable adult is paramount and is always the primary concern of West Lancashire Borough Council. Everyone has the right to protection from abuse 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.

The Council is committed to the following principles and actions:

- The Council will ensure that a protective safeguarding culture is in place and is actively promoted within the organisation.
- The Council will implement procedures to safeguard children and vulnerable adults and take all reasonable steps to protect them from harm, discrimination and degrading treatment and to respect their rights, wishes and feelings.
- All representatives of West Lancashire Borough Council who work with children and vulnerable adults will be recruited with regard to their suitability for that responsibility. Representatives who have substantial and/or unsupervised access to children and vulnerable adults are subject to an Enhanced Disclosure and Barring Service check prior to appointment. An employee's DBS will be rechecked if the post holder moves to an appropriate alternative position within the authority. Where volunteers are being used for one-off events then a self-disclosure form will be required. Additional guidance on which posts require enhanced DBS checks and which activities are regulated can be found via the links contained within this policy (Appendix C).
- All representatives will be required to adopt and abide by the Council's Safeguarding Policy and will be provided with supervision, guidance and training to ensure that they are properly equipped to identify where there may be a problem and know how to obtain advice/refer concerns to relevant specialists and protect themselves from false accusations of abuse.
- All representatives have a responsibility to report concerns of suspected abuse or poor practice and the Council will provide designated points of contact within the organisation.
- Council representatives should follow the Safeguarding Code of Conduct contained in Section 5 of this policy and work in an open and transparent way avoiding any conduct that may cause a reasonable person to question their motives and intentions.
- The Council will promote good practice that encourages a safe

environment, protects all parties and avoids mistaken allegations of abuse.

- The Council will take all incidents of poor practice and allegations or suspicions of abuse seriously and these will be responded to swiftly and appropriately.
- The Council will respond promptly to suspicions or allegations involving staff and appropriate disciplinary and appeals procedures will be implemented.
- This policy will be reviewed every three years or whenever there is a major change in the organisation / relevant legislation or any other adopted standard of best practice.
- Confidentiality shall be upheld in line with current data protection and human rights legislation.

Who does the policy apply to?

The policy applies to all staff and representatives of West Lancashire Borough Council: Employees, Agency, Casual and Contract Staff, Volunteers (including young people under 18) working for and on behalf of West Lancashire Borough Council and Elected Members.

1.2 General Responsibilities/Roles

Designated Safeguarding Officer (DSO)

- Will provide a point of contact for staff who wish to test concerns about safeguarding, either seeking advice from, or making a formal referral to, statutory agencies regarding a safeguarding disclosure, report or concern.
- Will be aware of the Council's safeguarding procedures.
- Will provide a point of contact with Lancashire County Council's Children or Adult Services and hold an up-to-date list of contact details for statutory protection agencies.
- Will act as the lead Officer for the Council with responsibility for safeguarding procedures.
- Will liaise with the children and vulnerable adult agencies as appropriate.
- Detailed responsibilities are contained within Appendix B.

It is not the role or responsibility of any representative of the Council to decide whether abuse is taking place. DSO's should take advice from the relevant statutory agency before deciding to refer reports, concerns or disclosure formally. The West Lancashire Borough Council's DSO is:

- Simon Burnett - Deputy Director Leisure & Wellbeing
Tel: 01695 585157

Deputy Designated Safeguarding Officer (DDSO)

The West Lancashire Borough Council Senior Officers responsible for deputising for the DSO and for leading on aspects of the policy relating to Staff Recruitment, Learning & Development, Licensing and Community Safety.

The West Lancashire Deputy Designated Safeguarding Officers are:

- Sharon Lewis – Lead on Safer Recruitment
01695 585027
- Paul Charlson – Lead on Licensing
01695 585246
- Cliff Owens – Lead on Prevent
01695 585394

Nominated Lead Safeguarding Officer (NLSO)

Role undertaken by identified Council Officers following appropriate training. These Officers act as a first point of contact for other Council employees and advise on safeguarding issues.

The West Lancashire Nominated Lead Safeguarding Officers are:

- Lol Aitchison - Development & Regeneration Services
01695 585188
- Emma Davies - Leisure & Environment Services (Leisure)
01695 585145
- Kay Lovelady - Legal and Democratic Services
01695 585075
- Paul Waring - Housing and Inclusion Services
01695 585217
- Michelle Williams – Leisure & Environment Services (Street Scene)
01695 585449

Directors and Managers

- Are responsible for making sure that all of their staff are aware of and understand the importance of this policy and related guidance.
- Will arrange for appropriate training for their staff and maintain a log of this training.

- Must make sure that any contractors, agents or other representatives who will be engaged to undertake duties on behalf of the Council involving contact with children and vulnerable adults understand and comply with this policy.
- Should ensure that safe working practices are in place for their staff, and ensure that any staff without enhanced DBS clearance are never placed in a situation where they have significant and/or unsupervised access to children and vulnerable adults as defined in this policy and take all practicable steps to avoid any avoidable sole contact with children and vulnerable adults by any of their staff.
- Will work with HR to ensure that all staff are compliant with the Council's provisions relating to DBS Disclosure. This includes assessing whether new positions or changes to job descriptions will require DBS disclosure.

Monitoring Officer

Has responsibility for receiving safeguarding concerns and allegations made against Elected Members. The Monitoring Officer in liaison with the Designated Safeguarding Officer and Chief Executive Officer will determine the most appropriate course of action.

The West Lancashire Monitoring Officer is:

- Terry Broderick – Borough Solicitor

Tel 01695 585001

Head of Human Resources and Organisational Development

- Will ensure DBS checks and references that refer to the candidates' suitability to work with children and vulnerable adults are taken up for all appropriate posts as part of the recruitment and selection processes.
- Will include appropriate training in the corporate learning and development programme and ensure that Safeguarding training is available for Line Managers to include as part of the induction programme, for all new staff who are appointed to posts which required enhanced DBS clearances.
- Will ensure that details of DBS checks (record of date and reference number) and any details of child protection and vulnerable adults, substantiated allegations directly about our staff / representatives are kept securely and uphold confidentiality in line with best practice and relevant legislation.
- Will maintain a record of all staff that have completed a DBS check and are considered suitable for work involving substantial and/or unsupervised access to children and vulnerable adults.

The West Lancashire Head of Human Resources and Organisational

Development is:

- Sharon Lewis – Head of Human Resources and Organisational Development

Tel: 01695 585027

All Staff and Members

- Should be aware of this policy and should commit themselves to safeguarding children and vulnerable adults.
- Should undertake appropriate safeguarding training as defined in this policy under Section 4.4
- Should not begin any unsupervised activity involving substantial and/or unsupervised access to children and vulnerable adults prior to receiving a satisfactory enhanced DBS clearance.
- Should comply with this policy's guidance on best practice, appropriate and inappropriate behaviour for staff working with/or in charge of children and vulnerable adults and the Safeguarding Code of Conduct.
- Should understand the Council's procedures for reporting concerns and disclosure and know who their Nominated Lead Safeguarding Officer (NLSO) is.
- Are expected to act on any suspected or potential case of child or vulnerable adult's abuse. In line with the existing 'Whistle Blowing' Policy, West Lancashire Borough Council will support anyone who, in good faith, reports his or her concerns that a child or vulnerable adult is being abused or is at risk of abuse, even if those concerns prove to be unfounded.
- Should challenge poor practice as appropriate.

2. Recognising Abuse

Facts about abuse

Children and vulnerable adults of all ages may be abused. The abuser may be a family member or they may be someone the person encounters within the community, including during sports and leisure activities. Abusers can be found in all areas of society, and from any professional, racial and religious background.

Contrary to the popular image, abusers often appear kind, concerned and caring towards children and vulnerable adults. But this is deliberate – by forming close relationships, abusers can build their trust and help prevent adult suspicion. Often an abused child and vulnerable adult will suffer more than one type of abuse at the same time. For example, parents who physically abuse their children may also be neglectful.

Recognising abuse is not easy. It is not the responsibility of Council representatives to decide whether or not abuse has taken place or if a child or vulnerable adult is at significant risk.

However Council representatives do have a responsibility to report their concerns.

Abuse and neglect

Somebody may abuse a child or vulnerable adult by inflicting harm, or by failing to act to prevent harm. Even for those experienced in working with abuse, it is not always easy to recognise a situation where abuse may occur or has already taken place.

There are different types of abuse, and a person may suffer more than one type:

- **Physical Abuse** – actual or likely deliberate physical injury, or neglectful failure to prevent injury or suffering, to a child or vulnerable adult. It may include broken limbs and head injuries and could involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm.
- **Sexual abuse** - where an adult or another young person uses a child or vulnerable adult to meet his or her own sexual needs. This could include any sexual act. Showing children pornographic material is also a form of sexual abuse. The Sexual Offences Act 2003 now extends the abuse of trust offences to tackle on-line and off-line grooming of children.
- **Emotional abuse** - the persistent emotional ill-treatment of an individual. It may involve conveying to an individual that they are worthless or unloved, inadequate, or valued only in so far as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children and vulnerable adults. It may involve causing an individual to feel frightened or in danger by being constantly shouted at, threatened or taunted which may make them very nervous and withdrawn. Some level of emotional abuse is involved in all types of abuse.
- **Neglect** - where adults fail to meet a child's or vulnerable adult's basic

physical and/or psychological needs, likely to result in the serious impairment of the child's or vulnerable adult's health or development (e.g. failure to provide adequate food, shelter and clothing, failure to protect an individual from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment.) It may also include refusal to give an individual love, affection and attention.

Signs and indicators of abuse

Sometimes a child or vulnerable adult who is being abused *may* show some of the following signs:

- A change in his or her general behaviour. For example, they may become unusually quiet and withdrawn, or unexpectedly aggressive. Such changes can be sudden or gradual.
- He or she appears distrustful of a particular adult, or a parent/carer/guardian or a coach with whom you would expect there to be a close relationship.
- He or she may describe receiving attention from an adult that suggests they are being 'groomed' for future abuse.
- He or she is not able to form close friendships.
- The child or vulnerable adult refuses to remove clothing for normal activities or wants to keep covered up in warm weather.
- The child shows inappropriate sexual awareness or behaviour for their age.
- The child or vulnerable adult has unexplained injuries such as bruising, bites or burns – particularly if these are on a part of the body where you would not expect them.
- The child or vulnerable adult has an injury which is not explained satisfactorily or properly treated.
- Deterioration in the child's or vulnerable adult's physical appearance or a rapid weight gain or loss.
- Pains, itching, bruising, or bleeding in or near the genital area.
- Unexplained disappearances or suddenly having unexplained gifts such as mobile phones, new clothes, money.

Concern does not necessarily need to be related to a single specific incident. It may also arise from the accumulation of minor concerns.

It is important to remember that these signs do not always mean that a child or vulnerable adult is being abused – there may be other explanations. But if you think that the person may be being abused, it is important that you discuss your

concerns with your Line Manager or Nominated Lead Safeguarding Officer (NLSO).

Every child and vulnerable adult is unique and it is difficult to predict how their behaviour will change as a result of their experience of abuse.

Important Rule

It is important to remember that many children and vulnerable adults will exhibit some of these signs and indicators at some time, and the presence of one or more should not be taken as proof that abuse is occurring. There may well be other reasons for changes in behaviour such as death, or the birth of a new baby in the family, relationship problems between parents/carers etc.

It is not the responsibility of a West Lancashire Borough Council representative to decide if abuse is occurring, but it is your responsibility to act on any concerns by reporting any suspicions to your line manager/ Nominated Lead Safeguarding Officer. If risk to life or immediate harm contact the POLICE.

REMEMBER: There may be other reasons that a child or vulnerable adult is exhibiting some of the signs and indicators.

Warning Signs: Behaviours Common to Abusers

Those who represent a threat of sexual abuse to children and vulnerable adults are often skilled at avoiding detection. With this in mind, the following list of warning signs should help representatives in their role of exercising vigilance to safeguarding and may alert them to the possibility that someone's intentions towards children and vulnerable adults are suspicious.

Representatives should look out for those who:

- Display inappropriate behaviour, or talk inappropriately, to children and vulnerable adults.
- Avoid co-working or supervision of their work with children and vulnerable adults.
- Seek out opportunities to spend time with either individuals or with small groups on a regular basis, particularly vulnerable children and adults, e.g. those who may be disabled.
- Encourage secretiveness about their activities with children and vulnerable adults.
- Pay an unusual amount of attention to individuals or groups and particularly the provision of presents, money or favours to children or vulnerable adults.
- Take a child or vulnerable adult or a small group of children or vulnerable adults to their own home.
- Are vague about previous employment or gaps in their employment history.

Representatives should also comply with the standards of behaviour expected of them if coming into contact with children or vulnerable adults, as covered by the

Safeguarding Code of Practice detailed in Section 5.

Child Sexual Exploitation (CSE)

The issue of CSE has become prominent in recent years and this policy recognises the particular issues around identifying behaviours that might indicate CSE is occurring.

West Lancashire Borough Council is committed to raising awareness of and tackling CSE and the guidance below should be considered to shape future working practice:

- that the Council should raise awareness of CSE amongst Elected Members and Officers through training programmes and campaigns.
- that there should be a clear understanding of referral pathways and how/when to spot CSE.
- that there should be a focus on early intervention and a partnership approach to tackling the issue.
- that the wider licensing trade should undertake CSE training.

Incidents, observations or disclosures that are of concern with regard to CSE should be recorded and reported in line with this policy, using the Incident Reporting Form (Appendix A).

If there are concerns that reports are not being acted upon, then the Council's Whistle blowing policy applies.

Child Criminal Exploitation (CCE)

This is becoming a major issue across the country where children are being groomed to undertake criminal acts on behalf of adults for example, drug dealing and theft.

Incidents, observations or disclosures that are of concern with regard to CCE should be recorded and reported in line with this policy using the Incident Reporting Form (Appendix A).

Bullying

Bullying can involve a combination of other forms of abuse such as physical or emotional abuse. Bullying can be child on child but could also be adult on child and adult on vulnerable adult, for example concerns about a coach/Council representative bullying a child or vulnerable adult.

Bullying is not easy to define, can take many forms and is usually repeated over a period of time. The three main types of bullying are: physical (e.g. hitting, kicking), verbal (e.g. racist remarks, threats, name calling) and emotional (e.g. isolating an individual from activities).

Bullying will include:

- deliberate hostility and aggression towards the victim
- a victim who is weaker than the bully or bullies
- an outcome which is painful and or distressing for the victim.

Bullying behaviour may also include:

- other forms of violence
- sarcasm, spreading rumours, persistent teasing or theft
- tormenting, ridiculing, humiliation
- racial taunts, graffiti, gestures
- unwanted physical contact or abusive/offensive comments of a sexual nature.

Emotional and verbal bullying is more likely, however it is also more difficult to cope with or prove.

Signs of bullying include:

- behavioural changes such as reduced concentration and/or becoming withdrawn, clingy, depressed, tearful, emotionally up and down, reluctance to go to training or competitions
- an unexplained drop off in performance
- physical signs such as stomach aches, headaches, difficulty in sleeping, bed wetting, scratching and bruising, damaged clothes, bingeing e.g. on food, alcohol or cigarettes
- a shortage of money or frequent loss of possessions.

It must be recognised that the above list is not exhaustive but also that the presence of one or more of the indications is not proof that abuse is taking place.

The Council has a zero tolerance approach to bullying. If bullying is suspected, representatives of the Council should follow the procedure set out in Response Procedures for Incidents of Disclosure and Reporting Concerns, Suspicions and Allegations in Section 3.

If the issue is one of an adult against a child, representatives should follow the same procedures as with any other form of abuse.

For further information on the effects of abuse refer to the NSPCC helpline/website:

<https://www.nspcc.org.uk/preventing-abuse/signs-symptoms-effects/>

Radicalisation

An emerging issue which is related to safeguarding matters is the potential for children and vulnerable adults to be radicalised. The Council has specific duties to have due regard to the need to prevent people from being drawn into terrorism. To that end the Council will:

- Have a nominated lead officer for PREVENT – The Environmental Protection and Community Safety Manager and Community Safety Officer fulfil this role for West Lancashire Borough Council.

- Train all appropriate employees on safeguarding and identifying radicalisation in accordance with the Prevent Duty as required under the Counter Terrorism and Security Act 2015 and any other legislative requirements.
- Ensure the DSO refers radicalisation concerns to the PREVENT lead officer when they arise.

If any Council representatives have concerns or suspicions regarding the radicalisation of children and vulnerable adults then they should speak to the NLSO, details of which are contained in Appendix B.

3. Response Procedures for Incidents of Disclosure and Reporting Concerns, Suspicions and Allegations

Remember to familiarise yourself with the flowchart at the beginning of this policy document and the role and responsibilities of Officers with a specific safeguarding responsibility detailed in section 1.2

You may become aware of possible abuse in various ways.

- see the abuse happening or receive a direct disclosure of abuse
- suspect or have concerns because of signs such as those listed in Section 2
- have concerns reported to you by another party

If a child or vulnerable adult indicates that he/she is being abused, or information is obtained which raises concern of abuse, you should act immediately irrespective of whether they are in receipt of services from West Lancashire Borough Council.

It is not the responsibility of a West Lancashire Borough Council representative to decide if abuse is occurring, but it is their responsibility to act on any concerns by reporting any suspicions that they have.

If you are not sure what to do, your first response should be to contact your Nominated Lead Safeguarding Officer (NLSO) will be able to provide advice. A list of contacts is available in Appendix B of this policy and on the intranet.

However, if you believe a child or vulnerable adult to be in 'immediate danger' you should contact the Police, then inform your Nominated Lead Safeguarding Officer (NLSO).

If you are not sure what to do, you can gain help from the NSPCC 24-hour help line - Tel: 0808 800 5000.

Lancashire Children or Adult Services hotline: Tel: 0300 123 6720 (8am-8pm) or Tel: 0300 123 6721 (8pm -8am)

(If abuse concerns a Council representative or Elected Member, please see sections 3.4 and 3.5).

3.1 Recording Information on the Incident Reporting Form (*Appendix A*)

All concerns, disclosure or incidents should be recorded on the Incident Reporting Form (Appendix A). The form maintains a record of any incident. The form should always be filled out as soon as possible after disclosure, incidents or concerns. The template is available on the intranet and hard copies are available from your Nominated Lead Safeguarding Officer (NLSO) or Line Manager.

To ensure that information is as accurate and helpful as possible, a detailed record should always be made at the time of the disclosure/concern. In

recording information you should confine yourself to the facts. Distinguish your personal knowledge from what others have told you. Do not include your own opinions.

Information should include the following:

- the person's name, age and date of birth
- the person's home address and telephone number
- whether the person completing the incident form is expressing their concern or someone else's
- the nature of the allegation, including dates, times and any other relevant information
- a description of any visible bruising or injury, e.g. location, size etc.
- details of any indirect signs of abuse, such as behavioural changes
- details of witnesses to the incident
- the individual's account, if it can be given, of what has happened and how any injuries occurred if appropriate
- have the parents/carers been contacted? - if so, what has been said?
- has anyone else been consulted? - if yes, record details
- has anyone been alleged to be the abuser? - record details

However vague the details might be, it is essential that any information you have to support your concerns, record the disclosure or document the allegation are captured on the form.

3.2 Recording Concerns and Allegations

It is not the responsibility of a West Lancashire Borough Council representative to decide if abuse is occurring, but it is their responsibility to act on any concerns by reporting any suspicions that they have.

If you are not sure what to do, your first response should be to contact your Nominated Lead Safeguarding Officer (NLSO) who will be able to provide advice. A list of contacts is available in Appendix B of this policy and on the intranet.

However, if you believe a child or vulnerable adult to be in immediate danger you should contact the Police, then inform your Nominated Lead Safeguarding Officer (NLSO).

This policy document contains guidance (Section 2) on signs and indicators of abuse and the Council's Safeguarding Code of Conduct for staff working with children and vulnerable adults (Section 5) which should inform representatives in relation to concerns about their welfare, reporting inappropriate behaviour and witnessing abuse.

All concerns and allegations should be recorded on the Incident Reporting Form (Appendix A). This applies to whether the concern or allegation refers to a member of Staff, Volunteer, Elected Member or any other person (for example a family member).

Remember: Concern does not necessarily need to be related to a single specific incident. It may also arise from the accumulation of minor concerns. Failure to report concerns early may allow abuse to continue or escalate with catastrophic consequences.

In all cases, if you are not sure what to do you should contact your Nominated Lead Safeguarding Officer (NLSO) who will be able to provide advice. A list of contacts is available in Appendix B of this policy and on the intranet.

