

Public Document Pack



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

Monday, 6 June 2016

**TO: COUNCILLORS I MORAN, Y GAGEN, T ALDRIDGE, J HODSON, J PATTERSON,
K WILKIE, K WRIGHT AND C WYNN**

Dear Councillor,

A meeting of the **CABINET** will be held in the **CABINET/COMMITTEE ROOM - 52 DERBY STREET, ORMSKIRK L39 2DF** on **TUESDAY, 14 JUNE 2016** 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 a decision is urgent and 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 and 5 clear days notice is not possible) 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 1 - 2

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 3 - 6

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. Details are provided in the attached protocol. (The deadline for submissions is 5.00pm on Thursday 9 June 2016).

5. MINUTES 7 - 14

To receive as a correct record the minutes of Cabinet held on 15 March 2016

6. CONFIRMATION OF PROCEDURAL MATTERS

To note the Leader has appointed Cabinet, Committees, Panels and Working Groups for 2016/17, as circulated at the Annual Meeting on 18 May 2016, with the terms of reference now included in the Constitution;

To note the "Proper Officer Provisions and Scheme of Delegation to Chief Officers", insofar as they are executive functions and the Scheme of Delegation to Cabinet Members, as set out in the Constitution.

7. MATTERS REQUIRING DECISIONS

7a Use of Section 106 monies in Skelmersdale 15 - 20
(Relevant Portfolio Holders: Councillors Y Gagen & J Hodson)

7b Use of Section 106 monies in Up Holland 21 - 26
(Relevant Portfolio Holders: Councillors Y Gagen & J Hodson)

7c Adoption of the West Lancashire Statement of Community Involvement 27 - 112
(Relevant Portfolio Holder: Councillor J Hodson)

7d Provision for Traveller Sites Development Plan Document 113 -
(Relevant Portfolio Holder: Councillor J Hodson) 284

7e Environmental Improvement Budgets 285 -
(Relevant Portfolio Holder: J Patterson) 288

7f One for One Capital Receipts 289 -
(Relevant Portfolio Holder: Councillor J Patterson) 292

7g	Whittle Drive Playing Fields (Relevant Portfolio Holders: Councillors Y Gagen & I Moran)	293 - 300
7h	Ormskirk Town Centre Research findings and Action Plan (Relevant Portfolio Holders: Councillors J Hodson & I Moran)	301 - 332
7i	Quarterly Performance Indicators Q4 2015-16 (Relevant Portfolio Holder: Councillor I Moran)	333 - 348
7j	Local Land Charges Rules 2017 (Relevant Portfolio Holder: Councillor I Moran)	349 - 368

8. 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 item(s) 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 paragraph 3 (financial/business affairs), 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 item(s) of business).

PART 2 (Not open to the Public)

9. MATTERS REQUIRING DECISIONS

9a	Hall Green Options Appraisal (Relevant Portfolio Holder: Councillor J Patterson)	369 - 394
9b	192-198 Ennerdale (Former Housing Office) (Relevant Portfolio Holder: Councillor J Patterson)	395 - 424
9c	Ormskirk Bus Station & Potential Moor Street Gateway (Relevant Portfolio Holders: Councillors J Hodson & I Moran)	425 - 438

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.



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

YES/NO*
*delete as applicable

Note: This page will not be published.

(P.T.O.)

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 5.00 pm on the Thursday 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 the Council's Information System (CoInS). 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 dependent on:
 - 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. If a request has been submitted in relation to the same issue.
- 4.3 All submissions will be circulated to relevant Members and officers for information, although no amendments will be made to the list of speakers once it has been agreed (regardless of withdrawal of a request to speak).

5.0 At the Meeting

- 5.1 Speakers will be shown to their seats. An item 'Public Speaking' will be included on the agenda to enable local residents to make their representations within a period of up to 30 minutes at the start of the meeting. Residents will have up to 3 minutes to address the meeting when introduced by the Chairman for that 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 the item is being considered later on the agenda and will make a decision then. 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.

Agenda Item 5

CABINET

HELD:

AGENDA ITEM: 5

15 MARCH 2016

Start:

7.30pm

Finish:

7.50pm

PRESENT:

Councillor: I Moran (Leader of the Council, in the Chair)

Councillors:

	<u>Portfolio</u>
T Aldridge	Older People
Y Gagen	Deputy Leader of the Council & Leisure
J Hodson	Planning
J Patterson	Housing and Landlord Services
K Wilkie	Street Scene
K Wright	Health & Community Safety
C Wynn	Finance

Officers:

Chief Executive (Ms K Webber)
Director of Housing and Inclusion (Mr B Livermore)
Director of Leisure and Wellbeing (Mr D Tilleray)
Director of Development and Regeneration (Mr J Harrison)
Borough Solicitor (Mr T Broderick)
Borough Treasurer (Mr M Taylor)
Borough Transformation Manager & Deputy Director of Housing and Inclusion (Mr S Walsh)
Principal Member Services Officer (Mrs S Griffiths)

In attendance: Councillor Pendleton

99. APOLOGIES

There were no apologies for absence.

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

There were no items of special urgency.

101. DECLARATIONS OF INTEREST

1. Councillors Aldridge declared a non-pecuniary interest in agenda item 5(a) – Sheltered Accommodation Review as a Member of Lancashire County Council, as did Councillor Gagen as an employee of Lancashire County Council.
2. Councillors Aldridge, Patterson and Wright declared non-pecuniary interests in agenda items 5(b) 'Tenant Involvement Strategy 2016-18' and 5(h) 'Tenant Scrutiny Review – Customer Feedback' as they are either tenants of council accommodation or they have a connected person who is a tenant of rented Council accommodation. Insofar as that interest becomes a disclosable pecuniary/pecuniary interest they declared that interest but considered that they were entitled to speak and vote by virtue of an exemption as nothing in these reports relates particularly to the relevant tenancy or lease.

102. MINUTES

RESOLVED That the minutes of the meetings of Cabinet held on 12 January and 2 February 2016 be approved as a correct record and signed by the Leader.

103. MATTERS REQUIRING DECISIONS

Consideration was given to the report relating to the following matters requiring decisions as contained on pages 1817 – 2160 and 2183 – 2191 of the Book of Reports.

104. SHELTERED ACCOMMODATION REVIEW

Councillor Patterson introduced the report of the Director of Housing and Inclusion which advised on Lancashire County Council's consultation with sheltered housing tenants on the potential withdrawal of all Supporting People (SP) funding for older peoples housing related support from April 2017, and sought authority to determine the future use of vacant sheltered accommodation previously occupied by residential wardens and communal lounges for category 2 sheltered accommodation.

Minute no. 42 of the Landlord Services Committee (Cabinet Working Group) held on 9 March 2016 was circulated at the meeting.

Revised recommendations of the Director of Housing and Inclusion were circulated at the meeting.