Action to take:

Complete an Incident Reporting Form (Appendix A)

- Pass the completed form to your Nominated Lead Safeguarding Officer (NLSO) within 72 hours (or as soon as practically possible if out of hours). Reporting the matter should not be delayed by attempts to obtain further information.
- If you believe that a child or vulnerable adult is in immediate danger of harm, you should personally contact the Police ensuring that your Nominated Lead Safeguarding Officer (NLSO) is made aware at the earliest opportunity. (The Police will automatically inform the relevant LCC Services). Maintain surveillance of the individual if possible. A record should be made of the name and title of the Police Officer to whom the concerns were passed, together with the time and date of the call, in case any follow up is needed.

3.3 Responding to disclosure

If you receive information concerning disclosure you should:

- React calmly so as not to frighten the child or vulnerable adult.
- Tell them that he/she is not to blame and that he / she was right to tell you.
- Take what they say seriously, recognising the difficulties inherent in interpreting what is said by an individual who has a speech disability and/or differences in language.
- **You should not attempt to investigate the alleged abuse.** Remember that an allegation of abuse or neglect may lead to court action to protect the individual or to punish the abuser. Both could be jeopardised if you act inappropriately. Your role is to listen and record. Keep questions to the absolute minimum to ensure a clear and accurate understanding of what has been said. Do not ask closed or leading questions such as “did he / she touch you?” Allow the person to talk freely and be supportive.
- Reassure the child or vulnerable adult but do not make promises of secrecy or confidentiality, as these may not be feasible as a result of subsequent developments.
- Make a full written record of what had been said, heard and/or seen as soon as possible, ensuring that you use the exact words of the speaker.

- Complete an Incident Reporting Form as provided in Appendix A, attaching the original written record or using the form as the first record of the disclosure if available.

ACT NOW - DO NOT DELAY. Pass the referral to your Nominated Lead Safeguarding Officer (NLSO) immediately. This should be done as soon as practically possible in an 'out of hours' situation and reporting the matter should not be delayed by attempts to obtain further information.

- If the disclosure relates to a member of Staff or another Nominated Lead Safeguarding Officer (NLSO), then the issue should be passed immediately to the Designated Safeguarding Officer (DSO) and the Head of Human Resources and Organisational Development.
- Concerns relating to an Elected Member should be raised with the Monitoring Officer immediately or as soon as practically possible if out of hours.(see Section 3.5)
- If you have reason to believe an individual is in immediate danger of harm then you should personally contact the Police ensuring that your Nominated Lead Safeguarding Officer (NLSO) is made aware at the earliest opportunity. (The police will automatically inform the relevant LCC Services). Maintain surveillance of the individual if possible. A record should be taken of the name and position of the Police Officer to whom the concerns were passed along with the time and date of the call, in case any follow up is needed.
- If the immediate danger relates to suspected abuse by a parent/carer, do not allow the child or vulnerable adult to go home without calling the Police.

In some instances it may be that the child or vulnerable adult is unable to express him or herself verbally and means that it may be difficult for vulnerable victims of abuse to complain or be understood. Sometimes it is hard to distinguish the signs of abuse from the symptoms of some disabilities or conditions. However, where there are concerns about the safety of a disabled child or vulnerable adult, Council representatives should record what has been observed in detail and follow the Council's procedures to report these concerns.

If you receive a disclosure:

- Do not panic.
- Try not allow any shock or distaste to show.
- Do not probe for more information than is offered or ask closed or leading questions such as "did he / she touch you?" Allow the person to talk freely and be supportive.
- Do not speculate or make assumptions.
- Do not make negative comments about the alleged abuser.
- Do not approach the alleged abuser.
- Do not make promises or agree to keep the information secret.

In all cases, if you are not sure what to do you should contact your Nominated Lead Safeguarding Officer (NLSO) who will be able to provide

advice. A list of contacts is available in the Appendix B of this policy and on the intranet. If you are not sure what to do you can gain help from the NSPCC 24-hour help line Tel No: 0808 800 5000.

Upon receipt of an incident form, your Nominated Lead Safeguarding Officer (NLSO) must report the incident or seek advice as soon as possible but within an absolute maximum of 24 hours from the receipt of an Incident Reporting Form (Appendix A). The NLSO will advise the referrer of the action they will take and further feedback will only be provided if appropriate.

3.4 Reporting allegations or concerns of abuse relating to West Lancashire Borough Council Staff

Action to take:

Complete an Incident Reporting Form (Appendix A)

- Pass the completed form, directly and securely, to the Designated Safeguarding Officer (DSO) or the Head of HR & OD immediately or as soon as practically possible if out of hours. Contact DSO / Head of HR/OD to notify them of the submission of a pending form. In the absence of the DSO or the Head of HR & OD, pass the form to one of the Designated Deputy Safeguarding Officers (DDSO's). Reporting the matter should not be delayed by attempts to obtain further information.
- If a child or vulnerable adult is in immediate danger of harm, you should personally contact the Police ensuring that your Nominated Lead Safeguarding Officer (NLSO) is made aware at the earliest opportunity (the Police will automatically inform the relevant LCC Services). Maintain surveillance of the individual if possible. A record should be made of the name and title of the Police Officer to whom the concerns were passed, together with the time and date of the call, in case any flow up is needed- record this information on the Incident Reporting Form (Appendix A).

3.5 Reporting allegations or concerns of abuse relating to Elected Members

Should a concern, report or allegation relate to an Elected Member the first point of contact should be with the Council's Monitoring Officer, who will take advice from LCC Children or Adult Care Services or refer the matter formally see below. The Monitoring Officer may decide that the Council's Standards procedures apply as well as, or instead of this policy. Details of the Monitoring Officer can be found in Appendix B.

The Monitoring Officer in liaison with the Designated Safeguarding Officer and Chief Executive Officer will determine the most appropriate course of action.

Action to take:

Complete an Incident Reporting Form (Appendix A)

- Pass the completed form to the Council's Monitoring Officer immediately or as soon as practically possible if out of hours. Reporting the matter should not be delayed by attempts to obtain further information. Contact the Monitoring Officer to notify them of the submission of a pending form.

If a child or vulnerable adult is in immediate danger of harm, you should personally contact the Police ensuring that your Nominated Lead Safeguarding Officer (NLSO) is made aware at the earliest opportunity. (The police will automatically inform the relevant LCC Services). Maintain surveillance of the individual if possible. A record should be made of the name and title of the Police Officer to whom the concerns were passed, together with the time and date of the call, in case any follow up is needed. Record this information on the Incident Reporting Form.

3.6 Reporting poor practice, whistle blowing, sharing information & concerns

The Council has a 'Whistle Blowing Policy' in line with the Public Interest Disclosure Act 1998. It is also important to have procedures for enabling staff and volunteers to share, in confidence, with a designated person concerns they may have about a colleague's behaviour.

This may be behaviour linked to abuse or behaviour that pushes boundaries beyond acceptable limits. If this is consistently ignored a culture may develop within an organisation whereby staff and young people are 'silenced'.

The welfare of the individual is always paramount to West Lancashire Borough Council and we fully support 'whistle blowing' for the sake of the child and vulnerable adult. The Council assures all representatives and professional or voluntary organisations that it will fully support and protect anyone who, in good faith (without malicious intent), reports a concern about a colleague's practice or the possibility that a child or vulnerable adult may be being abused.

While it is difficult to express concerns about colleagues or issues relating to bad practice, it is vital that these concerns are communicated to a Nominated Lead Safeguarding Officer (NLSO) or manager. All staff and volunteers will be encouraged to talk to the NLSO if they become aware of anything that makes them feel uncomfortable. **For further information please refer to the Council's policy on 'Whistle blowing', details of which can be found on the Councils Intranet.**

Allegations about a Member of Staff or Elected Members

Any complaint or allegation made against West Lancashire Borough Council's staff regarding a child or vulnerable adult, will be managed by the relevant Director with support where required from the Head of Resources & Organisational Development, in accordance with the Council's Disciplinary Procedures, following the initial report of the incident using the procedures in

this policy. For complaints relating to Elected Members, the matter will be handled by the Council's Monitoring Officer. The Monitoring Officer may decide that the Council's Standards procedures apply.

Responding to poor practice

If, after investigation through the Incident Reporting Form process the allegation clearly stems from poor practice, the appropriate Director shall arrange for further information, training and support in accordance with procedures for improving performance. In light of the investigation, the Director will be responsible for making any recommended changes to the practices and procedures within their Service area to ensure that the welfare of children and vulnerable adults is safeguarded and remains paramount. In addition, the Designated Safeguarding Officer (DSO) will undertake a review of the Safeguarding Policy in the light of investigations into poor practice.

3.7 Allegations of previously unreported or historical abuse

Allegations of abuse may be made some time after the event (e.g. by an adult abused as a child). Where such an allegation is made the representative of West Lancashire Borough Council shall follow the Council's procedures for responding to disclosures, including completion of an incident reporting form (Appendix A).

3.8 Support following allegations of abuse

Consideration shall be given to what support may be available and appropriate to the alleged perpetrator of the abuse if they are a WLBC employee.

3.9 Approach by a potential abuser following referral

Should a member of staff be approached by someone who has been identified as a potential abuser, the staff member should not comment on the case but contact the Nominated Lead Safeguarding Officer (NLSO) as soon as possible. If the representative believes that such an approach now means that the child or vulnerable adult may be in immediate danger of harm, they should personally contact the Police ensuring that the Nominated Lead Safeguarding Officer (NLSO) is made aware at the earliest opportunity. (The Police will automatically inform LCC Services). Maintain surveillance of the individual if possible. A record should be made of the name and title of the Police Officer to whom the concerns were passed together with the time and date of the call, in case any follow up is needed.

3.10 Confidentiality and information sharing

The legal principle that the welfare of the individual is paramount may mean that usual considerations of confidentiality which would apply in other situations, should not be allowed to override the Council's exercising of a duty of care and the protection of children and vulnerable adults from harm. However, every effort shall be made to ensure that confidentiality is maintained for all concerned. Information will be handled and disseminated on a need to know

basis only.

This could include sharing certain information with the following parties to safeguard children and vulnerable adults:

- Statutory protection agencies: LCC Children and Adult Services or the Police.
- Designated Safeguarding Officer and Head of HR & OD, Monitoring Officer.
- The parents of the person who is alleged to have been abused (**only following advice from LCC Children and Adult Services**).
- The person making the allegation. (Feedback will only be provided if appropriate).
- OFSTED in the case of a child or young person making a disclosure regarding a staff member of an OFSTED registered facility.
- The alleged abuser and parents if the alleged abuser is a child or vulnerable adult. (Following advice from LCC Children and Adult Services)

Information shall be stored in a secure place by the Designated Safeguarding Officer (DSO) with limited access by designated people; relevant measures will be taken to ensure confidentiality when sharing information to ensure the protection of children and vulnerable adults. If information is shared with other agencies, a secure method of transfer must be used.

3.11 Approaches from the press regarding a Safeguarding Incident

Should a Council representative be approached by a member of the press in relation to a safeguarding incident or ongoing investigation relating to a Council representative, they should not make any comment but should refer the member of the press to the Council's Communications team or the DSO or DDSO, details of which are contained in Appendix B.

4. Recruitment, Employment and Redeployment Procedures

West Lancashire Borough Council will take all reasonable steps to ensure that unsuitable people are prevented from working with children and vulnerable adults in the services it provides. This procedure extends to people who are working on behalf of the Council as well as employees; including all permanent and temporary employees, agency workers, volunteers and casual staff.

4.1 Advertising Posts

All vacancies advertised by West Lancashire Borough Council will highlight if an Enhanced DBS Clearance is an essential criterion to carry out the role.

WLBC maintains a list of all posts that require an Enhanced DBS Clearance. Any new posts created on the establishment will be assessed by Line Managers as to whether an Enhanced DBS is required. All new or adjusted posts will be subject to the Council's Vacancy Clearance Process, which require Line Managers to assess if the post requires DBS clearance and at what level.

Disclosure Type	Details Requested	Eligibility
Basic	All unspent convictions and conditional cautions	Anyone
Enhanced	All unprotected convictions and cautions, both unspent and spent as well as any non-conviction information that has a bearing on your suitability for employment	The position must be included in both the ROA Exceptions Order and the Police Act 1997 (Criminal Records) regulations

The following additional information will also be requested as part of the application process:

The applicant's consent to undertake an Enhanced DBS check.
At least two references with one being their current or most recent employer (not relatives) that comment on the applicant's previous experience and suitability for the job. References must be available for a full 3 year period prior to appointment. Consequently more referees will be required if the named referees have known the applicant for less than 3 years.

The employment interview will include specific safeguarding questions.

For applicants who are successful at the interview, the HR team will request an Enhanced DBS disclosure and two relevant references. At this stage an offer of employment will be made subject to satisfactory DBS clearance and references.

Only the applicant will receive the result of the DBS disclosure certificate. The HR team will be notified by the registered body who is obtaining the Disclosure on the Council's behalf, that the disclosure has been released to the applicant.

The applicant must then provide sight of the original copy (not a photocopy) to the HR team who will record the certificate number, the date of issue.

It is not permissible to record the actual conviction, if one is recorded on the certificate. However, where there are convictions recorded on the disclosure certificate, a record can be made about whether an offer of appointment was confirmed or not based on the content of the disclosure.

It is not possible to hold a photo copy of the actual certificate. The results are confidential, although any concerns will be highlighted to the recruiting manager and may be discussed with the individual concerned. If there are substantial concerns with the disclosure, which may preclude the applicant from the post, these cases will be discussed by all relevant parties. It will be the responsibility of the relevant appointing manager to decide on the applicant's suitability for working with children and vulnerable adults taking into account only those offences that may be relevant to the post.

Line managers should refer to the latest HR guidance on recruitment on the intranet for further details or contact the HR team.

4.2 Existing Staff

All existing West Lancashire Borough Council staff who have substantial and/or unsupervised access to children and vulnerable adults in accordance with the DBS guidelines, will be subject to an Enhanced DBS check. If a member of staff's job description changes a decision should be made by their manager as to whether their duties will involve having substantial and/or unsupervised access to children and vulnerable adults in accordance with the DBS guidelines and, if so, that an Enhanced DBS disclosure is applied for.

4.3 Induction

All West Lancashire Borough Council staff and Elected Members, will undergo Level 1 Safeguarding training via the online Emerge e learning tool, as soon as possible after commencing their employment, in which a summary of the Safeguarding Policy is included. A link to the full policy and procedures will be provided by the Line Manager as part of their local induction.

4.4 Training

Appropriate training will be provided to all West Lancashire Borough Council staff, Elected Members and volunteers who work with children and vulnerable adults or through their jobs could be in a position to recognise signs of abuse to children and vulnerable adults. The level of training required shall be identified by Line Managers for staff or Member Services for Elected Members, and affirmed by Heads of Service. For new staff, training will be provided as soon as possible after commencement.

Level 1 – All staff / Elected Members will be required to complete mandatory e-learning modules of Safeguarding Children and Vulnerable Adults. Courses can be found on the WLBC Emerge: e-learning system. Staff who do not have

access to the e-learning system will be given alternative 'Tool Box' talks by a relevant manager.

Refresher training shall take place should any significant change to this policy be made.

Level 2 – An appropriate, more in depth safeguarding awareness training , which will be provided externally – designed for all employees who have been required to have an Enhanced DBS as part of their recruitment process, along with those who have designated safeguarding responsibilities.

Coaches – Coaches working in sport will be required to attend a specific coaching-related safeguarding training such as UK Coaching -Good Practice in Child or Young Person Protection or equivalent unless they can demonstrate that they have attended a sport's governing body approved training course in Safeguarding .

Safer Recruitment training – Those staff responsible for recruiting to positions that require an Enhanced DBS will also receive Safer Recruitment training.

4.5 Services that use Volunteers

Managers of services that rely on the support of Volunteer workers should have a robust system in place to ensure children and vulnerable adults using those services are not put at safeguarding risk. It is for those Service Managers in consultation with their Head of Service, to determine what disclosures are required.

In determining the level of disclosure required, regard should be had for the general safeguarding principles and level of substantial and/or unsupervised access to children and vulnerable adults.

5. Safeguarding Code of Conduct for all Council Representatives

Although it is impractical to provide definitive instructions applying to every situation when West Lancashire Borough Council representatives come in to contact with children or vulnerable adults, the following points cover the standards of behaviour expected of all representatives in order to protect both themselves and the individuals they come in to contact with. They are supplementary to the existing West Lancashire Officers & Member Codes of Conduct.

All Staff must:

- Work within the scope of this Policy at all times.
- Never engage in rough, physical or sexually provocative games, including horseplay.
- Never share overnight accommodation with a child or vulnerable adult.
- Never allow or engage in any form of inappropriate touching. The main principles of touching are:
 - It should always be in response to the individual's needs.
 - It should always be appropriate to the individual's age/stage of development.
 - It should always be with the individual's permission.
- Never allow the use of inappropriate language to go unchallenged.
- Never physically restrain a child or vulnerable adult unless the restraint is to prevent physical injury to the individual or to another person.
- Never make sexually suggestive comments, even in fun.
- Never reduce a child or vulnerable adult to tears as a form of control.
- Never allow allegations to go unchallenged, unrecorded or not acted upon.
- Never do things of a personal nature that an individual can do for himself or herself or that a parent can do for them.
- Never invite or allow children or vulnerable adults to your home unsupervised.
- Never allow children or vulnerable adults to be left unattended or placed with members of staff, for substantial periods, who have not been subject to an Enhanced Disclosure check.

With the exception of emergencies staff must:

- Never have children or vulnerable adults in their own vehicle, unless parents/carers have been notified.
- Where circumstances require the transportation of children or vulnerable adults, another West Lancashire Borough Council staff member must be present and the driver must have adequate insurance to use their vehicle to cover business use in that capacity. In extreme medical emergencies, where it is required to transport a child or vulnerable adult on their own, it

is essential that another West Lancashire Borough Council staff member or the parent/carer is notified immediately.

- Avoid, where possible, taking an individual to the toilet unless another adult is present and where possible, remain outside the toilet and under no circumstances should you support an individual with personal care.
- West Lancashire Borough Council staff or volunteers should never be in a position where they are required to do things of a personal nature for children or vulnerable adults.

Implications for representatives

Representatives who breach the Safeguarding Code of Conduct may be subject to the Council's disciplinary procedures. If an allegation is made against representatives the matter shall be investigated.

Further Guidance

Work experience placements

Special consideration must be made with regard to young people on work experience placements with the Council.

In the first instance, both work experience students and supervisors should follow the Safeguarding Policy of the organisation which has arranged the placement with the Council, who should have their own safeguarding procedures in place.

It is the responsibility of managers to ensure that adequate provisions are made to ensure that staff working in an office-based situation employ safe working practices and are not placed in a situation where they are left unsupervised with child / vulnerable adults on a work experience placement or an employee under-18 years old.

It is good practice to ensure that Council representatives do not put themselves at risk of having allegations made against them and therefore, where possible, should limit their unsupervised access to the child or vulnerable adult. This also applies within an office environment where everyone else has left and the child or vulnerable adult may be left with just one employee.

Representatives should follow the Council's Safeguarding Code of Conduct and the guidance for safe working practices laid out in this policy.

Where this substantial and/or unsupervised access is unavoidable, representatives should always follow the Council's Safeguarding Code of Conduct and use common sense to safeguard themselves from allegations, particularly if transporting children and vulnerable adults.

Storing Data relating to Children and Vulnerable Adults

Where the Council holds personal data in relation to individuals, especially where there is sensitive personal data collected such as medical conditions, this information should be held in line with requirements for the General Protection Data Regulations (GPDR) and Data Protection Act 2018.

6. Partnership working, Community and Voluntary Sector Organisations receiving funding from the Council and Contractors

6.1 Partners, Community and Voluntary Sector Organisations

Where Council services are undertaken by partners on the behalf of West Lancashire Borough Council or the Council fund voluntary or community organisations, whose work will involve access to children and vulnerable adults through, for example, the provision of grants, the Council will seek assurance that such bodies either have their own Safeguarding Policy in place or have accepted those of the Council. In the case of organisations receiving significant funding provision from the Council to deliver services for children or vulnerable adults, the receipt of such assurances will be a prerequisite for funding and form part of the application process if appropriate.

6.2 Contractors

Any contractor or sub-contractor, engaged by the Council in areas where workers may have substantial and/or unsupervised access to children or vulnerable adults should ensure that their procedures are in accordance with this policy. Contractors will be responsible for ensuring that workers with substantial and /or unsupervised access to children or vulnerable adults are subject to the necessary Disclosure and Barring Service disclosure. This includes sub-contracted workers employed through agencies.