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

- RESOLVED
- A. That the Director of Housing and Inclusion be given delegated authority, in consultation with the relevant Portfolio Holder, to proceed with an option appraisal on a scheme by scheme basis of vacant resident warden accommodation to determine future use, and where appropriate to redevelop or sell on the open market, subject to obtaining all necessary consents and approvals.
 - B. That in light of the proposal by LCC to withdraw all SP funding for older people's housing related support, the Director of Housing and Inclusion be given delegated authority, in consultation with the relevant Portfolio Holder, to proceed with an option appraisal on a scheme by scheme basis of Category 1 Communal Lounges to determine future use, and where appropriate, redevelop or sell on the open market, subject to obtaining all necessary consents and approvals.
 - C. That the Council undertake a consultation exercise with sheltered housing tenants in light of the outcome of LCC's consultation exercise to inform and agree the Council's future older persons housing related support service offer.

105. TENANT INVOLVEMENT STRATEGY 2016-18

Councillor Patterson introduced the report of the Director of Housing and Inclusion which sought approval for the new Tenant Involvement Strategy 2016-2018.

Minute no. 43 of the Landlord Services Committee (Cabinet Working Group) held on 9 March 2016 was circulated at the meeting.

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

- RESOLVED
- A. That the Strategy and associated Action Plan be approved.
 - B. That the Director of Housing and Inclusion, in consultation with the Portfolio Holder, be authorised to amend the Strategy and Action Plan having considered agreed comments of the Executive Overview and Scrutiny Committee.
 - C. That call-in is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 31 March 2016.

106. ROLL OF HONOUR - ORMSKIRK WAR MEMORIAL

Councillor Hodson introduced the report of the Director of Development and Regeneration which sought confirmation of the names on the Ormskirk Comrades Rolls of Honour for both World Wars prior to them being added to the stone plaques at Ormskirk War Memorial in Coronation Park.

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

- RESOLVED
- A. That the names contained on the Ormskirk Comrades Rolls of Honour (attached to this report as Appendix A and B) be approved for use on the Ormskirk War Memorial plaques.
 - B. That the Director of Development and Regeneration and the Director of Leisure and Wellbeing be authorised, in consultation with the Portfolio Holders, to make the necessary arrangements to implement the works to add the approved Rolls on Honour onto the War Memorial Plaques.

107. CCTV CERTIFICATION SCHEME

Councillor Wright introduced the report of the Director of Leisure and Wellbeing which sought approval for an application for Full Certification within the Surveillance Camera Commissioner's CCTV certification scheme.

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

RESOLVED That the Director of Leisure and Wellbeing be authorised to apply for Full Certification within the Surveillance Camera Commissioner's CCTV certification scheme.

108. QUARTERLY PERFORMANCE INDICATORS Q3 - 2015 - 16

The Leader introduced the report of the Borough Transformation Manager & Deputy Director of Housing and Inclusion which presented performance monitoring data for the quarter ended 31 December 2015.

In reaching the decision below, Cabinet considered the details 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 31 December 2015 be noted.

B. 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 18 February 2016.

109. COUNCIL PLAN 2016-18

The Leader introduced the report of the Chief Executive which sought approval of the "Council Plan" 2016-18.

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

RESOLVED A. That the "Council Plan 2016-18" attached as Appendix A to the report be approved and referred to Council for adoption.

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

C. That call-in is not appropriate for this item, as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 31 March 2016.

110. CORPORATE PERFORMANCE MANAGEMENT 2016-2017

The Leader introduced the report of the Borough Transformation Manager & Deputy Director of Housing and Inclusion which sought approval of the Suite of Performance Indicators for adoption as the Council's Corporate PI Suite 2016/17.

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

- RESOLVED
- A. That the Suite of Performance Indicators 2016/17 (Appendix A) and targets identified be approved and adopted as the Council's Corporate PI Suite 2016/17.
 - B. That the Borough Transformation Manager & Deputy Director of Housing and Inclusion in consultation with the relevant Portfolio Holder, agree the targets for the Revenues & Benefits and ICT Services.
 - C. That the Borough Transformation Manager and Deputy Director of Housing and 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 31 March 2016, and to make any amendments to the suite in year in response to any issues that may arise, for example government policy or collection mechanisms.
 - D. That call-in is not appropriate for this item as it is being considered at the next meeting of Executive Overview & Scrutiny Committee on 31 March 2016.

111. TENANT SCRUTINY REVIEW - CUSTOMER FEEDBACK

Councillor Patterson introduced the report of the Director of Housing and Inclusion which advised on the outcomes of a tenant led review of customer feedback within landlord services and the resultant actions.

Minute no. 44 of the Landlord Services Committee (Cabinet Working Group) held on 9 March 2016 was circulated at the meeting.

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

- RESOLVED
- A. That the Tenant Scrutiny Group (TSG) be thanked for conducting the service review into customer feedback.
 - B. That the contents of the service review and the subsequent comments/actions undertaken by way of delegated authority be noted.

112. STRATEGIC ASSET MANAGEMENT PLAN (SAMP)

The Leader introduced the report of the Director of Development and Regeneration which provided an update on the progress of the Strategic Asset Management Plan and sought authority to dispose of assets.

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

- RESOLVED
- A. That the contents of the report, including the work undertaken by officers to date, and the progress on the assets previously identified for disposal be noted.
 - B. That the Director Development and Regeneration be authorised to take any actions necessary to secure disposal of category 1 sites as recommended in Appendix A in relation to sites in the Up Holland Ward.
 - C. That the postponement of the Ward Delivery Plan be agreed and that available resources concentrate on bringing sites previously agreed for disposal to the market for the time being.

113. LOCAL DEVELOPMENT ORDERS FOR FORMER DIGMOOR SPORTS CENTRE, FINDON AND DELPH CLOUGH

Councillor Hodson introduced the report of the Director of Development and Regeneration which sought approval for the adoption of Local Development Orders associated with the sites at Findon, the former Digmoor Sports Centre Site and Delf Clough, Skelmersdale.

Minute No. 74 of the Planning Committee meeting held on 10 March 2016 was circulated at the meeting.

The revised recommendations of the Director of Development and Regeneration were circulated at the meeting.

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

- RESOLVED
- A. That the Local Development Orders and associated documents at Appendix A-G be approved having regard to the contents of the Draft Local Development Order Consultation Feedback Report set out in Appendix I and the agreed comments of Planning Committee regarding the Local Development Orders, as per the minutes of Planning Committee provided at Appendix L.
 - B. That call-in is not appropriate for this item as this matter is one where urgent action is required in order that the Local Development Orders can be adopted by 31st March 2016, in line with the requirements of the CLG funding received to support preparation of the Local Development Orders.
 - C. That delegated authority is granted to the Director of Development and Regeneration to carry out and approve conformity checks for development proposals submitted in accordance with Local Development Orders.

114. PLATTS LANE LAKE, BURSCOUGH

Councillor Gagen introduced the joint report of the Director of Leisure and Wellbeing and the Director of Housing and Inclusion which considered a request from Burscough and District Angling Club for the surrender of the existing angling agreement and the granting of a new 10 year lease in relation to Platts Lane Lake, Burscough.

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

- RESOLVED
- A. That the proposal to accept a surrender of the existing angling agreement and grant a new lease to Burscough and District Angling Club on Platts Lane Lake for a term of 10 years be approved.
 - B. That the Director of Leisure and Wellbeing be authorised to undertake all necessary negotiations to agree the new lease with Burscough and District Angling Club, subject to all necessary consents and approvals being obtained

115. USE OF SECTION 106 MONIES IN BURSCOUGH

Councillor Gagen introduced the joint report of the Directors of Leisure and Wellbeing and Director of Development and Regeneration which considered a proposal for the use of Section 106 monies received from housing developers for the enhancement of public open space and recreation provision in Burscough.

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 S106 monies to fund the proposed project to construct a small extension to the existing changing rooms at Richmond Park, Burscough to provide shower/wash, change/toilets for 3 officials, be approved.

116. RISK MANAGEMENT

Councillor Wynn introduced the report of the Borough Treasurer which set out details of the key risks facing the Council and how they are being managed.

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

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

117. EXCLUSION OF PRESS AND PUBLIC

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

118. MATTER REQUIRING DECISION

Consideration was given to the report relating to the following matter requiring decision as contained on pages 2161 -2182 of the Book of Reports.

119. DEVELOPMENT OF A FOYER AT HARTLAND, BIRCH GREEN, SKELMERSDALE

Councillor Gagen introduced the joint report of the Director of Housing and Inclusion and the Director of Leisure and Wellbeing which considered an amendment to the original decision in relation to the above item.

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

- RESOLVED
- A. That the Director of Housing and Inclusion and the Director of Leisure and Wellbeing be authorised to transfer the land shown hatched on the plan at Appendix B to the report, to the Birchwood Centre, social landlord or charity by way of a lease for less than best consideration that can reasonably be obtained.
 - B. That the Director of Housing and Inclusion and the Director of Leisure and Wellbeing be authorised to take all necessary action, to obtain any necessary consents and enter into all necessary documentation, including imposing any necessary terms and conditions to enable transfer of the land shown hatched on the plan at Appendix B to the report to the Birchwood Centre, social landlord or charity.

.....
LEADER



**Report of: Director of Leisure and Wellbeing
Director of Development and Regeneration**

Relevant Portfolio Holders: Councillor Y. Gagen/Councillor J. Hodson

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

SUBJECT: USE OF SECTION 106 MONIES IN SKELMERSDALE

Wards affected: Ashurst, Birch Green, Skelmersdale North wards

1.0 PURPOSE OF THE REPORT

1.1 To consider a proposal regarding the use of section 106 monies received by the Council from housing developers, for the enhancement of public open space and recreation provision in Skelmersdale.

2.0 RECOMMENDATION

2.1 That the use of S106 monies to fund the proposed project to install seating and rest areas along the proposed cycle route in Tawd Valley Park, be approved.

3.0 BACKGROUND

3.1 Members will recall that under policy LE13 of the Local Plan, 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 In accordance with the decision of the Planning Committee on January 10th 2002 the views of the relevant Parish Council/ward councillors are sought in respect of the potential use of this money.

- 3.3 In February 2011 an Officer S106 Agreements – Public Open Space working group was established to co-ordinate the receipt of S106 commuted sums and report to Cabinet on the use of S106 funding. A function of this group is to establish levels of uncommitted S106 funds across all wards and liaise with ward councillors 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 Section 106 agreement. The Council currently has received monies from one S106 agreement i.e. £13,254 (Former St. Edmunds Church) and the agreement indicates that the monies are to be used within the local area. Following consultation with Skelmersdale North, Ashurst and Birch Green ward councillors there is one new proposal put forward from the Borough Council for consideration for existing Section 106 funding in Skelmersdale.

5.0 PROPOSALS

- 5.1 The Borough Council is currently working with Lancashire County Council to develop a cycle route to run through Tawd Valley Park linking the town centre to Skelmersdale College and further links along the valley. This scheme is to be funded jointly by WLBC through S106 funding from Skelmersdale College, and LCC using Local Transport funds. The scheme has been submitted for planning consent.
- 5.2 The Council would like to enhance the current proposed scheme by creating seating and rest areas along the route. Each area would have a suitable hard standing base constructed with furniture park furniture attached. It is felt that 6 seats and 4 picnic tables would be sufficient to create 3 or 4 rest areas. Locations for these rest areas would be discussed and agreed with the local ward councillors.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 6.1 Providing these facilities would enhance the attraction of the proposed cycle route, promoting its use for healthy outdoor exercise, and sustainable routes to school, college or work. This would further the Councils aims for improvements to the health and wellbeing of its communities.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 The estimated capital cost of the project is in the region of the £7,000 which can be covered by the S106 funds currently available.
- 7.2 Future maintenance of the facility will be incorporated within existing arrangements for the maintenance of Tawd Valley Park and will be co-ordinated by the Council's Ranger Service.

8.0 RISK ASSESSMENT

- 8.1 Whilst this scheme is not crucial to the establishment of the proposed cycle route it would enhance the facility and attract more users.
- 8.2 This scheme is dependant on LCC securing planning consent and thereafter implementing the project.
-
-

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 – Equality Impact Assessment

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Equality Impact Assessment Form



Directorate: Leisure and Well Being		Service: Leisure, Cultural & Arts	
Completed by: Stephen Kent		Date: 22/4/2016	
Subject Title: Use of S106 monies in Skelmersdale			
1. DESCRIPTION			
Is a policy or strategy being produced or revised:	No	<i>*delete as appropriate</i>	
Is a service being designed, redesigned or cutback:	No		
Is a commissioning plan or contract specification being developed:	No		
Is a budget being set or funding allocated:	Yes		
Is a programme or project being planned:	Yes		
Are recommendations being presented to senior managers and/or Councillors:	Yes		
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	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)?	All visitors to tawd valley Park		
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	No
Disability	No
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?	Project would supplement a proposed cycle route project which is yet to be implemented.
What will the impact of the work being carried out be on usage/the stakeholders?	Scheme would enhance visits for users of the cycle route and Tawd Valley Park in general, and increase use of the 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?	Access to Tawd valley Park and facilities within are generally seen as below standard. This scheme will help to enhance facilities, in line with requests from the local 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?	None
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)?	Facilities are designed as being accessible to 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.).	Use of the facilities will be monitored by the Ranger service who will manage any instances of mis-use
What actions do you plan to take to address any other issues above?	On-going monitoring <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?	April 2017. Reviewing officer – Stephen Kent



**Report of: Director of Leisure and Wellbeing
Director of Development and Regeneration**

Relevant Portfolio Holders: Councillor Y. Gagen/Councillor J. Hodson

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

SUBJECT: USE OF SECTION 106 MONIES IN UPHOLLAND

Wards affected: UpHolland ward

1.0 PURPOSE OF THE REPORT

- 1.1 To consider a proposal regarding the use of section 106 monies received by the Council from housing developers, for the enhancement of public open space and recreation provision in UpHolland.

2.0 RECOMMENDATION

- 2.1 That the allocation of £8,836 from the S106 agreement from Land at Crawford Arms to contribute towards the proposed project to install new play facilities at Crawford Village Green, be approved.