Where managers are commissioning services and awarding contracts, consideration should be given to the nature of the work to be undertaken and whether this will involve contractors having substantial and/or unsupervised access to children or vulnerable adults. If so, managers are responsible for ensuring contracts / tenders comply with this policy and all documentation is provided as part of the pre-contract / tender negotiations and documentation.

Managers should ensure that the provisions of Appendix D are contained in any contract/tender agreements.

Where a contract is to be tendered, the above stipulations should form part of any tender document. Production of the contractor's Safeguarding Policy must form part of any tender submission and must be received and considered satisfactory by the Council prior to any formal engagement. Should the Council not be satisfied with the contractor's Safeguarding Policy, the contractor shall adopt the Council's policy and be required to sign a self-declaration (Appendix D). Alternatively for smaller contracts not requiring a tender, a signed disclosure must be submitted (Appendix E). The manager engaging the contractor is responsible for ensuring that the above procedures are adhered to.

Users/Hires of Council Assets

Part of the terms and conditions for hirers or lease holders of Council managed or owned Community Centres or other Council buildings for events / activities aimed at children or vulnerable adults must include a requirement to comply with the Council's Safeguarding Policy or have one of their own.

Licensing and Related Regulation

The Council has regulatory responsibilities that directly relate to safeguarding. Much of these relate to the Council's licensing functions that ensure those individuals that hold a licence are 'safe and suitable' to undertake the work the licence permits. The most significant of these are the licensing of taxis and drivers, but the Council undertakes similar functions relating to street trading, gambling and alcohol sales.

The Council maintains detailed policies which describe how these licensing duties are put into practice, including related enforcement. These policies can be found at www.westlancs.gov.uk/licensing

7. Guidelines for Use of Photographic Equipment at Organised Events Including Mobile Phone Technology and e-Communications

There is evidence that some people have used public events as an opportunity to take inappropriate photographs or film footage of children. All staff organising events where children will be participating must remain vigilant and ensure the following guidelines are adhered to. The guidelines apply to all forms of technology that can be used to record images including mobile phones, many of which now include digital cameras, and staff should be aware of the opportunity this affords for misuse.

In addition, when using an external venue, you need to check the venue's policy on the use of photographic equipment. For example a leisure centre should not allow the use of filming equipment in the changing rooms or swimming pool areas.

If a professional photographer, the press or representatives are invited to cover services, events, activities, the event organiser must:

- Inform participants and parents/carers that a photographer will be in attendance and ensure they consent to both the taking and publication of films or photographs by asking them to complete a consent form (Appendix F)
- Ensure that the photographer wears their identification or is provided with identification at the event.
- Ensure that the photographer has no substantial and/or unsupervised access to children or vulnerable adults.
- Ensure that the surnames of children or vulnerable adults are not used in photographs or film footage, unless with the express permission of the child or vulnerable adults parent/carer.

Public information: the specific details concerning event photography should, where possible, be published prominently in event programmes and must be announced over the public address system prior to the start of the event.

The recommended wording is:

“In the interests of safeguarding children and vulnerable adults and in line with the West Lancashire Borough Council Safeguarding Policy, the promoters of this event request that any person wishing to engage in any photography, for professional or media purposes, should register their details with the event staff at the entry desk before carrying out any such photography. The promoters of this event reserve the right of entry to this event and reserve the right to decline entry to any person unable to meet or abide by the promoter's conditions.”

If you have concerns:

If you are concerned about any photography taking place at an event, contact the promoter or event organiser and discuss it with them. If appropriate, the person about whom there are concerns should be asked to leave and the event manager should be informed.

e- Communications

The use of 'e-communications' is often a means for abusers to gain access to children and vulnerable adults. Council representatives who work with children and vulnerable adults should ensure that the Council's 'ICT and Data Security Policy' is strictly adhered to. Where staff have concerns that e-communications are being used inappropriately to access children and vulnerable adults, they should raise those concerns with an NLSO, details of which are contained in Appendix B.

8. Further Enquiries and Policy Review

All further enquiries regarding this policy should be directed to:

Simon Burnett
Deputy Director of Leisure & Wellbeing
West Lancashire Borough Council
Robert Hodge Centre
Stanley Way, Skelmersdale
West Lancashire
WN8 8EE

Tel: 01695 585157

This policy and associated documentation will be reviewed every 3 years.

Policy Dated:

April 2019

Review Date:

April 2022

Appendix A: Incident Reporting Form
Appendix B: Roles and Responsibilities of Designated Officers
Appendix C: Relevant Legislation
Appendix D: Self declaration for contractors engaged in work on behalf of West Lancashire Borough Council
Appendix E: Self Disclosure Form for volunteers and smaller contractors
Appendix F: Photographic Registration Form

Appendix A: Incident Reporting Form

<p>Please give as much information as possible, using extra sheets if necessary.</p> <p>All information will be treated in strict confidence.</p> <p>If you are not sure what to do, your first response should be to contact your Nominated Lead Safeguarding Officer (NLSO) who will be able to provide advice. A list of contacts is available in Appendix B of the Safeguarding Policy and on the intranet. If you are not sure what to do you can gain help from the NSPCC 24-hour help line Tel No: 0808 800 5000.</p> <p>However, if you believe a child or vulnerable adult to be in immediate danger you should contact the Police, then inform your Nominated Lead Safeguarding Officer (NLSO).</p>		
Date:	Time:	Venue [Place where reported]:
Name of Child/Vulnerable Adult:	DOB:	Age:
Address:		
Postcode:	Tel Number:	
As the officer completing the form, are you reporting your own concerns or passing on those of someone else? Child-Vulnerable Adult/ Own/Other		
Name and contact details of person raising/reporting suspicions of abuse to the officer, if different from Child/Vulnerable Adult/ Officer:		
Brief description of what has prompted the concerns: include dates, times, locations etc. of any specific incidents. Please write only facts and avoid interpretation e.g. Physical e.g. visible bruising or injury, e.g. location, size etc. / behavioural / indirect signs?		

Have you spoken to the child/vulnerable adult? Yes/No (if yes, what was said?)

Has anybody been alleged to be the abuser? Yes/No (if yes, give details)

Have you consulted anybody? Yes/No

If so, give details of contact i.e. Police Officer Name, Badge No, Social Worker details, dates.

Have the parents/carers been contacted ahead of this referral? This should be done unless you feel it would increase risk of harm. If yes, what has been said?

If relating to a vulnerable adult, have they given consent for this referral? Yes/No

Does the child/vulnerable adult have a disability? Yes/No

Your Name:

Position:

To Whom reported:

Position:

Date of reporting:

Signature:

Date:

Time:

Next Steps:

- 1) Contact DSO / NLSO verbally to notify them of the pending submission of this form
- 2) send form within 24 hours.

REMEMBER TO MAINTAIN CONFIDENTIALITY.

DO NOT DISCUSS THE MATTER WITH ANYONE OTHER THAN THOSE THAT NEED TO KNOW.

APPENDIX B

Roles and Responsibilities of Designated Officers

Each West Lancashire Borough Council Service Area with the potential for access to children or vulnerable adults has one person who will act as the main contact for safeguarding, a Nominated Lead Safeguarding Officer (NLSO). There are also an overall West Lancashire Borough Council Designated Safeguarding Officer (DSO) and Deputy Designated Safeguarding Officers (DDSO). These three roles and their responsibilities are detailed below.

Designated Safeguarding Officer (DSO)

This role is that of the overall Designated Safeguarding Officer for West Lancashire Borough Council. Simon Burnett, Deputy Director of Leisure & Wellbeing is nominated to take on this role and is responsible for:

- Reporting incidents and seeking advice from the relevant agencies (Police/ LCC Children or Adults Services) within 24 hours of receipt of an Incident Reporting Form
- Liaising with all Service areas to maintain and update the West Lancashire Borough Council Safeguarding Policy at a minimum of once every three years.
- Keeping an up-to-date knowledge and understanding of the area of child or vulnerable adult protection. This will include attending relevant identified training.
- Acting as a first point of contact for the Council on safeguarding issues, both internally, for members of the public and other external contacts.
- Ensuring all relevant information is communicated to the Deputy Designated Safeguarding Officers (DDSO) and the Nominated Lead Safeguarding Officers (NLSO) where applicable. Regular meetings will be co-ordinated by the DSO, in order that experiences be shared, updates be given, and issues be raised and dealt with as appropriate.
- Providing guidance on relevant matters to Deputy Designated Safeguarding Officers (DDSO) and Nominated Lead Safeguarding Officers (NLSO) as and where necessary.
- Representing West Lancashire Borough Council on local safeguarding groups.
- Promoting safeguarding throughout the Council in conjunction with Directors and Heads of Service. For example publicising new editions of the Policy. Delegating responsibilities as and when this proves necessary.
- Receiving and acting upon any reports or incidents of suspected or actual abuse.
- Storing information in a secure place with limited access by designated people and taking relevant measures to ensure confidentiality and security when sharing information.
- Advising the referrer of the action they will take (further feedback will only be provided if appropriate).

Deputy Designated Safeguarding Officers (DDSO's)

These roles are those of Deputy Designated Safeguarding Officer (DDSO). These Officers hold the lead responsibility for Licensing, Prevent, and Safer Recruitment. The persons in these roles are responsible for:

- Receiving reports or incidents of suspected or actual abuse in liaison with the Designated Safeguarding Officer (DSO) where necessary and according to the terms of the Policy.
- Reporting the incident / seeking advice from the relevant agencies within 24 hours of receipt of an Incident Reporting Form.
- Advising the referrer of the action they will take (further feedback will only be provided if appropriate).
- Ensuring that staff in their service are familiar with the Policy.
- Passing on records and reports of any incidents of suspected or actual abuse to the Designated Safeguarding Officer (DSO) for secure storage.
- Providing guidance on any other relevant matters to staff in their service.
- Acting in support and deputising for the Designated Safeguarding Officer (DSO) as appropriate, and undertaking any necessary actions in their absence.

Nominated Lead Safeguarding Officers (NLSO's)

These roles are those of Nominated Lead Safeguarding Officers.

The persons in these roles are responsible for:

- Being the first point of contact for staff within the relevant Service area who have any safeguarding concerns.
- Receiving reports or incidents of suspected or actual abuse in liaison with the Designated Safeguarding Officer (DSO) where necessary and according to the terms of the Policy.
- Reporting the incident / seeking advice from the relevant agencies within 24 hours of receipt of an Incident Reporting Form.
- Advising the referrer of the action they will take (further feedback will only be provided if appropriate).
- Ensuring that staff in their service are familiar with the Policy.
- Passing on records and reports of any incidents of suspected or actual abuse to the Designated Safeguarding Officer (DSO) for secure storage.
- Providing guidance on any other relevant matters to staff in their service.

CONTACTS

Safeguarding Role	Job Description	Contact
Designated Safeguarding Officer (DSO): Simon Burnett	Deputy Director of Leisure & Wellbeing	01695 585157
Deputy Designated Safeguarding Officers (DDSO):		
Clifford Owens	Community Safety Officer	01695 585394
Paul Charlson	Commercial, Safety & Licensing Manager	01695 585246
Sharon Lewis	Head of Human Resources & Organisational Development	01695 585027
Nominated Lead Safeguarding Officers (NLSO):		
Emma Davies	Partnership Officer	01695 585145
Kay Lovelady	Principal Solicitor	01695 585075
Paul Waring	Senior Housing Officer	01695 585127
Michelle Williams	Street Scene Operations Manager	01695 585449
Lol Aitchison	Building Control Manager	01695 585188
Monitoring Officer :		
Terry Broderick	Borough Solicitor	01695 585001
Police	Non-Emergency Contact	101
	Emergency Contact (if a child or vulnerable adult is in danger)	999
	General	0845 1253545

Appendix C: Relevant Legislation/Guidance

Working Together to Safeguard Children (2006, 2013 & 2015)

A guide to inter-agency working to safeguard and promote the welfare of children. The Department for Education published an updated version of the key statutory guidance for anyone working with children in England in March 2015. It sets out how organisations and individuals should work together and how practitioners should conduct the assessment of children, with the key message that safeguarding is everyone's responsibility. The latest guidance updates the previous version published in 2013 and does include changes:

- Referral of allegations against those who work with children
- Clarification requirements on local authorities to notify serious incidents
- A definition of serious harm for the purposes of serious case reviews.

<https://www.nspcc.org.uk/preventing-abuse/child-protection-system/england/legislation-policy-guidance/>

Children and Families Act 2014

Introduced a number of reforms including:

- Encourages 'fostering for adoption' which allows approved adopters to foster children while they wait for court approval to adopt
- Introduces a 26 week time limit for the courts to decide whether or not a child should be taken into care. In some cases this limit is extended to 8 weeks
- 'Staying put' arrangements which allow children in care to stay with their foster families until the age of 21 years with both parties' agreement.
- Introduces a single assessment process and an Education, Health and Care (EHC) plan to support children, young people and their families from birth to 25 years which replaces Statements of Special Educational Need.

<http://www.legislation.gov.uk/ukpga/2014/6/contents/enacted>

The Children Act 2004

The Children Act 2004 strengthens the 1989 Act. It puts into practice the proposals set out in the Green Paper Every Child Matters (2003) and places a duty on key statutory agencies to safeguard and promote the welfare of children.

The Act embodies five principles that are key to well-being in children and young people and later life:

- Being healthy • Staying safe • Enjoying and achieving • Making a positive contribution
- Achieving economic wellbeing

The Council has a responsibility to provide a safe environment for children and young people in which their welfare is of paramount importance.

<https://www.nspcc.org.uk/preventing-abuse/child-protection-system/england/legislation-policy-guidance/>

Care Act 2014

The Care Act 2014 replaces a host of out-of-date care laws. The legislation sets out how people's care and support needs should be met and introduces the right to an assessment for anyone, including carers and self-funders, in need of support.

<http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>

The Protection of Children Act 1999

Creates a framework operating across the different sectors that work with children to identify those considered unsuitable to work with children. Includes listing their names on the POCA list and the (former) education List 99.

<http://lx.iriss.org.uk/content/protection-children-act-1999-practical-guide-act-all-organisations-working-children>

The Children Act 1989 (England and Wales)

The act that currently provides the legislative framework for child protection in England. Key principles established by the Act include:

- The paramount nature of the child's welfare
- The expectations and requirements around duties of care to children

<http://www.legislation.gov.uk/ukpga/1989/41/contents>

Prevent Duty Guidance 2015

Guidance for specified authorities in England and Wales on the duty in the Counter Terrorism and Security Act 2015 to have due regard to the need to prevent people (including children and young people) from being drawn into terrorism.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/445977/3799__Revised_Prevent_Duty_Guidance_England_Wales_V2-Interactive.pdf

Criminal Justice and Court Services Act 2000 & 2015

Provides a comprehensive definition of working with children. Refers to the responsibility of public bodies to prevent unsuitable people from working with children and provides criminal sanctions for those who breach the disqualification.

<http://services.parliament.uk/bills/2014-15/criminaljusticeandcourts.html>

Protection of Freedoms Act 2012

Merged the Independent Safeguarding Authority with the Criminal Records Bureau (CRB) to form a single, non-Nominated public body called the Disclosure and Barring Service (DBS).

<http://www.legislation.gov.uk/ukpga/2012/9/contents/enacted>

Education Act 2011

Made changes to provisions on school discipline and places restrictions on the public reporting of allegations made against teachers.

<http://www.legislation.gov.uk/ukpga/2011/21/contents/enacted>

Safeguarding Vulnerable Groups Act 2006

Established a single body to make decisions about individuals who should be barred from working with children and young people and to maintain a list of these individuals.

<http://www.legislation.gov.uk/ukpga/2006/47/contents>

Sexual Offences Act 2003

Introduced a package of measures to give children the greatest possible protection from sexual abuse, extending the abuse of a position of trust offences, and creating a new offence to tackle off line and online grooming.

http://www.cps.gov.uk/legal/p_to_r/rape_and_sexual_offences/soa_2003_and_soa_1956/

The Police Act 1997

Changes the route by which employers can check whether a potential employee has committed criminal offences against children, or whether there is a reason for that person to be considered inappropriate to work with children. Contains provision for the creation of the Disclosure and Barring Service (DBS) for England and Wales.

<https://www.health-ni.gov.uk/articles/police-act-1997>

The Human Rights Act 1998

Sets out the rights of children to be protected by a series of Articles covering specific areas.

<https://www.equalityhumanrights.com/en/human-rights/human-rights-act>

The Data Protection Act 2018

Relate to the recording of information, including information about children. States that information must be obtained fairly and processed lawfully, shared only in certain circumstances and kept securely.

<http://www.legislation.gov.uk/ukpga/1998/29/contents>

Adult Workforce Guidance

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/577320/Adult_workforce_guidance_v9.0_111216.pdf

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/577077/Child_workforce_guidance_v9.0_091216.pdf

Other Workforces Guidance

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/577079/Other_workforce_guidance_v7.0_091216.pdf

Regulated Activities with Children

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/550197/Regulated_activity_in_relation_to_children.pdf

Regulated Activities with Adults

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/216900/Regulated-Activity-Adults-Dec-2012.pdf

Safer Recruitment

Recruitment and Selection Code can be found on Staff Intranet.

Appendix D:

Self declaration for contractors engaged in work on behalf of West Lancashire Borough Council

(To be completed by contractors likely to have substantial and /or unsupervised access to children or vulnerable adults)

Name of Contractor:

I have read and understood the Council's Safeguarding Policy and agree to abide by the procedures set out in the document. (Delete as appropriate)

I confirm that I/we hold a current Safeguarding Policy that is available to view on request. (Delete as appropriate)

I confirm that all workers engaged by the above named contractor and who are likely to come into contact with children or vulnerable adults have been subject to the appropriate level of Disclosure and Barring Service check, as defined by the Disclosure and Barring Service guidance.

Name:

Position:

Date:

Signature:

Managers should ensure that the provisions of this Appendix are contained in any contract/tender agreements.

Appendix E:

CONFIDENTIAL: Self Disclosure Form

Personal disclosure form for all volunteers and smaller contractors working with or in contact with Children or Vulnerable Adults on behalf of West Lancashire Borough Council.

Have you ever been convicted of a criminal offence or been the subject of a Caution or Bind Over Order? - please tick one below:

NO I have never been convicted of a criminal offence or been the subject of a Caution or Bind Over Order

YES I have been convicted of a criminal offence or been the subject of a Caution or Bind Over Order

If Yes, please state the nature and date(s) of the offence(s) in the space provided.

Signed

Print Name

Position / Company or Organisation

Date

Appendix F:

Registration Form for the use of Cameras and other Image Recorders	
Venue/ Area	.....
Description of Equipment	.....

Reason for Photography	.....
Forename	.....
Surname	.....
Address	.....

Postcode	.....
Contact Tel no.	.....
Email Address	.....
Date	.....

Contacts

Adult Services

LCC Social Care 0300 123 6721 (8am – 8pm)

Out of Hours / Emergency Team 0300 123 6722

Children's Services

LCC Social Care 0300 123 6721 (8am – 8pm)

Out of Hours / Emergency Duty Team 0300 123 6722

NSPCC 24-hour help line Tel No: 0808 800 5000

Police

In an emergency 999

In a Non-emergency 101

It's Everybody's Business

We all have the right to live free from abuse and degrading treatment.

No matter what your job is in the Council, it is your responsibility to be vigilant and report any suspected abuse.

Everyone has a duty to report any allegations or suspicions of abuse or potential abuse of a child or vulnerable adult.

It is important to note that safeguarding is a complex issue so, as well as following this Council's Safeguarding Policy and this procedure, you will need to use your skills, knowledge and judgement. If in doubt, get advice as soon as possible from the Nominated Lead Safeguarding Officer (NLSO).

The One Chance Rule

We may only have one chance to reach out to someone at risk.

You may be the only person they have contact with and the manner in which we respond is crucial and could save a life. If the victim is left without support being offered, that one chance might be wasted.

What to Look For?

Signs of Abuse / Neglect

Many children and vulnerable adults at risk may draw attention to physical signs or exhibit behaviour to indicate abuse or ill treatment and we should be ever vigilant to pick up these signs and act appropriately.

There are many signs of physical abuse and psychological abuse and below are a list of indicators that you as a Council employee may see that should alert you to the possibility of abuse and neglect.

Physical signs can include any signs of physical injury or neglect: bruising, scald marks, burn marks, open wounds, bleeding, poor personal hygiene, self – harm, pressure sores.

General signs can include: A home in a filthy condition, lack of heating, too few clothes or blankets, lack of food or unexplained financial problems. Does the person always have the things they need such as glasses, hearing aids, walking stick, and mobility aid within easy reach? Please also consider isolation, loneliness, not managing household administration / upkeep etc.

A change in his or her general behaviour. For example, they may become unusually quiet and withdrawn, or unexpectedly aggressive. Such changes can be sudden or gradual.

He or she appears distrustful of a particular adult, or a parent/carer/guardian or a coach with whom you would expect there to be a close relationship.

He or she may describe receiving attention from an adult that suggests they are being 'groomed' for future abuse.

A full list of signs of abuse or neglect can be found in the Council's Safeguarding Policy.

These indicators do not prove that there is actual abuse occurring. However, they do indicate that a closer look is needed and possible discussion with the Nominated Lead Safeguarding Officer (NLSO) or your line manager.

What if No-one is Listening to Me?

If you report a concern about a person's welfare and no one listens or is doing anything you should tell someone else! You may choose to:

- Report the matter to another senior officer / manager immediately.
- Implement the Council's whistle-blowing procedure.
- Remember, doing nothing is not an option and the welfare of a person must always be your paramount consideration!

Should I Call the Police?

Your first duty is to protect the child or vulnerable adult at risk.

If you feel that a crime has been committed or a child or vulnerable adult is at risk of immediate harm you can report your concerns directly to the police first.

In an emergency:

- Wherever possible, establish with the person what the action they want you to take is.
- If there is need for emergency medical treatment, call for an ambulance (if you suspect that the injury is non-accidental, alert the ambulance staff so that appropriate measures are taken to preserve possible forensic evidence).

Remember, if you believe a child or vulnerable adult to be in immediate danger you should contact the Police, then inform the Nominated Lead Safeguarding Officer (NLSO).

Can You Ever Promise Not to Tell?

No. If anybody discloses to you that someone has harmed them, you must tell them that you take seriously what they have just told you and the person must be made aware that the information will need to be shared with a Safeguarding Officer. They must be made aware that information will only be shared on a 'need to know' basis. For adults, obtain consent.

If you are considering referring a vulnerable adult on to other services who may be able to help it is important to ask for their consent to share information about them with other services, where it is safe to do so, or in an emergency situation with regard to informing the police.

If you are considering referring a child, parents should be informed prior to a referral being made unless this would increase risk of harm or might impede an investigation.

All matters relating to safeguarding are confidential – however, confidentiality must not be confused with secrecy. Where doubt remains about child abuse / protection a referral should always be made. Check the enclosed taking action flow chart for internal procedures.

If in doubt, contact the Nominated Lead Safeguarding Officer (NLSO) for advice.

What Can You Expect to Happen Next?

When you tell the Safeguarding Officer they will:

- Take your concerns seriously.
- Work to ensure that the child or vulnerable adult is safe.
- Make an appropriate referral, using the enclosed taking action flow chart for guidance, for an appropriate risk assessment and response.
- Involve the police immediately if a crime is suspected.

Whilst you may not learn the eventual outcome of the report your concerns will be referred through to the most appropriate agency to take action.

Is Consent Required?

Consent is a significant factor in deciding what action to take in response to a concern. Safeguarding adults is different from safeguarding children as adults have the right to make choices. Referrals can be made without consent in special circumstances, but you need to speak to the NLSO to discuss the circumstances.

Parents of children should be informed prior to a referral being made unless this would increase risk of harm or might impede an investigation.

However, if you believe a child or vulnerable adult to be in immediate danger you should contact the Police, then inform a Nominated Lead Safeguarding Officer (NLSO).

How Should You Respond if Somebody Reports Abuse?

If a child or vulnerable adult discloses to you that someone has harmed them, you must tell them that you take it seriously.

For vulnerable adults, you can offer to make contact with someone they trust or speak to the appropriate authorities themselves such as Police or Adult Safeguarding Services.

If they choose not to report it to appropriate authorities and you believe that they may be at immediate risk of harm you can contact the police yourself, as your duty is to protect the vulnerable adult.

Reassure the child or vulnerable adult but do not make promises of secrecy or confidentiality, as these may not be feasible as a result of subsequent developments

Make a full written record of what had been said, heard and/or seen as soon as possible, ensuring that you use the exact words of the speaker.

ACT NOW - DO NOT DELAY. Pass the referral to a Nominated Lead Safeguarding Officer (NLSO) immediately in person.

Although you should show empathy, you must not display shock or disbelief – instead, you must remain calm and listen carefully. If someone chooses to disclose abuse to

Who are the Council's Safeguarding Officers?

The Council's Nominated Lead Safeguarding Officers are:

Lol Aitchison	01695 585188
Emma Davies	01695 585145
Kay Lovelady	01695 585075
Paul Waring	01695 585127
Michelle Williams	01695 585449

The Council's Deputy Designated Safeguarding Officers are:

Paul Charlson	01695 585246
Sharon Lewis	01695 585027
Cliff Owens	01695 585394

The Council's Designated Safeguarding Officer is:

Simon Burnett	01695 585157
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Am I okay to Ask Questions?

Not everyone is comfortable in asking others if they are ok, or they would like any help. What we do know is that often those who do need help, do want to be asked and claim that they never disclosed the harm because no one ever asked them.

If you suspect that a child or vulnerable adult may be suffering from harm, then in order to clarify whether there is a safeguarding concern, you should try to give them an opportunity to talk.

It is fine to ask whether the person is all right and whether you can help in any way and would you like me to refer you to a support service which may be able to help? It's OK to say you are unsure what help is available, and that you will have to ask a colleague.

There are a series of simple ground-rules to follow in circumstances where a child or vulnerable adult tells an adult about possible or suspected abuse. Remember that this is about *listening* as opposed to interviewing, investigating or interrogating.

Make sure that any immediate risks are understood and taken account of insofar as that is possible i.e. that the child is safe there and then (**Where there is immediate risk the Police should be contacted** – this may occur following consultation with one of the Council's Nominated Lead Safeguarding Officers (NLSO's), depending on particular circumstances).

Reassure the person and make clear to them what you need to do now.

It is not the responsibility of Council staff, elected members or volunteers to decide whether or not abuse has taken place or if a child or vulnerable adult is at significant risk. Council staffs, elected members and volunteers, however, have a responsibility to act if they have a concern.

WLBC Taking Action Flow Chart

I'm worried about a child / vulnerable adult

Is the child / vulnerable adult in immediate danger?

'No' – Lower Level Concern

'Yes' - Serious Concern

Emergency or Immediate risk to life or limb - Contact Police 999

For Adults – Get Consent or inform them of your intention to share if you override consent

For Adult – Get Consent, refer to Adult Social Care and log observations on 'Incident Report Form' (Safeguarding Policy, Appendix A). If help refused, log and discuss with the manager or Nominated Lead Safeguarding Officer (NLSO)

For Child, Discuss with Line Manager or Nominated Lead Safeguarding Officer (NLSO)

NEXT STEP

Inform Nominated Lead Safeguarding Officer (NLSO)

Lol Aitchison 01695 585181 Paul Waring 01695 585127
 Emma Davies 01695 585145 Michelle Williams 0169585449
 Kay Lovelady 01695 585075

For Child - Forward completed 'Incident Reporting Form' (Appendix A) to NLSO within 24 hrs max

For Adult – Get Consent or inform them of your intention to share, if you override consent and log all observations

For Children - Inform parents prior to referral being made unless this would increase risk of harm or might impede an investigation.
 For Adults - Ask them if they want help and get consent.

Contact Adult & Children's Social Care
 Tel: 0300 123 6721

WLBC Designated Safeguarding Officer (DSO) or Deputy DSO Follows up and Feeds-back to Employee as Appropriate

'Incident Report Form' record (for Child) retained centrally & securely including any advice sought, action taken / decisions & rationale.

Remember – Keep Clear and Accurate Notes

WLBC Safeguarding Procedure

What is this Procedure About?

West Lancashire Borough Council is committed to safeguarding and promoting the welfare of children and vulnerable adults and to delivering services that promote good practice and expects all Council representatives, colleagues and partners to share this commitment.

All children and vulnerable adults have the right to be safe in the services provided for them and the activities they choose to participate in and the Council is committed to fostering a safeguarding culture across the organisation.

This procedure has been developed to support the Council's Safeguarding Policy which provides guidance on best practice in dealing with children and vulnerable adult's safeguarding procedures and specifies the roles and responsibilities of the Council's representatives for whom this policy is mandatory.

What are Your Responsibilities?

Your role is not to investigate the abuse or to decide if abuse has taken place; that is the role of Lancashire County Council Social Services, the Police or other relevant agency. If the child or vulnerable adult is immediately at risk, contact the police.

If you have information which raises concerns about harm or potential harm you should refer to the taking action flow chart enclosed in this procedure and a referral should be made immediately to the Council's Nominated Lead Safeguarding Officer (NLSO).

Please speak to your manager or the NLSO around worries or what appear to be 'less serious' welfare concerns i.e. where you have a concern or gut feeling about something.

No individual should alert or confront the alleged abuser. We need to be mindful of our own safety, the safety of other staff, the safety of others and the safety of the child or vulnerable adult at risk.

What is Abuse?

Abuse comes in many forms with examples listed below but it is important to understand that it does not matter if the person intended harm or not but rather on whether harm or risk of harm occurs. Abuse may consist of a single act or repeated acts; it can affect one person or more; and it can be carried out by anyone, including family members, friends, professionals, volunteers and strangers. Abuse can vary, from treating someone with disrespect in a way that significantly affects the person's quality of life, to causing actual physical or mental suffering.

Abuse can be defined as 'a violation of an individual's human and civil rights by any other persons.' The types of abuse outlined below are not exhaustive and should not be seen as a limit to what constitutes abuse and neglect:

Physical Abuse. Such as: hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions. Physical abuse signs can include injuries that cannot be explained in the context of the person's lifestyle, multiple injuries including bruises, welts, cuts and burns, and the presence of old and new injuries.

Modern Slavery. This term includes: slavery, human trafficking, forced labour or domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

Sexual Abuse. Such as: rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.

Neglect and Acts of Omission. Includes ignoring medical or physical care needs, failing to provide access to appropriate health, social care or educational services, withholding medication, adequate nutrition and heating. **Self-neglect** occurs where the extent of the behaviour endangers their own health, safety or wellbeing.

Psychological Abuse. Such as: emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or withdrawal from services or supportive networks. Although emotional abuse does not leave physical marks it can be extremely damaging to the victim.

Radicalisation. The action or process of causing someone to adopt radical positions on political or social issues.

Financial or Material Abuse. Such as: theft, fraud, internet scamming, coercion in relation to an adult's financial affairs, exploitation, pressure in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Child Criminal Exploitation (CCE). This occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18. The victim may have been criminally exploited even if the activity appears consensual.

Domestic Violence. Is a safeguarding issue if it applies to adults with care or support needs who therefore may be unable to protect themselves. It can include an incident or incidents of controlling, coercive or threatening behaviour, violence or abuse by someone who is or has been an intimate partner or family member regardless of gender or sexuality. It can include: psychological, physical, sexual, financial or emotional abuse; so called 'honour' based violence: female genital mutilation; forced marriage.

Discrimination. Includes racism, sexism or acts based on a person's disability, age or sexual orientation or religion. It also includes other forms of harassment, slurs or similar treatment such as disability Hate Crime.

Child Sexual Exploitation (CSE). This is a type of sexual abuse. Children in exploitative situations and relationships receive something such as gifts, money or affection as a result of performing sexual activities or others performing sexual activities on them.

Appendix 3 – Equality Impact Assessment

<h2>Equality Impact Assessment Form</h2>	
Directorate: Leisure and Environment	Service: Leisure and Wellbeing
Completed by: Simon Burnett	Date: 16/01/19
Subject Title: Adoption of Revised Safeguarding Policy	
1. DESCRIPTION	
Is a policy or strategy being produced or revised:	<i>*delete as appropriate</i>
	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:	
<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)?	All west Lancashire residents who are either children or vulnerable adults or their families
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?	<i>*delete as appropriate</i>
Age	Yes
Gender	Yes
Disability	Yes
Race and Culture	Yes
Sexual Orientation	Yes
Religion or Belief	Yes
Gender Reassignment	Yes
Marriage and Civil Partnership	No
Pregnancy and Maternity	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?	Policy currently relates to all residents who are children, vulnerable adults or their families. Policy intends to protect the above from risks of harm to their welfare.
What will the impact of the work being carried out be on usage/the stakeholders?	This revised policy will increase this Councils abilities to protect children and vulnerable adults
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?	An inter-departmental group was established to assess the current safeguarding policy and found that areas needed strengthening. The gaps found will be filled by the revised policy.
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?	This policy revision is being led by regional and national guidelines which have been generated by substantial research and consultation.
If any further data/consultation is needed and is to be gathered, please specify:	The policy will be reviewed every 3 years so amendments can be made as a result of the experience gained and advice provided through the operation of the policy.
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)?	All residents classed as children or vulnerable adults, and many of the residents with protected characteristics fall within these categories, will be allowed the protection of a policy which means they will be able to take advantage of Council services as well as undertake other daily functions with the protection of Council procedure aimed to afford them protection from harm
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.).	It is not expected that a policy of this nature will afford any negative affects to the recipients. The only possible negative impacts may be on the onus, and impact, on staff having to deal with safeguarding issues. The policy will be reviewed every 3 years and

	this will be taken into consideration
What actions do you plan to take to address any other issues above?	Review process
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	Jan 2020. Reviewing officer – Simon Burnett



CABINET: 12 March 2019

EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:
28 March 2019

Report of: Director of Housing and Inclusion and Borough Treasurer

Relevant Portfolio Holder: Cllr J. Forshaw/Cllr A Yates

Contact for further information: Mr P. Quick (Extn. 5203)
(peter.quick@westlancs.gov.uk)

SUBJECT: HRA REVENUE AND CAPITAL MONITORING

Wards Affected: Borough wide

1.0 PURPOSE OF THE REPORT

- 1.1 To provide an update on the current position in respect of the 2018/19 Housing Revenue Account (HRA) and Council Housing Capital Investment Programme.

2.0 RECOMMENDATIONS TO CABINET

- 2.1 That the financial position in respect of the 2018/19 HRA and Council Housing Capital Investment Programme be noted.
- 2.2 That call in is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 28th March.

3.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

- 3.1 That the financial position in respect of the 2018/19 HRA and Council Housing Capital Programme be noted.
-
-

4.0 BACKGROUND

- 4.1 In February 2018 Council agreed the 2018/19 HRA revenue and capital budgets. Subsequently in July 2018 Council noted the favourable financial outturn position of the 2017/18 HRA and Capital Investment Programme and approved a number of budget changes and allocations. Further changes were approved at the mid-year review stage at Council in December 2018.
- 4.2 As a result of previously approved policy options, the HRA should be able to achieve a balanced budget position during the period of 1% per annum rent reductions that will need to be implemented under government rules until 2020.

5.0 HOUSING REVENUE ACCOUNT – PROJECTED OUTTURN

- 5.1 A summary of the projected HRA revenue outturn is set out in Appendix A and shows that a favourable budget variance of £1,427,000 is expected, representing 5.6% of total turnover. This compares to the mid-year projected outturn position of £1,146,000 (4.5% of total turnover). This demonstrates that the HRA remains in a healthy financial position. The main reasons for this positive forecast are that:
- There are a number of vacant posts, largely in Property Services, pending recruitment of the permanent staff to fill them. Consequently a significant favourable variance is anticipated on employee costs.
 - Following painting contractor issues in 2017/18 a more integrated and planned approach is being taken that delivers pre-painting at the same time as guttering and other works. The pre-painting budget itself will therefore largely not be used in the current financial year.
- 5.2 At the mid-year stage, demand-led pressure on the void repairs and responsive repairs budget were reported. This position has improved during the second half of the year and it is now expected that this will break even. As both budgets are demand led, there remain various factors that can influence the exact final outturn. This is the main change in the projected outturn position since the mid-year stage.
- 5.3 It can be confidently expected that the HRA will meet its budget targets and this will continue our track record of managing our financial performance to ensure that the outturn position is in line with the budget. At its meeting in February 2019 Council approved the use of £1,100,000 of the projected outturn to support the 2019/20 HRA budget position. Consideration will be given as to how the remaining projected favourable budget variance should be used in the HRA Outturn report to Council in July 2019, when the final year end position is known.

6.0 CAPITAL INVESTMENT PROGRAMME

- 6.1 A summary of capital expenditure to the end of December 2018 against the revised budgets is shown in Appendix B. Total expenditure to date is £8.839m which represents 57% of the total revised budget of £15.455m. This compares to

expenditure of £4.036m at the quarter 3 point of 2017/18, which represented 38% of the total budget.

- 6.2 It is standard practice at year-end that capital budgets that have not been fully utilised are reviewed before being slipped into the following year to allow for completion of the existing programme. If the review identifies elements of the capital budget that will not be required in the following year they may be removed from the capital investment programme to release funding. It is anticipated at this stage that most unutilised budget will be slipped into 2019/20, and full details will be included in the HRA Outturn report to July Council.

7.0 SUSTAINABILITY IMPLICATIONS

- 7.1 Monitoring of the budget position will help to ensure, with the information we are aware of, that the HRA remains able to deliver services and is financially sustainable in the medium term.

8.0 RISK ASSESSMENT

- 8.1 The formal reporting of performance on the Housing Revenue Account is part of the overall budgetary management and control framework that is designed to minimise the financial risks facing the Council.

Background Documents

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

Equality Impact Assessment

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

Appendices

Appendix A – HRA Projected Revenue Outturn Position

Appendix B – Housing Capital Year to Date Position

Appendix C - Minute of Cabinet (Executive Overview and Scrutiny Committee only)

- *To follow*

Appendix A – HRA Revenue Projected Outturn

Budget Area	Budget £000	Variance £000	Comment
Employee Expenses	4,621	-300	Staffing vacancies will lead to a favourable budget variance
Void repairs and response repairs	2,742	0	Both budgets are demand-led so final outturn depends upon various factors. Pressure earlier in the year has eased.
Other premises costs	3,232	-660	Following painting contractor issues in 2017/18 a more integrated and planned approach is being taken that delivers pre-painting at the same time as guttering and other works. The pre-painting budget itself will therefore largely not be used.
Transport costs	186	0	
Budget contingency	242	-242	No calls anticipated on remaining budget contingency
Supplies and Services	1,076	-170	A range of factors including a smaller than anticipated bad debt provision
Support Services and internal income (net)	-1,075	35	
Loan interest	3,057	0	
Contributions to capital	11,335	0	
Dwelling rents	-22,820	-30	
Other external income	-2,596	-60	
Total	0	-1,427	Represents 5.6% of the overall turnover

Appendix B - Housing Capital Year to Date Position

Scheme Description	Revised Budget £000	Q3 Spend £000	Q3 Spend %
Beechtrees	3,699	1,669	45%
Re-Roofing Works	1,826	1,576	86%
Walls	1,258	1,215	97%
Heating System Upgrades	1,171	731	62%
Bathroom Replacements	1,065	892	84%
Electrical Upgrades	707	354	50%
Adaptations for Disabled People	385	386	100%
Communal Areas Improvements	606	56	9%
Professional Fees	697	669	96%
Westec Development HRA Element	637	411	65%
Contingency/Voids	466	333	71%
Kitchen Replacements	414	36	9%
Windows and Doors	336	27	8%
Improvements to Binstores	364	63	17%
Communal Fire Safety Works	900	133	15%
Structural Works	59	29	49%
Sheltered Housing Upgrades	63	36	57%
Install Carbon Monoxide Detectors	180	0	0%
Lifts	168	0	0%
HRA Garages	189	110	58%
Firbeck Revival	50	-31	-62%
Environmental Programme	45	51	113%
Purchase Service Charge Software	40	0	0%
Digital Inclusion/Welfare Reform	90	22	24%
Housing OR Recommendations	23	55	239%
Flaxton Rainbow	12	11	92%
Flood Resilience Works	5	0	0%
Energy Efficiency	0	3	
Total Expenditure	15,455	8,839	57%



CABINET: 12 March 2019

Report of: Director of Development and Regeneration

Relevant Portfolio Holder: Councillor I Moran

Contact for further information: Mr D Carr (Extn. 5122)
(E-mail: Dominic.Carr@westlancs.gov.uk)

SUBJECT: ORMSKIRK TOWN CENTRE STRATEGY UPDATE

Wards affected: Ormskirk Ward(s)

1.0 PURPOSE OF THE REPORT

1.1 To provide Members with an update in relation to the implementation of the Ormskirk Town Centre Strategy 2015-2020.

2.0 RECOMMENDATION

2.1 That the progress made by the Ormskirk Town Centre Management Group be noted and that officers continue to work with the Management Group to progress the proposed future actions set out in Appendix A of the report.