3.0 BACKGROUND

- 3.1 Members will recall that under policy LE13 of the Local Plan, 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 In accordance with the decision of the Planning Committee on January 10th 2002 the views of the relevant Parish Council/ward councillors are sought in respect of the potential use of this money.
- 3.3 In February 2011 an Officer S106 Agreements – Public Open Space working group was established to co-ordinate the receipt of S106 commuted sums and report to Cabinet on the use of S106 funding. A function of this group is to establish levels of uncommitted S106 funds across all wards and liaise with ward councillors 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 Following consultation with UpHolland Parish Council and ward councillors there is one new proposal put forward from Crawford Village and Pimbo Lane Playing Fields Association for consideration for existing Section 106 funding in UpHolland.
- 4.2 The funding from a particular development can only be used in accordance with the terms of the related Section 106 agreement. The Council currently has received monies from four S106 agreements in UpHolland :-

• Land at Crawford Arms	£8,836
• Sandcross Station, Sandbrook Road	£13,254
• Parliament Street	£11,045
• Stoney Brow, Roby Mill	£22,090

all of the agreements indicate that the monies are to be used within the local area.

5.0 PROPOSALS

- 5.1 Crawford Village and Pimbo Lane Playing Fields Association (“the Association”) wants to install childrens play equipment and outdoor exercise equipment at Crawford Village Playing Field. The play equipment would include a Pirate Ship, various swings, climbing frames, see saw, and spring animals providing for both toddlers and older children. A number of outdoor fitness pieces of equipment would provide for all ages.
- 5.2 The Association have requested an allocation of £33,135, being the total of the funds available from the schemes at Land at Crawford Arms, Sandbrook Road, and Parliament Street shown in paragraph 4.2.
- 5.3 Consultation with UpHolland Parish Council has resulted in them supporting the £8,836 funds from Land at Crawford Arms, but not supporting the bid for the remaining £24,299. The Parish Council have justified this decision by providing information regarding other projects which they are currently working on which they feel would be more appropriate to allocate the remaining funds to. These include improvements to the play areas at Morris Road and Lawns Avenue which are close to the Sandbrook Road and Parliament Street developments, play area

and open space development at Mill Lane, and a possible off road bike area, possibly at Garnett Lees.

- 5.4 The S106 Officer Working Group (Open Space) assessed the Associations bid on 5th April 2016. The Working Group is satisfied that the proposed project meets S106 criteria. However, all of the S106 agreements referred to in para.4.2 above, require the S106 funding to be used in the “local area” or in “the locality” of the development site subject of the S106 Agreement. Previous allocations in the Borough have generally accepted this description as referring to the parish or ward in which the development site is located. If this criterion was applied to this submission, then all of the funds generated in Up Holland would be available for use in the proposed project. However, the location of the project is at some distance from all of the development sites, except Land at Crawford Arms, and the term “locality” or “local area” may not include Crawford Village in this case.
- 5.5 The Working Group Officers have considered the issue of the S106 criteria and the view is that the spatial distance between the development sites and the project location is the determining factor in this instance, and therefore only the £8,836 generated from Land at Crawford Arms should be allocated to this scheme.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 6.1 The new play and exercise facilities would help to provide the Crawford Village community with enhanced outdoor recreational provision. This would further the Councils aims for improvements to the health and wellbeing of its communities.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 The estimated capital cost of the project bid currently totals £8,836 which can be covered by the S106 funds currently available.
- 7.2 Future maintenance of the new facilities will be undertaken by the Association as the landowner of the Playing Fields.

8.0 RISK ASSESSMENT

- 8.1 Crawford Village does not currently have a childrens play area. The allocation recommended will only partly cover the cost of the project, and therefore there will be a reliance on other funding streams being generated for the project to progress, this could include bids for the use of Parish Council CIL monies.
- 8.2 Members should consider the factors that determine the term “locality” or “local area” in S106 agreements, and that S106 funding is a means to mitigate the effect on a community of a particular development. If the location of Crawford Village was deemed to be outside of the “locality” or “local area” of the development sites in question then allocating the S106 funds from these developments to this project may leave the decision liable to challenge by the contributing developer and ultimately to the funds being re-claimed.

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 – Equality Impact Assessment

Equality Impact Assessment Form



Directorate: Leisure and Well Being		Service: Leisure, Cultural & Arts	
Completed by: Stephen Kent		Date: 11/5/2016	
Subject Title: Use of S106 monies in UpHolland			
1. DESCRIPTION			
Is a policy or strategy being produced or revised:	No	<i>*delete as appropriate</i>	
Is a service being designed, redesigned or cutback:	No		
Is a commissioning plan or contract specification being developed:	No		
Is a budget being set or funding allocated:	Yes		
Is a programme or project being planned:	Yes		
Are recommendations being presented to senior managers and/or Councillors:	Yes		
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	No		
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)?	Local community in and around Crawford Village		
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	No
Disability	No
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?	Playing Field does not currently have play or exercise equipment
What will the impact of the work being carried out be on usage/the stakeholders?	Would greatly increase child and family use of the 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?	These proposals have been generated by the dissatisfaction of the local community with the current facility and desire for its improvement.
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?	The Association have carried out consultations with the local community and through the local primary school
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)?	Facilities are designed as being accessible to all, but will particularly benefit children and younger toddlers.
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.).	Use of the facilities will be monitored by the Association to prevent misuse or disturbance to others
What actions do you plan to take to address any other issues above?	On-going monitoring by the Association <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?	May 2017. Reviewing officer – Stephen Kent



AGENDA ITEM: **7(c)**

CABINET:
14 June 2016

PLANNING COMMITTEE:
21 June 2016

Report of: Director of Development and Regeneration

Relevant Portfolio Holder: Councillor J Hodson

Contact for further information: Mr S Benge extn. 5274
(Email Stephen.benge@westlancs.gov.uk)

SUBJECT: ADOPTION OF THE WEST LANCASHIRE STATEMENT OF COMMUNITY INVOLVEMENT

Wards affected: Borough Wide

1.0 PURPOSE OF THE REPORT

1.1 To seek Cabinet's approval for the adoption of the West Lancashire Statement of Community Involvement.

2.0 RECOMMENDATIONS TO CABINET

2.1 That, following consideration of the Consultation Report at Appendix B and the Adoption Statement at Appendix C, the West Lancashire Statement of Community Involvement ('SCI') at Appendix A be adopted subject to any amendments made by the Director of Development and Regeneration in consultation with the Portfolio Holder, following consideration of the SCI by Planning Committee, as per recommendation 2.2 below.

2.2 That the Director of Development and Regeneration be authorised, in consultation with the Portfolio Holder, to make any necessary amendments to the SCI in the light of agreed comments from Planning Committee, before the document is published.

3.0 RECOMMENDATIONS TO PLANNING COMMITTEE

3.1 That the content of this report, the SCI attached at Appendix A, and the Consultation Report at Appendix B be considered, and that agreed comments be referred to the Director of Development and Regeneration for consideration, in consultation with the Portfolio Holder.