3.0 BACKGROUND

3.1 Members will be aware that following the adoption of the Ormskirk Town Centre Strategy 2015-2020 in September 2015, and as agreed by Cabinet, an Ormskirk Town Centre Management Group (OTC Management Group) with appropriate sub groups was established. The OTC Management Group involves representatives from West Lancashire Borough Council, Ormskirk Community Partnership, Ormskirk businesses, Business in the Community (BITC), Edge Hill University and Student Union. In joining the OTC

Management Group all members have formally endorsed the Town Centre Strategy and given a commitment to supporting and delivering its aims.

- 3.2 In November 2015 the OTC Management Group held its first meeting and discussed the key actions contained within the Town Centre Strategy as well as the potential of developing a Business Improvement District (BID) for Ormskirk. Subsequently sub groups were set up in March 2016 and held a number of meetings to start delivering key actions contained within the Town Centre Strategy. Although there was merit to these groups it was decided that, due to the wide range of topics covered, a more effective way to move forward would be to convene specific task and finish groups, to meet when a specific project is identified for action.
- 3.3 Although the OTC Management Group has made significant progress bringing forward actions contained within the Town Centre Strategy, there have been a number of changes to the makeup of the group including, the demise of Love Ormskirk in 2016, and the creation of a new organisation to represent town centre businesses known as OTC- Business Action. As well as representing businesses, this group is actively looking to deliver events to enhance the town centre. There have also had changes to the representatives of BITC members due to the fact that national store retail managers typically only spend 2-3 years in a store before moving. However, despite these changes the OTC Management Group has managed to adapt and continues to operate effectively.
- 3.4 Since its formation the OTC Management Group has met every quarter, demonstrating that it is an effective partnership capable of delivering actions contained within the Town Centre Strategy.

4.0 TOWN CENTRE STAKEHOLDER WORKSHOP

- 4.1 An agreed action of the Town Centre Strategy is a proposal to host an annual Stakeholder Event to engage with wider stakeholders who do not sit on the OTC Management Group. The first annual Stakeholder Event took place in March 2017 and a second event took place in April 2018. These events allow the OTC Management Group an opportunity to provide feedback to wider stakeholders, engage with businesses/general public who may wish to be involved and provide support for businesses.
- 4.2 These events have been well attended by representatives from local businesses, resident groups, Edge Hill University, Council officers and members. For last year's event the Council managed to get representatives of Google to host a workshop offering support for smaller businesses using social media. The Council received feedback from a number of businesses saying that the event was very useful for them. Following this feedback a further 2 workshops were hosted by Google to offer support for small businesses in using digital technology and advertising using social media.

5.0 CURRENT POSITION

5.1 The OTC Management Group has made progress in implementing the Town Centre Strategy and has been successful in delivering a number of actions contained within the Strategy. Appendix A shows a more detailed breakdown of actions and progress contained within the Strategy. However, a summary of some of the key successful actions include:

- Establishing a successful town centre partnership which has now been operating for 3 years.
- The development of the Discover Ormskirk website and social media channels which have proved popular in promoting the area and events.
- Increased offline promotion of Ormskirk through adverts and articles in local press and magazines.
- Delivering a number of successful events to help increase footfall and raise the profile of the town centre. These events have been put together on an event calendar on the Discover Ormskirk website. In 2018 the decision was taken to move the Gingerbread Festival and Christmas lights switch on to a Sunday to allow both events to grow. Both events were successful and will continue to take place on Sunday.
- Event guidance for external parties has now been produced to provide assistance and guidance for anyone thinking about holding an event in the town centre.
- Ormskirk Town Centre- Business Action held a trial night market in December as they prepared to introduce a series of monthly night markets throughout Spring/Summer 2019.
- Council officers have also worked with students at Edge Hill University to provide a real life project where first year students gave their insights into their perceptions of Ormskirk and how it could be improved.
- Winning £10,000 of new Christmas lights from Revie & Thrive national competition which have significantly enhanced the Christmas lights as well as raising the profile of Ormskirk nationally.
- The continued successful management of Wheatsheaf Walk.
- Installing a footfall monitoring system for Ormskirk town centre to capture data over a 5 year period. This helps monitor the strength of the town centre, evaluate how interventions are performing and provide evidence to assist with funding applications.
- Rolling out of branding for Ormskirk including new banners, merchandising and vinyl graphics amongst others.
- The Council has improved the layout and appearance of the market and has introduced new gazebos and stalls.
- Amending the car parking charges to encourage visitors to stay in the town centre longer.
- Introducing new car parking machines in all Council owned car parks with increased functionality.
- The Council has recently joined Visit Liverpool in order to promote Ormskirk as part of the wider Liverpool City Region (LCR). Ormskirk is well connected to the LCR but does have a different offer which should help attract day

trippers from the LCR, as well as those further afield who may utilise the Visit Liverpool website.

- Facilitated a number of Google workshops to support independent businesses.
- Council officers have worked with Homes England to help facilitate the delivery of a new boutique hotel at the former magistrates' court in Ormskirk. A planning application has recently been submitted for this development
- Investigating the potential of an Ormskirk BID and appointed Groundwork to undertake an initial feasibility study.
- Creating a business database to improve communication with town centre businesses.
- The Chapel Gallery have delivered a number of successful events and exhibitions including the Opening The Gates exhibition which tells the story of ordinary West Lancashire women during World War 1, the Lancashire Open and A Festival of Tales amongst others.
- The Chapel Gallery has also continued with refurbishment work to improve the visitor offer and a new visual and audio technology has been fitted broadening the offer of the Gallery.
- Council officers also attend the OTC- Business Action group meetings to support and feed back to businesses in the town centre.

5.2 From our vacancy rate survey we know that Ormskirk has significantly lower vacancy rates than the national and regional average and has a higher percentage of independent retailers. This demonstrates that, as a shopping destination, Ormskirk is still attractive to retailers. In addition, figures from our footfall monitoring camera appear to show that footfall is very healthy and that Saturdays and Thursdays are by far the busiest days, demonstrating the importance of Ormskirk market. However, we are aware that footfall in high streets and other retail locations is dropping nationally. We are also aware that nationally experiences and services are becoming more important in filling vacant units left by traditional retailers and Ormskirk has adapted well to this change with a number of coffee shops, barbers, salons and restaurants etc. setting up in the town encouraging footfall. The amendments to car parking charges to allow visitors to stay for longer may have also helped support this change. It is also important to note that events and entertainment play an important role in bringing visitors to the town centre including local residents who have a choice of alternative destinations.

5.3 A number of developments have also and are coming forward in the town centre including the redevelopment of the Buck n Vine and a new development on Church Street, as well as the redevelopment of the former Post Office on Aughton Street helping to demonstrate that there is confidence in Ormskirk attracting private sector investment. Council officers also helped facilitate the private sector development of a boutique hotel at the former Magistrates Court which should help attract new visitors to Ormskirk, as well as increase the length of time visitors stay in Ormskirk.

- 5.4 Although Ormskirk town centre is performing relatively well and has benefitted from a number of interventions and careful management, it is important to note that nationally town centres are struggling with increased competition from internet retailing and out-of-town shopping centres. As such, and in order to ensure that Ormskirk remains buoyant, it is extremely important that the Town Centre Management Group continues to operate effectively and positive messages are continually made about the health of the centre.
- 5.5 In 2018 footfall performed relatively well compared to footfall regionally and nationally. According to figures provided by Springboard footfall in Ormskirk reduced by 0.8% from January 2018 to December 2018 compared to the same period in 2017. This compares to a reduction of 1.5% in the north generally and a reduction of 2.5% nationally. More specifically footfall across market towns has seen a reduction of 5.2% over the same period of time. This demonstrates that although footfall has been reducing for traditional bricks and mortar retail destinations footfall in Ormskirk has remained relatively steady demonstrating the town centre has been resilient and adaptable to change. Footfall was also significantly increased by a number of town centre events including Motorfest, the Gingerbread festival and the Christmas lights switch on which all took place on a Sunday when footfall is normally at its lowest.
- 5.6 Vacancy rates in Ormskirk town centre are monitored quarterly and have been recorded since January 2016. At the time of writing this report the most recent vacancy rates from the last quarter in 2018 show that Ormskirk town centre has a vacancy rate of 5.5%. This is well below the regional average of 11.9% for the North West and national average of 10.1% for town centres. Whilst the national and regional trend shows that since October 2017 vacancy rates have been steadily rising both nationally and regionally, vacancy rates in Ormskirk have been steadily falling demonstrating the town centres ability to retain businesses and attract new business when a business does leave.

6.0 NEXT STEPS

- 6.1 It is clear that through effective partnership working Ormskirk town centre is in a relatively strong position compared to other town centres. However, with increased competition from internet shopping and out-of-town retailers the OTC Management Group and other stakeholders of the town must continue to be responsive to ensure that Ormskirk town centre is in the best possible position to react to market forces and changing shopping trends.
- 6.2 The OTC Management Group has also helped to identify potential opportunities for the town and ensure that the town maximises opportunities, such as the growth of international students at Edge Hill University, targeting day trippers from the Liverpool City Region, as well as those in Lancashire and Greater Manchester and targeting coach companies to ensure Ormskirk market is included within coach companies North West tours of markets. Whilst the focus so far has been on creating a successful working partnership,

establishing events and promoting the town both on line and offline we are targeting a number of physical improvements to the town centre in the coming year including further improvements to Moor Street, new town centre gates to ensure the Traffic Regulation Order (TRO) is complied with and a number of other projects are being investigated. Officers are also continuing to liaise with officers at LCC to request improvements to the condition of Aughton Street. The Chapel Gallery are also working to deliver a number of exhibitions and events and will be using their new visual and audio software to provide a cinema experience within Ormskirk.

- 6.3 It is extremely important that a sustainable form of finance is found to maintain and enhance Ormskirk's current position. As such the OTC Management Group is currently looking at opportunities for sponsorship for the events that it hosts. The group are also continuing to assess if the development of a BID would be appropriate for Ormskirk which has the potential to provide a sustainable form of finance to deliver additional town centre improvements and activities that businesses might benefit from.
- 6.4 The OTC Management Group will continue to move forward to help deliver the action plan in the Strategy. As our footfall monitoring system has now been in place for 2 full years and we are in the third year it is now easier to identify trends such as when the town centre is quieter or busier which can help us to identify when we need to deliver interventions and how successful interventions have been, helping us to target resources in the most appropriate way.
- 6.5 There are a number of key actions that will help take the town centre forward and which are outlined in Appendix A. Over the coming year it will be extremely important to continue to ensure that we promote Ormskirk as a destination to do business as well as visit and that we continue to support retailers and other town centre businesses to ensure the town centre remain vibrant and continues to have low vacancy rates.
- 6.6 Overall since the Ormskirk Town Centre Strategy was approved officers are confident that the OTC Management Group are delivering the actions contained within the strategy and are confident that more actions will be delivered over the coming year. Although town centres are struggling there is a confidence that Ormskirk town centre can be considered to be holding its own and is performing well.

7.0 SUSTAINABILITY IMPLICATIONS

- 7.1 There are no significant sustainability impacts associated with this particular report. However, by implementing the Ormskirk Town Centre Strategy and encouraging businesses to be engaged in its delivery, there are additional benefits which may include increased footfall into the town centre and the economic impacts this would in turn generate.

8.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 8.1 There are financial and resource implications arising from this report in respect of the cost of implementing actions contained within the Town Centre Strategy action plan. A budget allocation of £210,000 was initially allocated to support the Town Centre Strategy and the delivery of the actions. This budget is managed by officers from the Economic Regeneration team. Since the strategy was adopted funding from this budget has been spent delivering a number of actions contained within it and all remaining funding is committed to be spent by the end of the strategy in 2020.
- 8.2 Raising the profile of Ormskirk through the management and use of the Discover Ormskirk website and social media channels, along with facilitating the delivery of events are essential to the delivery of the strategy, however, these costs have been minimised by using existing in house expertise.
- 8.3 Council officers are also working to ensure that the future running of events becomes as sustainable, as possible, so that they are in the best possible position to continue in the long term.

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 operational risk registers.

Background Documents

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

Equality Impact Assessment

There is a direct impact on members of the public, employees, elected members and / or stakeholders; therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached 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- Review of Action Plan

Appendix B- Equality Impact Assessment (EIA)

Appendix A Review of Action Plan

Key Action Area	Action Point	Update	Key Future Action
Brand, Marketing and Town Centre Management	Develop an Ormskirk Town Centre Management Group with clear governance structure and appropriate sub groups	<p>Town Centre Management Group has been set up and meets regularly every 3 months. 3 sub-groups were initially set up. However it was decided that more focused specific task and finished groups would be more productive.</p> <p>Groundwork have conducted a feasibility study to investigate the potential of developing a Business Improvement District for Ormskirk Town Centre. This demonstrated that a BID may be appropriate; however, further work is required to fully understand how a BID would work.</p>	<p>Continue to hold regular meetings and engage with different Ormskirk stakeholders.</p> <p>Task and Finish Groups to continue to deliver key actions.</p> <p>Further work is required to understand how a BID for Ormskirk would work and build support before considering a BID ballot.</p>
	Develop a marketing strategy for Ormskirk including establishing and promoting a brand, creating a town centre website, plus a range of marketing-related activities.	<p>A brand has been developed with external consultants and has been rolled out in the town centre and has been used in a range of media's by partners.</p> <p>A dedicated Ormskirk and West Lancashire website has been launched to showcase the area and its assets, along with social media and new photography.</p> <p>Adverts have been placed in a number of magazine and newspapers including coach magazines to encourage more visitors to come to Ormskirk and the surrounding area.</p>	<p>Continue to utilise branding and to encourage all partners to utilise branding.</p> <p>Continue to populate new website to drive footfall and encourage organisations to submit events and business listings on the website.</p> <p>Use website and social media channels to support Ormskirk and the wider West Lancashire as a visitor destination targeting local people , day trippers, as well as those further afield.</p> <p>Establish a marketing campaign to promote Ormskirk further afield, as well as locally now branding, website and events calendar has been</p>

Key Action Area	Action Point	Update	Key Future Action
		<p>A regular series of events now take place and are promoted to raise the profile of the area and draw visitors to the town throughout the year. Some examples include Love Your Local Market, Gingerbread Festival, Motorfest, Christmas lights switch on and Night Markets. Due to their increasing popularity the Gingerbread festival and Christmas lights switch on have successfully moved to a Sunday when footfall is traditionally lower and to increase the amount of trading hours.</p> <p>Council officers won a national Revive & Thrive competition to win £10,000 of Christmas lights which were used this year. As well as winning the physical lighting, the profile of Ormskirk was significantly raised nationally as the town featured in a Revive and Thrive article, as well as being heavily promoted on social media.</p> <p>Hits on the website and social media engagement have performed well particularly before and after events have taken place. A number of competitions to support attractions, retailers and cafes/restaurants have taken place and engagement was high. The Council has joined Visit Liverpool who have already included an Ormskirk page on</p>	<p>established. This campaign will include utilising social media.</p> <p>Work with both Visit Liverpool and Visit Lancashire to raise the profile of Ormskirk and the wider West Lancashire area as a visitor destination.</p> <p>Continue to work with partners to support existing and, subject to resources, new events taking place in the town centre. Some new events which could be explored include sporting events and a potential food or music event taking place within existing venues.</p>

Key Action Area	Action Point	Update	Key Future Action
		<p>their website. They have also written a positive article about Ormskirk on their newsletter which should help raising the profile as a visitor destination in the wider Liverpool City Region.</p>	
	<p>Monitor retail relief scheme to see how successful it has been.</p>	<p>The scheme ended in April 2016 when the Government ceased funding.</p>	<p>Action complete.</p>
	<p>Assess if staff resources can be made available to support town centre initiatives.</p>	<p>A number of Council officers in different service areas including Economic Regeneration, Technical Services, Leisure and, Street Scene are currently working to support town centre initiatives.</p>	<p>Continue to review staff resources to ensure sufficient resources are available to support town centre initiatives.</p>
	<p>Support local business and engagement with them</p>	<p>A town centre contact database has been established so that the Council can keep businesses informed of events taking place or any other relevant business information.</p> <p>Officers regularly visit new businesses to engage with them and encourage them to sign up to our contact database/register their business details on the discover Ormskirk website.</p> <p>A number of free Google workshops were held throughout 2018 to support existing businesses.</p>	<p>Continue to add new businesses to the contact database and to register their business on the discover Ormskirk website.</p> <p>Develop a welcome pack with relevant information for new businesses.</p> <p>Develop a new page on the Ormskirk website providing information to support businesses who may want to relocate to Ormskirk.</p>

Key Action Area	Action Point	Update	Key Future Action
Buildings and Place	Monitor the condition of buildings in the town centre.	An initial survey has been completed and officers will continue to monitor. Officers are continuing to contact building/property owners when buildings start to fall into disrepair.	Continue to monitor and take steps to intervene if required.
	Investigate the role of arts and culture in the animation of the street scene. Looking at improving building, streets, and alleyways.	Following the successful delivery of Ormskirk heritage exhibition and Festival of Tales events further events/exhibitions are planned.	<p>Proposal to be developed to use art to improve Ormskirk's alleyways and enhance them as a key feature of the town.</p> <p>Considering using branding/artwork to enhance public realm in Ormskirk.</p> <p>Ormskirk Community Partnership are currently developing proposals with Edge Hill University to develop proposals for a street theatre/flash mob event to take place in Ormskirk town centre.</p> <p>Continue to work with partners to develop appropriate events.</p>
	Consider bringing forward proposals to acquire land/property if a positive business case can be made.	Following the strategic purchase of Wheatsheaf Walks shopping centre the Council is successfully managing the properties. The Council are considering options to improve the appearance of the public realm in this area.	<p>Develop proposals to improve the public realm in this area utilising Ormskirk's branding.</p> <p>Continue to keep occupancy rates as high as possible.</p> <p>Continue to monitor land/properties which come</p>

Key Action Area	Action Point	Update	Key Future Action
	<p>Work with developers and landowners to bring forward development sites and ensure that design is of the highest quality.</p>	<p>Council officers are working with a number of developers to encourage suitable design or highest possible quality to come forward.</p> <p>The Council is currently working to improve the appearance of the east end of Moor Street/Moorgate with an improved public realm</p>	<p>up for sale and consider purchasing if a positive business case can be made.</p> <p>Officers to continue to encourage highest possible design standards and to work to improve public realm wherever possible. Partner organisations to continue improving appearance of town through voluntary litter picks and planting where possible.</p> <p>A number of high profile schemes are currently being developed/delivered which should improve the appearance and vitality of the town centre.</p> <p>As well as a number of private schemes officers have worked to facilitate development of a new boutique hotel at the former magistrate's court subject to planning and proposals are being developed to extend the public realm up Moor Street.</p> <p>Officers are also working with a development partner to facilitate development and an upgrade of the bus station facility within a wider development. This development will include residential accomodation, accessible toilets, retail and leisure units and a new high quality public realm and square.</p>
Ormskirk Market	Work to improve the physical appearance of the market.	Layout of market has been amended as much as possible to group similar stalls together.	Continue to encourage new traders to attend market if space available.

Key Action Area	Action Point	Update	Key Future Action
		<p>Gazebos have been purchased and rolled out to improve the appearance of the market. Additional food and drink vendors encouraged to attend market. New banners have been erected promoting the market.</p> <p>Continue to attract new traders to market to ensure the market remains vibrant</p>	Continue to evaluate the most cost effective way of running the market
	Investigate opportunities to expand the appeal of the Saturday market including attracting new specialist stall holders to create a niche market.	<p>A number of new food stalls have already been attracted and grouped together.</p> <p>A new Ormskirk Night Market has been established. Events to take place each month during the spring/summer.</p> <p>A number of speciality markets are taking place in the Chapel Gallery.</p>	Deliver further public realm improvements up Moor street/Moorgate and if required use space to extend the market.
	Consider bringing forward an events programme of guest/vintage markets subject to resources.	A number of specialist markets mentioned above including the regular night markets and specialist markets are being trialled. All markets to be promoted on the events calendar of the Ormskirk website.	Continue to support existing specialist/night markets and review their success.
Car Parks	Conduct car park review including pricing, technology and capacity of car park.	Following consultation with businesses amendments to the car parking charges have been introduced and currently being reviewed. The changes are designed to encourage visitors to stay for longer.	Review currently taking place in relation to new car parking charges. Initial feedback has been positive. Additional functionality of car parking machines is

Key Action Area	Action Point	Update	Key Future Action
		New car parking machines with additional functionality have been installed in all Council car parks	currently being fully explored.
	Improve appearance of car parks including signage, environmental improvements, resurfacing as well as considering opportunities for art work.	New updated signage introduced in all car parks. Town centre car parks have been resurfaced and new lines painted.	Environmental improvements to be considered to improve the appearance of car parks.
Transport and Access	Improve access into, as well as within, Ormskirk town centre including the delivery of transport projects within the town.	<p>Council officers are working with officers at Lancashire County Council to develop a range of transport related improvements for Ormskirk. In particular improvements to the link between Ormskirk bus and rail station are being planned this year.</p> <p>LCC are currently working to develop their Ormskirk Movement Strategy.</p> <p>Due to problems of vehicles driving through the town centre, even during events and market days, new gates are being planned to enforce the TRO to prevent vehicles driving through the pedestrianised area of the town between 10am -4pm.</p>	<p>Continue to work with transport providers to deliver improvements within Ormskirk and engage with LCC in relation to the development of the Ormskirk Movement Strategy.</p> <p>Deliver improvements between Ormskirk bus and rail station as a first phase of a wider new cycle pedestrian link between the rail station town centre and Edge Hill University.</p> <p>Ensure new gates are implemented and monitor their effectiveness.</p> <p>Continue to facilitate an improved bus station facility.</p>
Night Time/Evening Economy	Consider opportunities to improve the evening/night time economy within Ormskirk considering events such as	Night markets have been previously piloted and were successful. Internal processes have now been developed to support taking the	Continue to support existing events and investigate if additional proposals can be developed to enhance the evening/night time

Key Action Area	Action Point	Update	Key Future Action
	evening entertainment evening markets, lighting	<p>events forward on a more regular basis from Springtime.</p> <p>The evening economy is performing well with a number of coffee shop and restaurants now open of an evening helping to bring life to the town between 5-8pm.</p> <p>The night time economy is also performing well with a number of pubs/bars/restaurants and takeaways.</p> <p>Lighting will be investigated as part of proposals to make a feature of Ormskirk alleyways and to improve the public realm at Wheatsheaf Walk</p>	<p>economy. Support and monitor the roll out of Night markets as a regular monthly events during spring/summer.</p> <p>Explore lighting options for Wheatsheaf Walk.</p> <p>Explore if the national 'Purple Flag' status launched in 2012 is desirable and achievable, to confirm that the night time economy is entertaining, diverse, safe and enjoyable This accreditation scheme for the nigh time economy is similar to the Green Flag awards for parks and Blue Flag awards for beaches.</p>
Monitor and review	Implement data capture techniques to understand the health of Ormskirk Town Centre	<p>Ormskirk town centre vacancy rates are monitored every 3 months and the data fed into Springboard who provide reports showing how we compare regionally and nationally.</p> <p>A footfall monitoring camera was introduced in 2016 to provide comparative footfall data over a 5 year period to help monitor the strength of OTC. This data has also been used to help support funding bids.</p> <p>We now have agreement to share our footfall with similar sized towns on a confidential</p>	<p>Continue to monitor the data we currently have to help understand the strength of OTC.</p> <p>Utilise our data to help support funding bids.</p> <p>Utilise data and identify any early warning sign of changes both positive and negative. Use data intelligently to help identify actions.</p> <p>Monitor anecdotal evidence from town centre business and other partners.</p>

Key Action Area	Action Point	Update	Key Future Action
		<p>basis to understand how we compare.</p> <p>Officers have collected details from town centre businesses, creating a new town centre contact database.</p>	

Equality Impact Assessment Form



Directorate: Development and Regeneration	Service: Regeneration
Completed by: Dominic Carr	Date: 25.1.2019
Subject Title: Ormskirk Town Centre Strategy Update	
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:	Updating Members of the progress made so far and agreeing to progress key future actions
<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):	
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)?	Ormskirk Town Centre Management Group/Retailers/Members of the public

	who shop in and visit Ormskirk
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 Town Centre Strategy is a cross cutting document which seeks to improve conditions for retailers/residents and visitors of Ormskirk. The Town Centre Management Group who will be delivering the actions contained within the strategy is made up of representatives from the Council, community groups, national and local retailers, as well as Edge Hill University.
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	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?	N/A
What will the impact of the work being carried out be on usage/the stakeholders?	The actions contained within the Town Centre Strategy seek to improve the appearance and vitality of Ormskirk town centre helping to improve the town centre for all 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?	N/A
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?	As the strategy was being developed a number of consultations were undertaken and consultants have conducted additional surveys since. Sources of data used to monitor the strength of OTC include footfall monitoring data, vacancy rates surveys and car park data. Also anecdotal evidence is also being collected from businesses.

If any further data/consultation is needed and is to be gathered, please specify:	If a BID for Ormskirk is taken forward an additional consultation will need to take place.
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)?	The implementation of the OTC strategy should help to improve the town centre encouraging more people to visit helping to enhance shopping conditions for retailers. The action plan should have a positive impact upon all.
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.).	The development of actions contained within the Town Centre Strategy should have a positive impact upon all stakeholders.
What actions do you plan to take to address any other issues above?	No actions required <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 review of the Town Centre Strategy will take place on an annual basis and be reported back to members. However Council officers and members of the OTC Management Group are constantly reviewing all available data to assess the vitality of OTC and monitor the effects of interventions.



CABINET: 12 March 2019

Report of: Borough Treasurer

Relevant Portfolio Holder: Councillor A. Yates.

Contact for further information: Rebecca Spicer (Extn. 5098)
(E-mail: rebecca.spicer@westlancs.gov.uk)

SUBJECT: RISK MANAGEMENT

Borough Wide Interest

1.0 PURPOSE OF THE REPORT

1.1 To set out details on the Key Risks facing the Council and how they are being managed and to propose changes to the Risk Management Policy.

2.0 RECOMMENDATIONS

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

2.2 That the updated Risk Management Policy at Appendix B be approved.

3.0 BACKGROUND

3.1 Risk management is not about being 'risk averse' – it is about being 'risk aware'. Risk is ever present and some amount of risk taking is inevitable if the Council is to achieve its objectives. Risk Management is about effectively managing risks that could affect the Council and the community. It is also about making the most of opportunities and achieving objectives. By being 'risk aware' the Council is in a better position to avoid threats and take advantage of opportunities.

3.2 It is a best practice requirement that the Risk Management Policy and the Key Risks Register are reviewed and reported to Members on a regular basis. Consequently it is our standard practice to report on Key Risk Register issues to

Cabinet every 6 months. Reports on the effectiveness of the Risk Management framework are presented to the Audit and Governance Committee, and at its last meeting in January 2019 the Committee endorsed an updated version of the Risk Management Policy.

- 3.3 Risk Management covers the whole spectrum of risks and not just those associated with finance, business continuity, insurance and health and safety. It also considers risks associated with service provision, compliance with legislation, public image (reputation) and environment. Key Risks are defined as the highest priority risks that may prevent the Council from achieving its objectives, or may result in the failure of a service, or the failure to comply with legislation. The Key Risks Register gives a summary of these risks and the work that is being undertaken to mitigate them, although many of these risks will have already been the subject of separate committee reports. In addition each Service maintains its own Service Risk Register of the specific risks that they face.

4.0 KEY RISK REGISTER

- 4.1 The Key Risk Register attached (Appendix A) shows the current Key Risks and the measures in place to manage those risks. The regular reporting of the Register provides Members with an opportunity to scrutinise key risks and provides assurance that these risks are being effectively controlled.
- 4.2 A new risk has been added to the Key Risk Register entitled EU Exit, as after March 2019 if the UK leaves the EU with no deal, there is the potential for service disruption. Whilst plans are being put in place to mitigate this risk, the implications of Brexit on services remains uncertain and for this reason the risk falls into the very concerned category. This new risk is separate to the existing Business Continuity Risk as it potentially applies to all services and not just the eight critical services that are referenced in the Corporate Business Continuity plan. The score relating to the Business Continuity risk has also been increased from content to very concerned since the last report to Cabinet, and business continuity plans are being reviewed and updated to ensure that we are as prepared as possible based upon issues that we consider may arise if there is a no deal Brexit.
- 4.3 A risk relating to the new Development Company has been entered onto the Key Risk Register, and these issues were given detailed consideration at the February 2019 Council meeting.
- 4.4 The scoring of the risk entitled procurement of a new leisure provision has been reduced from concerned to uneasy as market testing shows that there is a good appetite for the proposed new leisure centres and the Council's preferred procurement route and plans.
- 4.5 The score of the risk entitled Significant failure to comply with the General Data Protection Regulation (GDPR) has decreased from concerned to uneasy on the basis of the significant work that has been carried out to ensure compliance.
- 4.6 There are two risks relating to Brexit that have been assessed in the "very concerned" category that require urgent action at the highest level to reduce their risk to an acceptable position, and this work is ongoing. There are also a number

of other risks that have been assessed in the concerned category, but in each case these have been either the subject of recent Committee reports or have been considered through the budget process.

5.0 CHANGES TO THE RISK MANAGEMENT POLICY

- 5.1 The Risk Management Policy has been reviewed by Officers to ensure that it reflects best practice, new developments, systems and organisational change.
- 5.2 A tracked changes version of the updated Policy, which incorporates a number of minor wording changes, is included in Appendix B, which has already been endorsed by the Audit and Governance Committee. Members are now asked to approve these amendments which will be incorporated into a final clean version of the Policy.

6.0 SUSTAINABILITY IMPLICATIONS

- 6.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 The successful management of the key risks facing the Council will ensure that resources are used effectively and efficiently. Government grant funding of £35,000 will be received over a 2 year period in relation to dealing with Brexit issues, with half being received in the current financial year and the other half in 2019/20.

8.0 RISK ASSESSMENT

- 8.1 The continued identification and review of key risks is essential to ensure the management and mitigation of those risks, the successful achievement of the Authority's objectives, and the maximisation of opportunities. By continually monitoring and reviewing the risks and the Risk Management Framework we will ensure that it continues to improve, develop and meet best practice requirements.

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

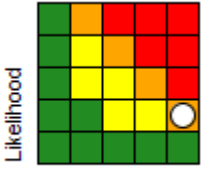
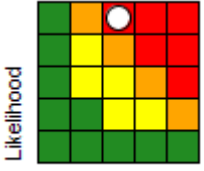
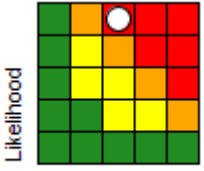
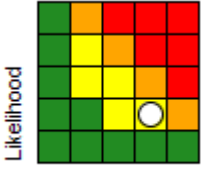
Appendix A – Key Risks Register

Appendix B – Amended Risk Management Policy

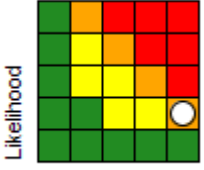


Appendix A Key Risk Register



Service Area	Title	Potential Effect	Internal Controls	Responsible Officer	Latest Note	Current Risk Matrix	Current Risk Assessment and Score
Finance & HR Services	Potential Treasury Management Investment Losses.	Volatility in financial markets can create risks on investments, which means there is the potential that significant sums of money could be lost.	There is a treasury management policy and strategy in place. Well trained staff make investments with the guidance of brokers and treasury advisors. Investments can only be made in top rated UK based institutions or other local Authorities.	Borough Treasurer	Operational arrangements continue to be reviewed and monitored in the light of current market conditions. A Prudential Indicators and Treasury Management Report was presented to Council in February 2019.		5 Content
Finance & HR Services	Achieving a balanced General Revenue Account budget position	On-going reductions in Government funding and other financial pressures will need to be addressed to meet the statutory requirement to set a balanced budget.	The medium term financial forecasting and Sustainable Organisation Review (SORP) processes will set out how this financial challenge will be met.	Borough Treasurer	The budget for 2019-20 was set by Council in February 2019. The SORP process is underway and it is expected that a report will be made to Council in July 2019 setting out its findings and recommendations.		10 Concerned

Service Area	Title	Potential Effect	Internal Controls	Responsible Officer	Latest Note	Current Risk Matrix	Current Risk Assessment and Score
Finance & HR Services	Delivering a successful Sustainable Organisation Review Project (SORP).	This project is designed to improve economy, efficiency and effectiveness across all Council Services as well as addressing the financial challenges facing the General Revenue Account.	A SORP Board consisting of the Corporate Management Team and other relevant officers meets on a fortnightly basis to ensure good progress is made with the project. A detailed risk register is in place to ensure the mitigation of the main risks associated with the project.	Chief Executive & Borough Treasurer	A contractor has been appointed to undertake the review and good progress is currently being made. A briefing on the SORP process and progress was provided to Members in January 2019.	 <p>Likelihood</p> <p>Impact</p>	10 Concerned
Leisure & Environmental Services	Business Continuity - Potential for disruption	Lack of Business Continuity planning could have a severe impact on service provision across critical Service Areas.	Key Service areas have been identified and individual plans put in place. These plans are tested on a regular basis and updated accordingly.	Director of Leisure & Environmental Services	Business Continuity Plans are currently being reviewed and updated to ensure that they can cope with the potential implications of EU exit.	 <p>Likelihood</p> <p>Impact</p>	15 Very Concerned
Leisure & Environmental Services	EU Exit	Potential widespread disruption of Council services.	Business Continuity Plans. Strategic leadership input into internal working group.	Director of Leisure & Environmental Services	The potential implications of Brexit on Council services are difficult to predict at this time but plans and contingency measures are being put in place to ensure its impact can be effectively managed.	 <p>Likelihood</p> <p>Impact</p>	15 Very Concerned
Development & Regeneration Services	Land Auction	Potential loss of Capital Receipt if sales not secured within timescale of HCLG	Regular meetings with HCA to maintain progress	Director of Development & Regeneration Services	Sales of Whalleys 4 completed. Planning permission granted for housing development. Remaining sites sold conditionally. 1 year extension of end date agreed with HCLG. Planning consent for	 <p>Likelihood</p> <p>Impact</p>	8 Uneasy

Service Area	Title	Potential Effect	Internal Controls	Responsible Officer	Latest Note	Current Risk Matrix	Current Risk Assessment and Score
					both sites granted. Final sum confirmed at £5.5 million. HCA proposes to pay this as a single sum instead of phased payments.		
Housing & Inclusion Services	West Lancashire Development Company	The Development Company offers opportunities of generating income from developments however volatility in development / financial markets can create risks on investments, which means there is the potential that significant sums of money could be lost.	The annual Business Plan will be approved by the Council. The Company must undertake site appraisals and further detailed analysis to determine which schemes / projects are viable. Progress reports will be produced on a regular basis.	Director of Housing & Inclusion Services	Council considered a report on the Development Company in February 2019.		8 Uneasy
Housing & Inclusion Services	Balancing the HRA Budget	The Government's rent reduction initiative has been implemented and the financial impact needs to be effectively managed.	Review of management structure - Efficiency programme currently underway - Regular review of income management performance. - Implementation of Universal Credit to be carefully monitored - 100% Stock condition survey completed to limit risk and give better assurance in the HRA Business Plan	Director of Housing & Inclusion Services	Stock condition survey completed and analysis of data underway. This will inform a 5 year investment programme to support the business plan. Asset management strategy currently being drafted. Universal Credit moved to full service in December 2018, income collection and arrears performance are being closely monitored. Council approved the HRA budget for 2019-20 at its meeting in February 2019.		8 Uneasy

Service Area	Title	Potential Effect	Internal Controls	Responsible Officer	Latest Note	Current Risk Matrix	Current Risk Assessment and Score
Housing & Inclusion Services	Landlord Compliance & Regulatory Requirements (Health & Safety)	Injury or death to tenants, resident or visitors. Significant adverse publicity. Regulatory impact.	Monitored quarterly at management team. Compliance incorporated into the audit programme annually.	Director of Housing & Inclusion Services	Action Plan is now complete. Compliance is monitored on a weekly basis and reported quarterly.	 <p>Likelihood</p> <p>Impact</p>	10 Concerned
Development & Regeneration Services	Delivery of the Housing Strategy	Delivering the Council's Housing Strategy which is, "the provision of good quality housing in the right locations" would mean that we would support our economic and regeneration priorities and meet people's changing needs to be situated within pleasant, safe and sustainable communities.	Regular monitoring occurs via the Service Action Plan (SAP) monitoring process.	Director of Development & Regeneration Services	The Council continues to work towards delivering against its housing objectives and is achieving positive outcomes, including increasing the supply of affordable housing in the Borough.	 <p>Likelihood</p> <p>Impact</p>	9 Uneasy
Leisure & Environmental Services	Procurement of new leisure provision	Impact on Council services, finances and reputation. The Council has adopted a leisure strategy which identifies new provision. Failure to deliver will impact on future service delivery. The potential financial cost, both revenue and capital, could seriously impact on the Council's ability to balance its budget.	Project group, project Board and cabinet working group now well established and regularly monitoring progress. CCG partnership board in place.	Director of Leisure & Environmental Services	Progress continues to be made on this initiative in line with the planned timetable.	 <p>Likelihood</p> <p>Impact</p>	9 Uneasy

Service Area	Title	Potential Effect	Internal Controls	Responsible Officer	Latest Note	Current Risk Matrix	Current Risk Assessment and Score
<p>Page 14</p> <p>Housing & Inclusion Services & Legal & Democratic Services</p>	Failure to provide suitable storage arrangements for the Council's electronic information.	Inefficient business processes. Failure to meet statutory and best practice requirements, e.g. in relation to FOIA, DPA, GDPR, EIR and other information handling legislation (including record retention and destruction arrangements). Staff time wasted / diverted. Potential legal challenges. Criticism by Audit and negative press. Increased electronic storage costs.	<p>Officer based project group to take forward a review and improvement project. Engagement with the ICT provider to ensure suitable structure for information storage. Periodic training / meetings / dissemination of information, e.g. Retention & Disposal schedule, Corporate Catalogue/ROPA and ICT Data and Security Policy for Link Officers, IAOs and staff in services to ensure up to date with current policy, legislation, best practice and recent changes.</p> <p>Improvements to systems being progressed on a Corporate basis, following annual governance and internal audit input in 2016/17.</p> <p>A 2 year programme to put revised arrangements in place commenced September 2017. Arrangements are to be agreed and signed off for the present and future compliance by Heads of Service.</p>	Deputy Director of Housing & Inclusion Services & Borough Solicitor	<p>To assist staff with managing down content on the network to reduce storage, LG Inform records retention guidance made available to assist officers.</p> <p>Concerns regarding conflict of priorities and timescales for BTLS colleagues are being addressed, alongside a review of the resourcing implications of the project work.</p>		12 Concerned

Service Area	Title	Potential Effect	Internal Controls	Responsible Officer	Latest Note	Current Risk Matrix	Current Risk Assessment and Score
Legal & Democratic Services	Significant failure to comply with General Data Protection Regulation (GDPR)	GDPR and the Data Protection Act 2018 brought significant changes to the data protection framework. Compliance has potential resource implications. There are a range of sanctions for breaches including fines and damages. Failure to report a breach would result in a fine as well as a fine for the breach itself.	An action plan is in place requiring Services to review their existing policies and procedures and technical methods in line with the new requirements. Senior Management are engaged regularly and a designated Data Protection Officer appointed to take statutory responsibility for compliance, assisted by a network of officers in services. Detailed guidance has been provided. Extensive officer and member training has been organised and continues to be delivered.	Borough Solicitor	The Information Governance & Data Protection Working Group continues to meet regularly and has a GDPR action plan in place. This is nearing completion and is actively monitored.		9 Uneasy
Development & Regeneration Services	Failure to deliver Skelmersdale Town Centre Regeneration	Opportunity - The project will provide a mix of residential, commercial, leisure and education accommodation opportunities. Threat - We could fail to address the economic issues, not address residents' requirements and have an impact on the Council's reputation.	<ol style="list-style-type: none"> 1. Continue to consult with public where relevant. 2. Collaboration agreement in place. 3. Continue to engage with the "other" landowners to encourage their participation in the scheme. 4. This risk is reviewed regularly as part of the ongoing project management. 5. Maintaining regular contact with developer and potential 	Director of Development & Regeneration Services	A report on this scheme was presented to Cabinet and Council in July 2018 and approval was given to implement infrastructure and Phase 1 of the retail element of the scheme on the basis set out in the report. Legal & funding agreement now being negotiated.		9 Uneasy

Service Area	Title	Potential Effect	Internal Controls	Responsible Officer	Latest Note	Current Risk Matrix	Current Risk Assessment and Score
			retail/commercial/leisure occupiers. 6. Project Board meets regularly to review progress.				