4.0 BACKGROUND

- 4.1 Section 18 of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to produce a Statement of Community Involvement (SCI), which should explain how they will engage local communities and other interested parties in producing their planning policy documents and determining planning applications.
- 4.2 The Borough Council first adopted an SCI in July 2007 in accordance with government regulations in force at the time. An addendum to the 2007 SCI was published in January 2009, reflecting updated government regulations. Since 2009, there have been further significant changes to planning legislation, to planning regulations, and to technology (for example the emergence of social media and the increased use of mobile telecommunications). As a result, an update to the SCI has become necessary.
- 4.3 A draft SCI update was produced and consulted upon from 4 February – 18 March 2016. This document reflected changes to legislation, regulations, technology, and covered a number of additional topics, such as neighbourhood planning, the Duty to Co-operate and the Community Infrastructure Levy.
- 4.4 Representations were received on the SCI from 13 different consultees. The Council has considered, and responded to, each point made by the 13 consultees. The representations, along with the Council's responses, are set out in the Consultation Report at Appendix B for Cabinet to take into account as they consider recommendation 2.1 above. The main points made were:
- The SCI, rather than simply adhering to the minimum requirements set by government Regulations should commit the Council to go beyond these minimum standards, for example with respect to postal notification of planning applications, or in consultation on draft planning policy documents;
 - There should be wider consultation of local residents and interest groups (i.e. beyond immediate neighbours) as part of the planning applications process;
 - Those who have commented upon a draft Planning Policy document are unable to see whether their comments have resulted in any amendments to the document in question before it is adopted; there should be a publication of the representations and the amended document before it is submitted to Cabinet / Council for adoption, in order that stakeholders can contact their elected representatives if necessary;
 - Links to the weekly list of planning applications and to planning policy documents should be more readily accessible on the Council's website (e.g. on, or one click away from, the Council homepage);
 - Members of the public or local groups should be consulted as part of the pre-application enquiry process;
 - The weekly list of planning applications should also include non-validated applications and pre-application enquiries;

- The wording of the text relating to pre-application advice should be amended to avoid implying that paying for such advice can lead to a ‘fast-track approval’;
- The rules for speaking at Planning Committee meetings should be amended to allow groups such as Residents Associations, or neighbouring Parish Councils, to comment on certain planning applications.

4.5 With respect to the representations that sought to commit the Council to exceeding minimum statutory standards for consultation, it is the Council’s view that, whilst it may frequently exceed minimum standards for consultation (for example where an issue is of particular significance, and / or when preparing certain planning policy documents), the view is taken that decisions relating to the level of consultation carried out by the Council should be taken on a case by case basis rather than being pre-determined by inclusion in the SCI, adherence to which is a legal requirement.

4.6 The main changes to the SCI in light of representations received are as follows:

- The list of types of planning applications the Directorate receives has been amended to reflect recent changes to Statutory Instruments and / or Permitted Development rights;
- The purpose of pre-application advice has been clarified;
- The SCI acknowledges the need to review the locations for deposit of hard copies of the weekly list of planning applications, and planning policy documents, should any libraries in the Borough close at some point in the future.

5.0 CURRENT POSITION

5.1 As stated above, a number of amendments have been made to the SCI in the light of the representations received during the public consultation undertaken in February and March 2016. The representations received, and the Council’s response to those representations, are summarised in the Consultation Report attached to this report at Appendix B. The amended (and final) SCI is at Appendix A to this report.

6.0 SUSTAINABILITY IMPLICATIONS / COMMUNITY STRATEGY

6.1 The principle of sustainable development is a ‘golden thread’ running through plan making and decision taking on planning matters. By setting out procedures and standards for community engagement in preparing planning documents and in determining planning applications, the SCI provides stakeholders with clarity on how they may make representations on sustainability (and other) matters, in order that these be taken into account as the Council carries out its planning function.

6.2 The SCI ties in with the 2007 Sustainable Community Strategy vision of West Lancashire being a place where everyone is valued and has the opportunity to

contribute, and with the key objective of developing community participation and pride in the Borough's neighbourhoods.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 There are no direct financial implications arising from this report. All public consultation in relation to planning documents, planning applications and other planning functions carried out by the Council is funded through the Development and Regeneration Directorate's revenue budget.

8.0 RISK ASSESSMENT

- 8.1 Preparing the new SCI to take into account changes to government legislation and associated regulations, and to society's increased use of electronic and mobile means of communication, will help to ensure that local communities and other interested parties can remain engaged with the Council as new planning policy documents emerge and as planning applications are determined. This will assist in ensuring that the Council continues to adopt sound planning policies and reach robust planning decisions.

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

Appendices

Appendix A – West Lancashire Statement of Community Involvement

Appendix B – Consultation Report

Appendix C – Adoption Statement

Appendix D – Equality Impact Assessment

Appendix E – Minutes of Cabinet, 14 June 2016 (for Planning Committee only- to follow)



West Lancashire Statement of Community Involvement

June 2016

**John Harrison, DipEnvP, MRTPI
Director of Development and Regeneration
West Lancashire Borough Council**



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1.0 INTRODUCTION

1.1 What is a Statement of Community Involvement?

A Statement of Community Involvement (SCI) is a document which sets out how the local planning authority (LPA) will consult with the community, businesses, stakeholders and other organisations about the development of their area, and explains how they can engage with the planning system.

1.2 What does it do / cover?

West Lancashire Borough Council, as the LPA for the area, is responsible for producing planning policy documents (including the Local Plan) and determining most types of planning applications (excluding minerals and waste applications, which are dealt with by Lancashire County Council).

West Lancashire Borough Council, as the Charging Authority for the Community Infrastructure Levy (CIL) for the area, is also responsible for preparing a CIL charging schedule.

This document will set out the background and context for the SCI, detail **what** will be subject to consultation, **who** could be consulted, **how** consultation can be carried out and **when** consultation will take place.

1.3 Why is a new SCI required?

The Council published its original SCI in 2007, with an addendum produced to update it in 2009. Since then, there have been several significant changes to planning legislation, and these need to be reflected in a new SCI. An updated SCI also provides the Council with the opportunity to review and improve its approaches to consultation, based on experience and best practice, and to reflect new consultation methods – such as the use of social media.

The SCI formerly had ‘Development Plan Document’ status, but this is no longer the case. As a result, the Council can adopt the SCI without it being submitted to the Secretary of State for independent examination. This new West Lancashire SCI, adopted in June 2016, will replace the 2007 SCI and its 2009 addendum.

1.4 Why is consultation important?

The government has placed an ever-increasing emphasis on localism – to empower local communities to get involved in decision making. The Council also recognises that meaningful engagement with local communities and other ‘stakeholders’ can help in the planning process and increase public support for developments. In more general terms, local authorities have a legal duty to act fairly in the exercise of their functions. One aspect of fairness is to consult stakeholders on matters that may affect them.

It is, however, important that people understand that whilst all views made to the Council are considered, it is not always appropriate and / or possible for the Council to accommodate each request for change. Part of the Council's role is to balance competing interests and this will inevitably disappoint some stakeholders. It should also be remembered that feedback from public consultation is only part of the evidence base upon which decisions are taken.