Level of Concern	Action Required
Very concerned	Urgent attention required at highest level to ensure risk is reduced to an acceptable level. Action planning should start without delay. Progress on actions should be reported to the Chief Executive and / or the Leader.
Concerned	Requires mitigation, contingency plan and identification of early warning indicators. Progress reported to CMT.
Uneasy	Acceptable. Requires mitigation. Reviewed at Head of Service level.
Content	Acceptable. Keep under review but no action required unless changes occur.



Risk Management Policy

1.0 Introduction

Risk is a part of everyday life. The Authority recognises that there are risks involved in everything it does and that it has a duty to manage these risks. This duty is to employees, residents and people working in the Borough, service users, partners and other stakeholders.

The Authority defines risk as the possibility that an action or event will adversely or beneficially affect its ability to achieve its planned objectives. The effective identification, assessment, monitoring, management and reporting of risk will help to ensure that:

- Planned objectives are more likely to be achieved
- Opportunities are recognised
- Adverse risks are less likely to happen
- The impact of adverse risks which are realised is reduced

Effective risk management is therefore regarded as a critically important part of the work of the Authority.

This policy aims to ensure that we have a planned and systematic approach to identify, evaluate and manage the whole range of risks and opportunities facing the Authority. This policy also informs the approach to the Risk Management framework which is the established process by which the Authority identifies, assesses and manages risk in order that it should succeed in its planned objectives.

2.0 Aims of the Risk Management Policy

The Risk Management Policy has the following aims and objectives:

- To integrate Risk Management into the culture of the Authority
- To raise awareness of the need for Risk Management with all those connected with the delivery of services
- To enable the Authority to anticipate and respond to changing social, environmental and legislative conditions
- Minimisation of injury, damage, loss and inconvenience to residents, employees, service users, assets etc. arising from or connected with the delivery of Council services
- To maximise the rewards that can be gained through risk management

- To maintain and develop a robust framework and procedures for the identification, analysis, assessment and management of risk
- To assist in the achievement of the Council's vision to be a Council which is ambitious for West Lancashire
- To aid the achievement of the Council's priorities

3.0 Risk Assessment

Risk arises naturally and directly from the implementation of corporate and service aims and objectives. Therefore risk assessment is an integral part of all Council activity. It is the Authority's policy that all substantive activities should be subject to risk assessment. This includes all significant projects, for example, financial developments, legislative developments, human resource initiatives, health and safety, communication upgrades, partnerships and IT developments. Risks must be regularly monitored and actively managed until the objectives have been achieved (or the risk realised).

Risks should be assessed using the standard approach set out at the end of this policy. This requires the impact and likelihood of a risk to be evaluated and then scored on a risk matrix. This score then determines the level of concern associated with that risk and the action that is required to be taken. The Authority's risk appetite is determined by Cabinet and can be defined as the level of risk that the Authority is willing to take in pursuit of its objectives and values.

4.0 Service Risk Registers

Heads of Service are responsible for ensuring that all significant risks are included in Service Risk Registers using the Pentana **Performance Risk** system. This risk register should describe the risk event, who is responsible for managing the risk, planned and completed actions, potential effects, internal controls and a current and target risk assessment. Risk events should be ~~removed~~ **deactivated** when the objective has been reached (or the risk realised) and new risk events added as soon as they are identified.

5.0 Risk Ownership and Management

Every risk should be assigned to a risk owner who is identified on the Risk Register. The risk owner is the designated member of staff (or management group) who carries the ultimate responsibility for ensuring that the risk is effectively managed. The risk owner is responsible for agreeing and delivering the action plan to control the risk and monitoring progress against it. This is a key element in the risk

management process as it is crucial that risks are not just identified and assessed but that they are also effectively controlled.

Internal control is key to effective risk management and plays a significant part in the management of risks. Actions, procedures and operations undertaken to either contain a risk to an acceptable level, or to increase the probability of a desirable outcome should be detailed on the Risk Register.

6.0 Risk Reporting

Monitoring reports on Service Risk Registers will be produced as a minimum on a quarterly basis for the formal consideration of Heads of Service.

Monitoring reports on Key Risks (the most significant risks facing the Council) will be produced on a six monthly basis for the consideration of CMT and Cabinet.

7.0 Risks and the Decision Making Process

Risks need to be addressed at the point at which decisions are being taken. Where Members and Officers are asked to make decisions they should be advised of the risks associated with the recommendations being made. Consequently, the Authority needs to be able to demonstrate that it has taken reasonable steps to consider the risks involved in a decision.

All reports requiring key decisions, including new and amended policies and strategies, must therefore include a section to demonstrate that risks have been addressed. This does not guarantee that decisions will always be right but the important point is to demonstrate that risks have been considered and to have evidence that will support this.

8.0 Role of Risk Management Working Group

Although every member of staff carries some responsibility for the management of risk, the Authority identifies the Risk Management Working Group (RMWG) as responsible for maintaining and developing the Risk Management Framework. Heads of Service should nominate a Risk Co-ordinator to represent each Service area on the RMWG.

The Risk Management Working Group will meet twice yearly, typically in January and July, to consider the following types of area:

- Issues and improvements to the Risk Management Framework
- Risk Management training for both Members and Officers

- Reviewing and recommending changes to the Risk Management Policy
- Reviewing the Key Risk Register and recommending changes
- Disseminating good practice requirements across the Authority

9.0 Role of the Risk Co-ordinators

The Risk Co-ordinator is responsible for maintaining and developing the Risk Management Framework within their Service, supported by the Risk Management Working Group.

The Risk Co-ordinator's role is to:

- Represent their Service's interest in the management of the Council's risks and act as a Service Lead Officer on risk management issues including risk issues in relation to service plans.
- Support their Head of Service in implementing the Risk Management Policy within their Service
- Co-ordinate the risk process in their Service by monitoring and maintaining a Service Risk Register on behalf of their Service Managers.
- Monitor and review the status of service risks and action plans implemented to reduce or control those risks.
- To attend the twice yearly meetings of the Risk Management Working Group (or nominate a suitable substitute when unable to attend).
- Give advice and guidance to Managers/Officers within their Service on preparing risk assessments for committee reports.

10.0 Role of Heads of Service

The role of Heads of Service is to:

- Implement policies on risk management within their Services including ensuring that an up to date Service Risk Register is maintained
- Review Service Risks on a quarterly basis and Key Risks on a six monthly basis
- Review the risk management system to ensure that it is functioning effectively

11.0 Governance Arrangements

The Authority's Risk Management Framework is critically important in the context of governance and the Audit and Governance Committee has responsibility for ensuring that the Framework operates effectively. An annual report will be produced for this Committee on the operation of the Risk Management Framework so that its Members can assess its effectiveness.

12.0 Role of Audit

Internal Audit evaluate risk management processes continuously in order to provide assurance to Members and Senior Management that significant business risks are being managed appropriately and that the Risk Management and Internal Control framework is operating effectively. Our External Auditors may also conduct separate, independent reviews of the Risk Management Framework from time to time. The findings from this work will be included in the annual report to the Audit and Governance Committee.

13.0 Skills, Expertise and Guidance

Having established roles and accountabilities for risk management, the Authority must ensure that it has the necessary skills and expertise to deliver this framework. This will be accomplished through an on-going programme of risk management training and development for both Officers and Members.

More detailed procedures for Officers are available via the Council intranet at <http://intranet-westlancs-gov-uk-liveadmin/rules-and-regulations/risk-management.aspx>, which contains appropriate guidance to enable them to carry out their duties effectively.

14.0 Making Others Aware of Risk Management

The Authority recognises the potential for benefits and rewards from partnership working and it also recognises the risks involved. Whilst this risk can be managed by the Authority through formal contracts and partnership agreements that clearly allocate risks to the appropriate parties, failure by either or any one of those parties to manage their risks can have serious consequences for the other(s).

Consequently, before entering into the partnership, joint working or business contract arrangements, prospective partners and contractors should be asked to state their approach to risk management and to provide certain minimum evidence to support their response.

15.0 Maintenance and Development of the Risk Management Policy

This Risk Management Policy will be reviewed on an annual basis. The results of this review will initially be reported to the Audit and Governance Committee **in January of each year** for detailed consideration before being submitted to Cabinet **in March** for formal approval.

CORPORATE RISK ASSESSMENT

Impact

Score	What's the worst that could happen?
1	<ul style="list-style-type: none"> • Disruption to operations in the short term with no loss of service to citizens. • No injuries sustained. • No reputational damage to service or WLBC. • Low financial loss which can readily be met from existing budget provision.
2	<ul style="list-style-type: none"> • Some short term disruption to a non-critical service to citizens. • Minor injury resolved by first aid treatment. • Minimal reputational damage (single adverse article in local press/ social media). • Medium financial loss. (Requiring virement at the level delegated to Heads of Service, currently up to £10k).
3	<ul style="list-style-type: none"> • Short term disruption to a critical service or substantial disruption to a non-critical service noticeable to customers. • Injury requiring visit to A&E / short term hospitalisation. • Persistent adverse coverage in local press /radio /social media. • Significant financial loss (Can be met by virement at the level delegated to Cabinet, currently up to £50k).
4	<ul style="list-style-type: none"> • Sustained disruption to a critical service or multiple non critical services - Circumstances defined in the Business Continuity Plan as requiring notification of the Emergency Planning and Business Continuity Manager. • Injury requiring longer term hospitalisation or resulting in permanent damage. • Adverse article in national press, radio, TV or social media. • Major financial loss. (Requiring virement to be approved by Council, currently anything over £50k).
5	<ul style="list-style-type: none"> • Events leading to Central Government intervention in running of a WLBC Service. • Multiple injury / loss of life. • Extensive coverage in national media. • Enormous financial loss which would impact on the Council's financial capacity to carry out its business.

Note, these are examples to indicate the level of risk within each category and do not include every conceivable type of risk. This is meant as general guidance only and not precise criteria. If you have any specific queries then please contact the Borough Treasurer or Insurance & Risk Management Officer.

Likelihood

Score	Descriptors
5	Almost certain. Occurs frequently or expected to occur within one year.
4	Likely. Expected to occur more than once in 10 years.
3	Possible. Expected to occur once in 10 years.
2	Unlikely. Not expected to occur over a 10 year period.
1	Remote. Not expected to occur. Has not occurred or may only be expected to occur in exceptional circumstances.

WLBC Impact / Likelihood Matrix

		Impact				
		1	2	3	4	5
Likelihood	5	5	10	15	20	25
	4	4	8	12	16	20
	3	3	6	9	12	15
	2	2	4	6	8	10
	1	1	2	3	4	5

Level of Concern	Action Required
Very concerned	Urgent attention required at highest level to ensure risk is reduced to an acceptable level. Action planning should start without delay. Progress on actions should be reported to the Chief Executive and / or the Leader.
Concerned	Requires mitigation, contingency plan and identification of early warning indicators. Progress reported to CMT
Uneasy	Acceptable. Requires mitigation. Reviewed at Head of Service level.
Content	Acceptable. Keep under review but no action required unless changes occur.



CABINET: 12 March 2019

Report of: Director of Development and Regeneration

Relevant Portfolio Holder: Councillor J Hodson

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

SUBJECT: BURSCOUGH PARISH NEIGHBOURHOOD PLAN

Wards affected: Burscough West, Burscough East and Scarisbrick (part of)

1.0 PURPOSE OF THE REPORT

1.1 To seek delegated authority to publish a Decision Statement in relation to the Burscough Parish Neighbourhood Plan once the examination of the Plan is completed by an independent examiner, and to 'make' (adopt) the Neighbourhood Plan if it passes the subsequent referendum.

2.0 RECOMMENDATIONS

2.1 That authority be delegated to the Director of Development and Regeneration to publish a Decision Statement in relation to the Burscough Parish Neighbourhood Plan once the examination of the Plan is completed by an independent examiner and in accordance with regulation 18 of the Neighbourhood Planning (General) Regulations 2012.

2.2 That authority be delegated to the Director of Development and Regeneration to 'make' the Burscough Parish Neighbourhood Plan in accordance with Section 38A of the Planning and Compulsory Purchase Act 2004, should it pass a referendum.

3.0 BACKGROUND

3.1 The Burscough Parish Neighbourhood Plan is currently the only neighbourhood plan being prepared in West Lancashire and is now at an advanced stage. The

designated neighbourhood area covers Burscough Parish which comprises Burscough West and Burscough East wards in entirety and part of Scarisbrick ward. The Plan contains 21 policies and has a time period to 2027, which corresponds with the end of the adopted West Lancashire Local Plan Development Plan Document (DPD) plan period.

- 3.2 Preparation of the Neighbourhood Plan has been the subject of previous Cabinet reports dated 11 November 2014, 12 September 2017 and 6 November 2018. Those reports provided detailed information in relation to the content of the draft Neighbourhood Plan and legislative and procedural background. The stages in preparation of the Neighbourhood Plan that have already taken place are:

Stage 1: Defining the Neighbourhood Area

Stage 2: Preparing the Plan

Stage 3: Pre-submission publicity and consultation

Stage 4: Plan submitted to the local planning authority

- 3.3 Burscough Parish Council has been responsible for preparing the Plan and West Lancashire Borough Council, in the role of local planning authority (LPA) has a statutory duty to support the Parish Council in the preparation of it. In terms of stage 1, West Lancashire Borough Council Cabinet approved the designated Burscough neighbourhood area on 11 November 2014. The Neighbourhood Plan subsequently reached stage 3, pre-submission publicity and consultation, with an 8 week public consultation on a draft of it taking place between 11 August and 6 October 2017.

- 3.4 In relation to stage 4, the Parish Council submitted the Neighbourhood Plan and other supporting documentation to the local planning authority on 18 September 2018 and progressing the Plan from this point onwards then became the responsibility of the Borough Council. As part of the requirements of the Neighbourhood Planning (General) Regulations 2012, the Borough Council undertook a compliance check of the Neighbourhood Plan in relation to it meeting relevant legislation and requirements. Once officers were content that the Submission version Neighbourhood Plan satisfied the compliance check, public consultation was organised and took place on the Plan for 6 weeks between 9 January and 20 February 2019. The timing of consultation was arranged in order to avoid overlapping public consultation with the West Lancashire Local Plan Review Preferred Options.

- 3.5 The subsequent stages in neighbourhood plan preparation are as follows:

Stage 5: Independent Examination

Stage 6: Referendum

Stage 7: "Making" the Neighbourhood Plan

Prior to a draft neighbourhood plan being 'made' (brought into legal force) after succeeding at referendum, it automatically forms part of the development plan for the area it covers, but it would not continue to do so if the Borough Council were to decide it should not be 'made'. Once it becomes part of the development plan it would be used alongside with the Local Plan in the determination of planning applications in that area and to direct where future development takes place.

4.0 INDEPENDENT EXAMINATION OF THE NEIGHBOURHOOD PLAN

4.1 39 responses were received during the public consultation on the Submission Neighbourhood Plan, including the Borough Council's comments. As part of stage 5, these will now be sent to an independent examiner alongside the Neighbourhood Plan, evidence base and other supporting documents. The examiner will consider if the Plan is satisfactory in terms of both legal requirements and whether a set of basic conditions are satisfied. The legal requirements are:

- It is being submitted by a qualifying body.
- It sets out policies in relation to the development and use of land in the whole or any part of the neighbourhood area.
- It states the time period in which it is to have effect.
- The policies in the plan do not relate to excluded development, for example minerals and waste or nationally significant infrastructure projects.
- It does not relate to more than one neighbourhood area.

The basic conditions that the Plan needs to meet are that it:

- Has regard to national policies and advice.
- Contributes to the achievement of sustainable development.
- Is in general conformity with the strategic policies contained in the development plan for the area of the authority.
- Does not breach, and is otherwise compatible with, EU obligations.
- Meets prescribed conditions and prescribed matters have been complied with. This means that the 'making' of the neighbourhood plan is not likely to have a significant effect on a European designated habitats site or European Offshore Marine site.

4.2 As well as granting authorisation to undertake public consultation upon the Neighbourhood Plan, Cabinet of 6 November also gave delegated authority to the Director of Development and Regeneration, in consultation with the Portfolio Holder for Planning, to make the Borough Council's formal response to the Plan and for subsequent submission of the Plan for examination.

4.3 The Neighbourhood Planning (General) Regulations 2012 (as subsequently amended) requires the Borough Council to issue a Decision Statement within 5 weeks of receipt of the examiner's report. When the local authority fails to take a decision to send a plan to referendum within 5 weeks of receipt of the examiner's report, where requested by a qualifying body (the Parish Council in this instance), the Secretary of State has the power to intervene.

4.4 In considering the Neighbourhood Plan the independent examiner has the option of making one of three recommendations:

- That the plan should proceed to referendum on the basis that it meets all of the legal requirements;
- That the plan should proceed to referendum if modified; or

- That the plan should not proceed to referendum on the basis that it does not meet all of the legal requirements.

Upon receipt of the examiner's report, officers will then consider the recommendations of the examiner, whether the Plan (as amended by the examiner) meets legal requirements and the basic conditions and then advise how to proceed in relation to the examiner's recommendation. As an audit trail, an officer report will be produced explaining the reasons for the decision taken in accordance with the delegated authority set out above at paragraph 2.1.

5.0 NEXT STEPS

Stage 6: Referendum

- 5.1 West Lancashire Borough Council will have to make arrangements for a referendum to take place subsequent to the Decision Statement being agreed and published, if it is decided that the Plan should proceed to referendum, publicise the referendum and then polling would take place and a result declared. The referendum must take place within 8 weeks of the Decision Statement being issued. It is important to note that there is no need to seek authority to undertake the referendum as this is part of the process set by the Regulations that will automatically follow on from the issuing of the Decision Statement. Those entitled to vote upon whether the 'making' (see below) of the plan should be supported are those entitled to vote in a local election and living in the neighbourhood area (or the extended referendum area as appropriate).
- 5.2 The rules covering all aspects of organising and conducting the referendum can be found in the Neighbourhood Planning (Referendum) Regulations 2012 (as amended by the Neighbourhood Planning (Referendum) (Amendment) Regulations 2013 and 2014) and the Neighbourhood Planning (Prescribed Dates) Regulations 2012.

Stage 7: 'Making' the Neighbourhood Plan

- 5.3 If the majority of those who vote in a referendum are in favour of a draft neighbourhood plan then the plan must be 'made' (brought into legal force) by the Borough Council within 8 weeks of the date of the referendum. Prior to a draft neighbourhood plan being 'made' after succeeding at referendum, it automatically forms part of the development plan, but it would not continue to do so if the Borough Council were to decide it should not be 'made'. There are limited circumstances where the Borough Council could decide not to make a neighbourhood plan.
- 5.4 Due to the referendum likely taking place in June (see indicative timetable below), there will not be a scheduled Cabinet meeting within 8 weeks of the referendum, and so a delegation is sought at paragraph 2.2 above to enable the Council to 'make' the Neighbourhood Plan within the 8 week limit if it passes the referendum.
- 5.5 An estimated timetable for the 'making' of the Burscough Parish Neighbourhood Plan is therefore as follows:

Regulation 16 Publicising a Neighbourhood Plan Proposal	actual 9/1/19 to 20/2/19
Regulation 17 Submission of Neighbourhood Plan for Examination	estimate 1 March 2019
Receipt of Examiner's Report	estimate mid/ late April 2019
Decision Statement (Council's response to the examiner's report)	estimate early May 2019
Referendum	estimate June 2019
Making (adopting) the Neighbourhood Plan	estimate July 2019

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 6.1 A Strategic Environmental Assessment has been undertaken on the Submission Neighbourhood Plan which considers effects from the policies it contains. There is no statutory requirement to undertake a Sustainability Appraisal in this instance. However, in order to meet the 'basic conditions' it will need to be demonstrated that the Plan contributes to the achievement of sustainable development. There would be no significant impact on crime and disorder.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 The Borough Council's duty to support the preparation of the Neighbourhood Plan will have financial and staff resource implications which are unable to be precisely defined at present. A total grant of £25,000 of funding is potentially available to the local authority from DCLG to enable fulfilling our statutory duty to support. However, £20,000 of this can only be claimed once a neighbourhood plan has been successfully examined and the date for a local referendum has been set. The Borough Council previously received the remaining £5,000 following the neighbourhood area designation in 2014.
- 7.2 Therefore, the Borough Council must first incur significant costs for public consultation and the examination, at risk, and can only claim the remaining £20,000 if the Neighbourhood Plan is successful at examination and proceeds to a referendum. In addition, while the £25,000 might ultimately cover the costs of public consultation and examination, it will not cover the costs of the referendum or the officer resource utilised in supporting the preparation of the Plan. It is estimated that the referendum (assuming it only covers the Parish of Burscough) would cost at least £18,000.
- 7.3 A further financial consideration is that, once a neighbourhood plan is 'made', 25% of any CIL income received from applications determined after the Plan is 'made' must be passed to the Parish Council, as opposed to the current 15%.