Furthermore, when consulting on planning matters, it is not the quantity of comments registered but the relevance of the planning-related arguments contained within them that are important. As an LPA, the Council needs to balance the views of all sides in forming their decisions. The Council will clearly document how decisions have been reached to demonstrate how all comments have been considered. These are called **Feedback Mechanisms**.

1.5 What are the legal requirements?

- The ***Planning and Compulsory Purchase Act 2004, Section 18 (Part 1)***, sets the requirement for LPAs to produce a Statement of Community Involvement;
- The ***Town and Country Planning (Local Planning) (England) Regulations 2012*** (as amended) set out the minimum requirements for consultation on planning policy documents;
- The ***Town and Country Planning (Development Management Procedure) (England) Order 2015*** sets out the minimum requirements for consultation on planning applications;
- The ***Localism Act 2011, Section 110***, sets out a 'Duty to Co-operate' between public bodies on planning issues that cross administrative boundaries;
- The ***Neighbourhood Planning (General) Regulations 2012*** set out the requirements for consultation on Neighbourhood Plans;
- The ***National Planning Policy Framework (NPPF) 2012*** sets out the importance of community involvement and multi-agency consultation, and further emphasises the importance of cross-boundary co-operation;
- The ***Community Infrastructure Levy Regulations 2010*** (as amended) set out the minimum requirements for consultation on the Community Infrastructure Levy;
- ***Section 69*** of the ***Planning (Listed Building and Conservation Areas) Act 1990*** sets out the need to periodically review Conservation Area designations in consultation with the community;
- The ***Town and Country Planning Act 1990, Section 199***, sets out the need to consult persons and consider representations and objections in relation to Tree Preservation Orders (TPOs).

This SCI addresses the above consultation requirements. Once the SCI is adopted, the Council will need to follow the procedures for consultation and engagement set out in the document.

When Council-produced development plan documents (DPDs)¹ are examined by independent Inspectors appointed by the Secretary of State, the documents will be tested for “soundness”² and for “legal compliance”, i.e. to ensure that legal requirements have been met. One of the legal requirements is to verify that the consultation on the DPD at its various stages of preparation has been carried out in accordance with the Statement of Community Involvement.

1.6 Duty to co-operate

The Localism Act 2011 requires all LPAs to engage with neighbouring authorities and other statutory bodies to consider joint approaches to plan-making. This ‘Duty to Co-operate’ is repeated in the NPPF, which requires LPAs to work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly co-ordinated and clearly reflected in individual local plans, and to enable delivery of sustainable development.

The Borough Council is committed to fulfilling this Duty and, as a matter of practice, works closely with neighbouring authorities and other partner organisations and stakeholders. Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012 lists the Duty to Co-operate ‘prescribed bodies’. These bodies are listed in Appendix A of this SCI.

1.7 Contexts and links with other strategies

A number of documents are also relevant to the preparation of the SCI. These include:

- [West Lancashire Borough Council Sustainable Community Strategy 2007-2017 \(SCS\)](#) – this sets out the Council’s approach to community engagement
- [West Lancashire Borough Council Local Development Scheme \(LDS\)](#) – this sets out the timetable for the preparation of planning policy documents

¹ The term “development plan document” and the term “local plan” are used interchangeably. The Town and Country Planning (Local Planning) (England) Regulations 2012 define the term “local plan”, and states that “local plans” are prescribed as “development plan documents” for the purposes of Section 17(7)(a) of the Planning and Compulsory Purchase Act 2004.

² A straightforward interpretation of the word ‘sound’ is that it ‘shows good judgement’ and ‘is able to be trusted’. To be considered ‘sound’ a document should be ‘positively prepared, justified, effective and consistent with national policy’.

2.0 PREPARING PLANNING POLICY DOCUMENTS

The Council is responsible for producing local planning policy which, along with national policy, is used to inform decisions in Development Management. There are different types of policy documents, each carrying different weight, and each requiring a different level and / or nature of engagement with the local community and other stakeholders. The most common policy documents which involve consultation are development plan documents (DPDs), including the Local Plan, and supplementary planning documents (SPDs). The processes for producing DPD and SPDs vary, and, consequently, so do consultation arrangements / procedures.

2.0.1 Who do we consult?

The Council is required to consult certain organisations and bodies, and is advised to consult others, depending on the type of policy document. This is in accordance with the regulations of the **Town and Country Planning (Local Planning) (England) Regulations 2012** (referred to from now on as “the 2012 Regulations”).

The 2012 Regulations set out who must be consulted at the defined stages of plan production. These organisations / companies are known as specific consultation bodies, or **statutory consultees**, and are listed in Appendix B of this SCI.

The LPA can also identify a number of other bodies it may wish to consult at key stages. These are known as general consultation bodies, or **general consultees**, and are listed in Appendix C.

The lists of statutory and general consultees may change as a result of amendments to the 2012 Regulations or organisational changes.

The LPA are also committed to involving a wide range of other individuals and organisations, including the community and ‘hard to reach’ groups. These **‘other consultees’** are also identified by the Council.

The Council will maintain a **database** containing the contact details of individuals, groups and other bodies that wish to be kept informed of planning consultations. Consultees are able to specify which subjects are of interest to them. Individuals and organisations on this database will be contacted by email or post when the Council consults on relevant planning policy documents and / or subjects. The database will be administered in accordance with the provisions of the Data Protection Act, and will be regularly updated.

If you wish to be added to, or removed from, this database of ‘other consultees’, please contact the Strategic Planning and Implementation Team on 01695 585284, by email at: Localplan@westlancs.gov.uk, or register / opt out directly online by following the links from : <http://www.westlancs.gov.uk/planningpolicy>.

2.0.2 When do we consult?

The Council's Local Development Scheme (LDS) gives an indication of the timescales for the preparation of DPDs and SPDs. This should enable people to broadly know when to expect consultation. Each formal consultation stage will be publicised by the Council.

The section below explains how to get involved.

2.1 Development Plan Documents

Development Plan Documents (DPDs) are planning documents that set out the planning strategy, policies and proposals for a local planning authority area. The main DPD is the Borough-wide West Lancashire Local Plan 2012-2027³. DPDs are a primary consideration in the determination of planning applications.

The 2012 Regulations set out three formal stages of DPD production where consultation and / or publicity is required, and specify who should be consulted. These stages are listed as Stages 2, 5 and 8 in Table 2.1 on the following page.

However, the statutory consultation stages do not always provide adequate opportunity for the views of the community to feed into preparation of the DPD, or the accompanying Sustainability Appraisal. Therefore, in the interests of best practice and positive public engagement, the Council may also consult on a number of the informal stages of the DPD's preparation. These may include the Options and Preferred Options stages.

2.1.1 When do we consult?

Table 2.1 (overleaf) sets out the stages of the DPD's production and whether consultation and / or publicity is required.

In accordance with the 2012 Regulations, each formal stage of consultation should include a 'Statement of Representations Procedure' which is a document setting out what is being consulted upon, where the consultation documents can be found, and how comments can be made on them. The Council may produce a Statement of Representations for informal stages as well, where consultation has been undertaken at these stages.