Depending on the nature and size of applications that are granted after the Plan is 'made', this could mean a significant sum of CIL monies being redirected from strategic infrastructure (where funding decisions are made by the Borough Council) to local infrastructure in Burscough Parish (decided upon by the Parish Council).

8.0 RISK ASSESSMENT

- 8.1 There are minimal initial risks in relation to the request for delegated authority set out in section 2.1 and 2.2 of this report. There are however some risks to the Borough Council associated with the Neighbourhood Plan related to the financial implications of its preparation (covered in section 7.0 above) and in relation to the possibility that even after an examination, certain policy wording might be contained in the Neighbourhood Plan that the Borough Council may not be supportive of but which would then form part of the development plan for the Borough and have to be used in planning decisions related to applications in the Parish of Burscough.
- 8.2 These risks have been minimised by the Borough Council commenting both formally and informally upon the content of the Neighbourhood Plan during its drafting and it is of note that the Parish Council have generally responded positively to those comments.

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 Impact Assessment

Equality Impact Assessment Form



Directorate: Development and Regeneration Services	Service: Strategic Planning & Implementation
Completed by: Peter Richards	Date: 04/02/19
Subject Title: Burscough Parish Neighbourhood Plan	
1. DESCRIPTION	
Is a policy or strategy being produced or revised:	Yes Burscough Parish Neighbourhood Plan
Is a service being designed, redesigned or cut back:	No
Is a commissioning plan or contract specification being developed:	No
Is a budget being set or funding allocated:	No. However, a budget will be required for future stages of producing the Neighbourhood Plan.
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 seek delegated authority to the Director of Development and Regeneration to issue a Decision Statement on the Neighbourhood Plan after it has been Examined and to subsequently "make" the Plan if it passes a Referendum.
<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):	<i>*delete as appropriate</i>
<p>If Yes, provide details of how this impacts on service users, staff or Councillors (stakeholders):</p> <p><i>If you answered Yes go to Section 3</i></p>	Yes/No*
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three	

<p>groups:</p> <p><i>You do not need to complete the rest of this form.</i></p>	
<p>3. EVIDENCE COLLECTION</p>	
<p>Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?</p>	<p>The Burscough Parish Neighbourhood Plan will impact primarily upon those living or having an interest in land or property within the designated Burscough neighbourhood area (equivalent to Burscough Parish).</p> <p>The Neighbourhood Plan will inform decisions on planning applications for development in the neighbourhood area. These could potentially have direct impacts on the general public living, working, travelling, or spending leisure time in Burscough Parish.</p>
<p>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)?</p>	<p>N/A</p>
<p>Which of the protected characteristics are most relevant to the work being carried out?</p> <p>Age</p> <p>Gender</p> <p>Disability</p> <p>Race and Culture</p> <p>Sexual Orientation</p> <p>Religion or Belief</p> <p>Gender Reassignment</p> <p>Marriage and Civil Partnership</p> <p>Pregnancy and Maternity</p>	<p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p>
<p>4. DATA ANALYSIS</p>	
<p>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>	<p>Previous engagement with the community and general public in relation to planning policy matters and consultation exercises across the Borough (for example for the Local Plan between 2008 and 2013) show that it tends to be those of a white-British ethnic background and those of older age groups who most actively engage in the process of preparing planning policy. Completed equality questionnaires from those consultation exercises bear this out, but the limited number of such questionnaires completed does not provide sufficient statistical robustness to analyse and use this data meaningfully.</p> <p>Once "made", it is envisaged that the Burscough Parish Neighbourhood Plan will be used primarily by landowners / developers (i.e.</p>

	commercial interested parties) seeking to submit a planning application, or by individual property owners in Burscough Parish. Such people can potentially be of any age, gender, disability (or otherwise), belief, sexual orientation and ethnic background.
What will the impact of the work being carried out be on usage/the stakeholders?	The decisions leading up to and involving the "making" of the Neighbourhood Plan will have limited impact on the stakeholders listed, as the Neighbourhood Plan will just refine how certain existing Development Plan policies are applied in the parish of Burscough.
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 Burscough Parish Neighbourhood Plan is not a "service" as such. The ongoing public consultation will hopefully enable views upon the content of the Submission version Neighbourhood Plan to become clearer.
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?	At present no sources of data have been used to analyse the impact of the work being carried out on users / stakeholders with protected characteristics as this is a document that has not been produced by the Borough Council. The Borough Council's role in progressing the Neighbourhood Plan is primarily of a procedural nature. The extent to which the impact can be analysed will depend upon the collection of statistical data in relation to respondees by i) the Parish Council through the previous public consultation and ii) the Borough Council through the proposed public consultation on the Submission Plan.
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 with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	As stated above, the future "making" of the Neighbourhood Plan could potentially be of relevance to, or have some limited affect on, a range of stakeholders, most notably landowners and their neighbours, as well as those who live in, work in, who travel through or spend leisure time in the Burscough Parish. Such people could potentially be of any age, gender, disability (or otherwise), belief, sexual orientation and ethnic background, and there is no reason to assume that the implementation of the policy should have a disproportionate impact on any of the protected characteristic groups.
6. CONSIDERING THE IMPACT	

<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 identified clear-cut negative impact on any particular protected characteristic as a result of the decision being sought.</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>This assessment will be reviewed by WLBC as part of the Records of Decisions that will be prepared as the Plan progresses through the steps to being "made", should the sought for delegations be approved by Cabinet.</p>



CABINET: 12 MARCH 2019

Report of: Director of Development and Regeneration

Relevant Portfolio Holder: Councillor John Hodson

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

SUBJECT: GREATER MANCHESTER SPATIAL FRAMEWORK REVISED DRAFT

Wards affected: none (directly) – neighbouring authority consultation

1.0 PURPOSE OF THE REPORT

1.1 To seek approval of proposed Council response to the consultation on the Greater Manchester Spatial Framework (GMSF) Revised Draft.

2.0 RECOMMENDATION

2.1 That the comments at paragraph 4.10 be approved for submission to the Greater Manchester Combined Authority.

3.0 BACKGROUND

3.1 The ten local authorities that make up the Greater Manchester City Region first consulted on a draft GMSF in October 2016. Since then, there have been many changes in the governance of the City Region, including the creation of the Greater Manchester Combined Authority (GMCA) and the election of the first City Region Mayor covering Greater Manchester (Andy Burnham). As a result, the responsibility for preparing the GMSF now falls to the GMCA and the GMCA are now consulting on a Revised Draft of the GMSF.

- 3.2 The GMSF will ultimately form a strategic part of the Development Plans of each of the 10 local planning authorities in Greater Manchester, setting planning policy on strategic planning matters which each Authority's Local Plan will need to sit under and be in conformity with, and allocating strategic sites for new development, including releasing some from the Green Belt. As such, the GMSF will be subject to an Examination by a Planning Inspector in due course in the same way a Local Plan would be.
- 3.3 For this reason, and under the Duty to Co-operate as a neighbouring authority, it is important that this Council considers the Revised Draft GMSF and whether it will have any impacts on West Lancashire that would cause the Council to make comment on the GMSF or even object to any part of it, as it is the strategic matters that the GMSF covers (alongside any localised allocations near to West Lancashire's boundary) that are most likely to have an impact on West Lancashire.
- 3.4 The "tagline" for the GMSF is "Greater Manchester's Plan for Homes, Jobs and the Environment", and this really sums up what strategic matters the GMSF covers, including setting the requirements for new housing and employment development across Greater Manchester, and setting strategic planning policies for environmental matters and transport and infrastructure provision.
- 3.5 The Revised Draft GMSF focuses on making the most of Greater Manchester's brownfield sites, prioritising redevelopment of town centres and other sustainable locations. It also seeks to help to address the housing crisis with a minimum target of 50,000 additional affordable homes – 30,000 of which will be social housing.
- 3.6 Compared to the previous draft of the GMSF, the net loss of Green Belt has been reduced by more than half (through a combination of a smaller housing requirement and seeking higher density development in appropriate locations) and the city-region has made clear its opposition to Shale Gas exploration (fracking) in Greater Manchester.
- 3.7 The GMSF also makes it clear that transport and wider infrastructure will be critical to the success of the new plan, and the GMCA have also published Greater Manchester's 2040 Transport Strategy Delivery Plan alongside the GMSF. This plan sets out all the transport improvements to be implemented by 2025, as well as longer-term plans that will support the GMSF. This coordinated, strategic approach will also help Greater Manchester make the case to government for additional funding to invest in the city-region's transport and infrastructure network.

4.0 IMPLICATIONS FOR WEST LANCASHIRE

- 4.1 In terms of the content of the GMSF (which will cover the period 2018-2037), there is not a great deal in the document that would have a dramatic, direct

impact on West Lancashire, although West Lancashire residents and businesses are likely to benefit from being so close to a Greater Manchester City Region that is thriving and successful, which is what the GMSF is seeking to achieve.

- 4.2 The matters within the GMSF most likely to have implications for West Lancashire relate to the actual housing and employment development requirements proposed for Greater Manchester (and particularly our neighbour Wigan) and any infrastructure (especially transport-related) improvements.
- 4.3 On transport strategy, the Greater Manchester Transport Strategy 2040 was published in February 2017, and this is intended to facilitate the transport needs that will be generated by the GMSF, but none of the projects thus far proposed in the Transport Strategy Delivery Plans directly affect or benefit West Lancashire, except the planned Link Road from J26 of the M6 into Wigan, which will create an easier way to travel into Wigan for those coming off the M58 and J26 of the M6.
- 4.4 In relation to employment development in the Revised Draft GMSF, it proposes a requirement of at least 2,460,000 sqm of new office floorspace and at least 4,220,000 sqm of new industrial and warehousing floorspace across Greater Manchester over the period 2018-2037, which are similar figures to those proposed in the original draft GMSF in 2016, and both of which already include a significant margin on top of the calculated need for employment development. However, the land that has been identified and allocated for such developments in the GMSF totals 2,892,705 sqm and 5,358,041 sqm respectively, which is substantially more than the minimum requirement (and so even greater compared to the calculated need for employment development without the already generous margin that has gone into the employment development requirements).
- 4.5 In and of itself, this is not a significant issue for West Lancashire, and it is a reasonable approach to allocate more land than is needed to meet the employment development requirement to create competition and choice in the employment land market, and be able to respond to any sudden upturn in demand for employment space. However, in the event of such an upturn that results in far more land being developed for employment uses than the GMSF minimum requirement, it does raise a question of whether the GMSF would be able to meet all the housing demand generated by such an upturn in the availability of jobs.
- 4.6 On housing, the GMSF proposes 201,000 new homes across Greater Manchester over the period 2018-2037 (which equates to 10,580 new homes per year on average). This is somewhat lower than the previous draft of the GMSF which proposed 227,200 new homes (11,360 per year) but is based upon the Government's new standard housing methodology calculation, and so reflects the absolute minimum level of housing the 10 authorities must together provide. The anticipated level of housing supply generated in Greater Manchester to 2037 (including the proposed additional allocations in

the GMSF) totals 218,549 new homes, and so there is some potential surplus over the minimum requirement if all of these homes are built.

- 4.7 Again, in and of itself, this is not a direct issue for West Lancashire, but it does generate the question of where additional new housing would be built to accommodate those employed by new employment development if the GMSF delivers far more employment development than their minimum requirements. GMCA have not asked any neighbouring authorities to meet any of their housing need, and have not proposed any land for safeguarding for development needs beyond 2037 in the GMSF, and the housing land supply in the GMSF only realises a relatively small surplus over the minimum housing requirement (if all the houses are built), and so, at the moment, there would be pressure on the Greater Manchester Green Belt and in neighbouring authorities for more housing if employment development levels in Greater Manchester exceed the minimum requirement.
- 4.8 Looking at proposals close to West Lancashire within the GMSF, the proportion of employment and housing development requirements that Wigan will take under the GMSF appear reasonable, and these have not led to any proposed new strategic allocations close to the West Lancashire boundary other than one new employment allocation at J25 of the M6 for 140,000 sqm of industrial and warehousing development. This location has been proposed previously (and for a larger allocation) in both the original draft GMSF and the submitted Wigan Core Strategy (before the allocation was removed during the Examination), and this Council has supported its allocation due to the additional cross-boundary employment opportunities it generates.
- 4.9 However, it should be noted that this single strategic allocation is not only smaller than previously proposed, but another allocation at J26 of the M6 has been removed (compared to the original draft GMSF). As such, the GMSF does little to take advantage of the employment development potential of this strategic, cross-boundary location where the M6 and M58 interact, lending weight to the likely attractiveness of the employment development proposals that this Council has proposed in the Local Plan Review Preferred Options alongside the M58 in Skelmersdale and Bickerstaffe.
- 4.10 Taking all the above considerations together, it is proposed that the following comments are submitted as this Council's response to the Revised Draft GMSF on their online consultation platform:

West Lancashire Borough Council are broadly supportive of the Revised Draft Greater Manchester Spatial Framework and raise no objections under the Duty to Co-operate.

However, the Council is concerned that there is little flexibility in the housing land supply set out at the end of Chapter 7 compared to that provided in the employment land supply in Chapter 6. Were the levels of employment development to be higher than the requirements set out in policies in GMP3 and GMP4 (i.e. maximising the available supply of employment land under the GMSF, and so leading to more jobs in Greater Manchester), there would be

insufficient housing land to accommodate the increased demand for housing in Greater Manchester generated by the increased provision of jobs. Therefore, consideration should be given in the GMSF as to how this potential scenario might be addressed. Failure to do so would lead to the potential for pressure for more housing land to be released in neighbouring authorities to accommodate this demand.

Associated with this, by only providing just enough housing land to meet the housing requirement, and bearing in mind that the GMSF would be changing Green Belt boundaries to do so, it could be argued that the GMSF would not be in accordance with paragraph 139 (c) and (e) of the recently revised NPPF, which states:

"When defining Green Belt boundaries, plans should: ...

c) where necessary, identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period; ...

e) be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period; ..."

5.0 SUSTAINABILITY IMPLICATIONS

5.1 Given there is little direct impact on West Lancashire from the Revised Draft GMSF, there are little or no sustainability implications from this report.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

6.1 There are no financial or resource implications for the Council as a result of the recommendation in this report.

7.0 RISK ASSESSMENT

7.1 Given that the recommendation in this report is simply to submit comments on a draft planning document produced by the GMCA, there are no risks associated with this report that would need to be assessed.

Background Documents

There are no background documents (as defined in Section 100D (5) of the Local Government Act 1972) that have been relied on to a material extent in preparing this Report.

Equality Impact Assessment

There is no direct impact on members of the public, employees, elected members and / or stakeholders, therefore an Equality Impact Assessment is not required.

Appendices

None



CABINET: 12 March 2019

Report of: Director Development and Regeneration

Relevant Portfolio Holder: Councillor J. Hodson

Contact for further information: Mrs C. Thomas (Extn. 5134)
(E-mail: catherine.thomas@westlancs.gov.uk)

SUBJECT: LEASEHOLDER PROPERTIES AND THE PLANNING PROCESS

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To advise Members with regard to the Council's ability to restrict the development of further leasehold homes through the planning process.

2.0 RECOMMENDATION

2.1 That the contents of the report be noted.

3.0 BACKGROUND

3.1 At full Council held on Wednesday 12th December 2018, Members debated a motion regarding leaseholder properties. In this country properties can either be owned as freehold or leasehold. Leasehold is a form of ownership where a person owns a property for a set number of years (typically, 99 or 125) on a lease from a landlord, who owns the freehold. Leaseholders pay ground rent to their freeholder and leasehold owners often do not have the same control over their homes as a freehold owner. Leaseholders may not be able to make alteration to their home without obtaining the permission of their landlord, and there are often fees payable to secure ground landlord's consent.

3.2 Residential leasehold, has for some time been the subject of increasingly prominent policy debate. The current system has been criticised as being too costly and difficult for leasehold owners. Last year the Government set out plans to end the current leasehold practices. The Secretary of State for Housing,

Communities and Local Government has stated his intention to introduce new legislation to make the leasehold system in England fairer and more transparent.

- 3.3 The Law Commission recently published a Consultation Paper on leasehold enfranchisement reform " Leasehold home ownership: buying your freehold or extending your lease". The consultation closed on 7th January and the report outlining the results of the consultation is awaited. The stated aim of the consultation is to provide a comprehensive review of leaseholders' rights with a view to improving the position.
- 3.4 At the December meeting of Council, Members expressed the view that the Government's failure to adequately regulate the sale of leasehold properties within the UK and tackle the onerous terms of existing leases is of considerable concern. Whilst pledges to address the matter are welcomed, Council remains frustrated regarding the extent of the Government's plans and its commitment to support those already affected by unfair practices and charges.
- 3.5 Council resolved that the Chief Executive be requested to write to the Secretary of State for Housing, Communities and Local Government, to express the Council's concern regarding the issues caused for residents of leaseholder properties, and request further, pressing action is taken not only to restrict the development of further leasehold homes, but to provide appropriate support and means of redress for existing leaseholders. Furthermore, officers were instructed to provide a report to Cabinet on the options available to this Council in controlling:
- i) The number of properties sold on leasehold in future housing developments and
 - ii) The terms under which these leaseholds are offered to prospective buyers
- 3.6 This report seeks to provide information regarding the Council's ability to use the planning process to restrict the number of new leasehold properties in future housing developments.

4.0 LEASEHOLDER PROPERTIES AND PLANNING RESTRICTIONS

- 4.1 When an application for planning permission is submitted, it is assessed in relation the Council's Local Plan, national planning policy and guidance and all other material planning considerations. Material planning considerations include matters such as impact on residential amenity, highway safety, ecology and landscape. Officers are not made aware of the applicant's intention with regard to leaseholder/freeholder ownership as this is not a material planning consideration and the owners' intention in this regard cannot be given any weight in the Council's consideration of a planning application.
- 4.2 Furthermore there would be no basis in law for the Council to impose a planning condition in relation to leasehold/freehold ownership on a residential development scheme. National Planning Policy is contained within the National Planning Policy Framework. The National Planning Policy Framework indicates

that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development being permitted, enforceable, precise and reasonable in all other aspects. It is my view that the imposition of such a condition would neither be relevant to planning or reasonable, and would therefore fail to meet the tests for planning conditions.

4.3 Therefore through the planning process there is no ability to control the number of properties sold on leasehold in future housing developments or the terms on which leaseholds are offered to perspective buyers.

4.4 Concern was expressed by Members that leasehold properties may create a problem for registered social landlords. Housing Associations who develop and acquire properties to be used as affordable housing are clearly subject to considering the matter of leaseholder arrangements. However, officers have been advised that such arrangements do not deter a housing association from acquiring leasehold properties provided that leasehold terms can be negotiated to meet requirements of housing association, for example social landlords generally prefer a 125 year lease.

5.0 CONCLUSION

5.1 Whilst Members concerns are recognised there is no ability to use the planning process to restrict the number of new leasehold properties within the Borough.

5.2 A response has been received from the Ministry of Housing, Communities and Local Government in reply to the letter sent by the Chief Executive. The response indicates that in addition to a legislative reform programme to help future leaseholders, the Government is committed to support existing leaseholders by putting pressure on developers who have onerous leases to provide support to leaseholders. The Government is also working with the Law Commission to make it easier and cheaper for leaseholders to buy their freehold or extend their lease.

5.3 In response to the specific points raised in the Council's resolution, the Minister for Housing and Homelessness indicates that the recent Consultation Paper does propose to abolish the rule that limits the enfranchisement rights to leaseholders of two years.

5.4 Furthermore the Minister indicates that the Government is also committed to improving the rights of freeholders who pay charges for the management and maintenance of communal areas and facilities.

6.0 SUSTAINABILITY IMPLICATIONS

6.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder.

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 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.
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Background Documents

Minutes of Full Council 12th December 2018

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.

By virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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