Under Regulation 22, before the LPA can submit a DPD for examination, it must prepare a 'Statement of Consultation' which sets out who was consulted at each stage of the DPD's preparation, what issues were raised by consultees and how those issues have been addressed in the final DPD. The Council must publish that statement, along with a copy of the DPD, the Sustainability Appraisal report (see Section 2.1.2), copies of representations made under Regulation 20 (see Table 2.1), and any relevant supporting documents. The Council must also provide a statement setting out how it has met its requirements in relation to the 'Duty to Co-operate'.

³ The terms 'DPD' and 'Local Plan' can be used interchangeably in this section.

Table 2.1 Consultation during the preparation of a Development Plan Document

Stage	DPD Preparation Stage	Regulation number ⁴	Purpose	Consultation required?	Publicity required?
1	Evidence gathering	-	To gather evidence in order to identify the issues and opportunities for development in the Borough	As necessary for each element of evidence	As necessary for each element of evidence
2	Scoping	Reg. 18	To notify persons/groups of the subject of the DPD and invite them to make representations about what the DPD should contain Comments received will inform the preparation of the next stage	Y	Y
3	Issues and Options	-	To gather evidence on the issues and options for suggested policy directions and to undertake initial work on the Sustainability Appraisal. To notify persons/groups of the issues for the DPD and invite them to make representations on the issues and options If consulted upon, comments received will inform the preparation of the next stage	Optional (i.e. not required by 2012 Regulations, but the Council may choose to consult at this stage)	Optional (i.e. not required by 2012 Regulations, but the Council may choose to publicise at this stage)
4	Preferred Options	-	To prepare a draft document taking into account the comments made at the Issues and Options stage and to produce a Sustainability Appraisal. If consulted upon, comments received will inform the preparation of the next stage	Optional	Optional
5	Publication	Reg. 19 Reg. 20	To prepare a final draft document taking into account the comments made at previous stages, along with a Sustainability Appraisal report. The document will be made available for public consultation.	Y	Y

⁴ Town and Country Planning (Local Planning) (England) Regulations 2012

Stage	DPD Preparation Stage	Regulation number ⁴	Purpose	Consultation required?	Publicity required?
6	Submission of a Local Plan to the Secretary of State	Reg. 22	All representations received at Publication stage will be collated, summarised, and forwarded to the independent Planning Inspector appointed by government to examine the DPD. A statement setting out how the DPD meets the SCI commitments will also be submitted.	N	Y
7	Independent examination by a Planning Inspector (formal)	Reg. 24	The Examination considers the soundness of the DPD, which includes an assessment of whether the LPA has considered the views of the community and met the requirements of the SCI.	N	Y
8	Main Modifications		The Inspector may recommend a series of modifications to make the DPD sound. Where these are major in nature, we will consult with those who made representations at the Publication stage. Any comments received will be considered by the Planning Inspector.	Y	Y
9	Publication of Inspector's Report Adoption of the DPD	Reg. 25 Reg. 26	Subject to the recommendations of the Planning Inspector, the Council will adopt the DPD document as soon as practical and will notify consultees of the publication of the Inspector's Report and the adoption of the Plan.	N	Y
10	Monitoring & review		Annual Monitoring will be undertaken to track the performance of policies and to advise on any necessary adjustments.	N	N

2.1.2 Sustainability Appraisal

Under the Environmental Assessment of Plans and Programmes Regulations 2001 and the European Directive 2001/42/EC ('the SEA Directive'), all DPDs require a Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA). These appraisals are produced in tandem with the DPDs to assess their environmental, social and economic impacts, and to guide the choice of policies / allocations, etc.

Three statutory consultees are consulted as a matter of course when preparing SAs and / or SEAs; these are Natural England, Historic England, and the Environment Agency. Sustainability Appraisal reports are also subject to wider public consultation, usually at the same time as the DPD to which they relate.

2.1.3 How do we consult?

Consultation methods for each stage of DPD production will vary. Each stage will involve a number of set methods and, in addition, may involve one or more of the optional methods. Table 2.2 sets out the methods to be used at each stage of consultation on the DPD.

Table 2.2 Consultation on emerging DPDs

Method	Stage of preparation of DPD			
	Pre-Draft Consultation (Scoping) (Reg.18)	Draft Consultation (Options / Preferred Options) (Optional)	Publication & Submission (Regs.19,20,22)	Inspector's Report & Adoption (Regs. 25,26)
Website	✓	(✓)	✓	✓
Email out (database)	✓	(✓)	✓	✓
Mail out (database)	✓	(✓)	✓	✓
On deposit	✓	(✓)	✓	✓
Press release	Optional	Optional	Optional	Optional
Press notice	Optional	Optional	Optional	Optional
Press advertisement	Optional	Optional	Optional	N/A
Leaflets	Optional	Optional	Optional	N/A
Neighbour letters	N	N	N	N
Staffed exhibitions	Optional	Optional	Optional	N/A
Unstaffed exhibitions	Optional	Optional	Optional	N/A
Forums	Optional	Optional	Optional	N/A
Drop-in sessions	Optional	Optional	Optional	N/A
Social media	Optional	Optional	Optional	N/A
Schools	Optional	Optional	Optional	N/A
Groups consulted / notified	Statutory, general and public.	Statutory, general and public. Representors from previous stage.	Statutory, general and public. Representors from previous stage.	Statutory, general and public. Representors from previous stage.
Duration	Minimum 4 weeks	Minimum 6 weeks	Minimum 6 weeks	
Feedback Report produced	Y	Y	Y	N

2.1.4 How will we feed back the results?

Following each round of consultation, the Council will prepare a **Feedback Report** (or Consultation Statement), which will summarise the issues raised through the representations, how the Council has responded to them and what has been changed in the DPD as a result of the comments. This will be shared with Members to inform their decisions on the next stage of the DPD's preparation, and will be published on the Council's website. The Council is not bound to respond to each individual submission / representation to the consultation.

2.2 Supplementary Planning Documents

Supplementary Planning Documents (SPDs) are planning documents that provide greater detail in relation to the policies in the Local Plan or other DPDs. SPDs can be topic or area based. They do not have the same status as DPDs, and do not form part of the statutory development plan, but are material considerations in any planning decision.

The 2012 Regulations set out two stages of SPD production where consultation and / or publicity is required. They are the public participation stage (Regulations 12 and 13) and adoption (Regulation 14).

However, the regulatory stages may not always provide adequate opportunity for the views of the community to feed back into preparation of the SPD. Therefore, in the interests of best practice and positive public engagement, the Council may sometimes carry out an extra stage of consultation when preparing an SPD, for example if there are significant changes proposed to the document following one round of consultation.

2.2.1 When do we consult?

Table 2.3 below sets out the stages of the SPD's production and whether consultation and / or publicity is required.

Table 2.3 Preparation Stages for SPDs

Stage	Preparation Stage	2012 Regulation	Purpose	Consultation required?	Publicity required?
1	Evidence gathering	-	To gather evidence to inform the preparation of the SPD	N	N
2	Scoping / Issues	12(a)	To set the scope of, and identify issues for, the SPD. Comments received at this stage will inform the preparation of the draft SPD. A Consultation Statement will be produced (Reg. 12(a)).	Informal / limited consultation required (i.e. to specific bodies)	Optional
3	Public participation on draft SPD	Reg.12(b) Reg.13	To prepare the draft SPD. To publish the Consultation Statement (Reg. 12(a)) and draft SPD, and to invite representations on the draft SPD. Comments received at this stage will inform the preparation of the final SPD.	Y	Y
4	Final SPD	-	To produce the final SPD.	N	N
5	Adoption of the SPD	Reg.14	Adoption of the SPD	N	Y
6	Monitoring & review		Annual Monitoring to track the performance of policies and make any necessary adjustments.	N	N

2.2.2 Sustainability Appraisal of SPDs

The requirement to carry out a Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA) applies to all DPDs. However amendments to the Town and Country Planning Regulations in 2009 removed the automatic need to undertake SA / SEA for SPDs.

The Council, however, is required to determine whether an SPD requires SA / SEA, i.e. there is a need to 'screen'. The screening process in this instance essentially involves asking the question, 'Are there likely to be significant effects as a result of the SPD, recognising that the role of the SPD is only to amplify adopted policy?'

If SA / SEA is undertaken for an SPD, this process would take place in tandem with the preparation of the SPD, and the SA / SEA reports would normally be consulted upon at the same time as the SPD.

2.2.3 How do we consult?

The methods for consultation at each stage of the SPD production will vary. Each stage will involve a number of set methods and, in addition, one or more of the optional methods.

Table 2.4 below sets out the methods to be used at each stage of consultation on the SPD.

Table 2.4 Consultation on emerging SPDs

Method	SPD Preparation Stage			
	Pre-Draft (Scoping / Issues) (Reg. 12(a))	Draft SPD (Reg. 12(b) & 13)	Final SPD (optional stage)	Adoption (Reg.14)
Website	Optional	✓	Optional	✓
Email out (database)	Optional	✓	Optional	✓
Mail out (database)	Optional	✓	Optional	✓
On deposit	Optional	✓	Optional	✓
Press release	Optional	Optional	Optional	Optional
Press notice	Optional	Optional	Optional	Optional
Press advertisement	Optional	Optional	Optional	Optional
Leaflets	Optional	Optional	N/A	N/A
Neighbour letters	Optional	Optional	N/A	N/A
Staffed exhibitions	Optional	Optional	N/A	N/A
Unstaffed exhibitions	Optional	Optional	N/A	N/A
Forums	Optional	Optional	N/A	N/A

Method	SPD Preparation Stage			
	Pre-Draft (Scoping / Issues) (Reg. 12(a))	Draft SPD (Reg. 12(b) & 13)	Final SPD (optional stage)	Adoption (Reg.14)
Drop-in sessions	Optional	Optional	N/A	N/A
Social media	Optional	Optional	N/A	N/A
Schools	Optional	Optional	N/A	N/A
Groups consulted / notified	Statutory, general and public.	Statutory, general and public. Representors from previous stage.	Statutory, general and public. Representors from previous stage.	Statutory, general and public. Representors from previous stage.
Feedback Report produced	Y	Y	Y	N
Duration	Minimum 4 weeks	Minimum 6 weeks	Minimum 4 weeks	-

2.2.4 How will we feed back the results?

Following each round of consultation, the Council will prepare a **Feedback Report**, which will summarise the issues raised through the representations, how the Council has responded to them and what has been changed in the SPD as a result of the comments.

2.3 Development Briefs

Development Briefs provide guidance and a framework for the development of a specific site. Usually, these are prepared for larger sites that have been allocated for development within the Borough-wide Local Plan. As with SPDs, Development Briefs are not subject to independent examination and their purpose is simply to provide supporting guidance in relation to the policies for the site in question. Development Briefs are not part of the statutory planning framework.

Consultation on Development Briefs will usually be similar in nature to consultation on SPDs in that the Council will publish a draft Development Brief for consultation, and the comments received will inform preparation of the final Development Brief.

Due to the localised nature of most Development Briefs, extensive consultation is not considered to be appropriate for reasons of time and cost. The table below sets out what methods are considered to be appropriate for Development Briefs. Where possible, the Council will run Development Briefs alongside other DPD / SPD consultation to maximise publicity.

2.3.1 When do we consult?

Table 2.5 Development Brief preparation stages and consultation

Stage	Preparation Stage	2012 Regulation	Purpose	Will we consult?	Will we publicise?
1	Evidence gathering	N/A	To gather evidence in order to identify the issues and opportunities for development	N	N
2	Identification of issues	N/A	To identify issues for the SPD This is an <u>optional</u> consultation stage. Comments received at this stage will inform the preparation of the draft development brief. A Feedback Report will be produced.	Optional	Optional
3	Draft Development Brief	N/A	To prepare the draft development brief. To invite representations on the draft development brief. Comments received at this stage will inform the preparation of the final development brief. A Feedback Report will be produced.	Y	Y
4	Final Development Brief	N/A	To produce the final Development Brief.	Optional	Optional
5	Adoption of the Development Brief	N/A	Adoption of the Development Brief by Council.	N	Y

2.3.2 How do we consult?

Table 2.6 Consultation on Development Briefs

Method	Development Brief			
	Pre-Draft (Issues) (Optional stage)	Draft Development Brief	Final Development Brief	Adoption
Website	Optional	✓	Optional	✓
Email out (database)	Optional	✓	Optional	✓
Mail out (database)	Optional	✓	Optional	✓
On deposit	Optional	✓	Optional	✓
Press release	Optional	Optional	Optional	Optional
Press notice	Optional	Optional	Optional	Optional
Press advertisement	Optional	Optional	Optional	Optional
Leaflets	N	N	N	N
Neighbour letters	Optional	Optional	Optional	Optional
Staffed exhibitions	Optional	Optional	Optional	N
Unstaffed exhibitions	Optional	Optional	Optional	N
Forums	N	N	N	N
Drop-in sessions	Optional	Optional	Optional	N
Social media	Optional	Optional	Optional	Optional
Schools	N	N	N	N
Groups consulted / notified	Statutory, general and public.	Statutory, general and public. Representatives from previous stage.	Statutory, general and public. Representatives from previous stage.	Statutory, general and public. Representatives from previous stage.
Feedback Report produced	Y	Y	Y	N
Duration	Minimum 6 weeks	Minimum 6 weeks	Minimum 6 weeks	-

2.4 Methods for publicity and consultation

Consultation on planning policy documents will be undertaken using a variety of methods. For non-optional consultations (i.e. those required by the 2012 Regulations), the Council will use set methods as a minimum. Additional methods may also be used, dependent on the type of document or the nature of the document's subject matter.

2.4.1 Methods for publicity and consultation

Methods to be used as a minimum:

- **Website.** The Council's website will contain a consultation page to provide information on recent, current and future consultations. This will include all the relevant documents, guidance on how to comment and comments forms (online and paper based). The Council may also publish the results of consultation exercises, including any feedback reports, on the website.
- **Email.** People will be able to register onto a consultation database to receive the latest news and updates on consultation and the preparation of policy documents. To ensure that costs are kept to a minimum, the Council will encourage people to register using their email address. This method will be used as a default unless consultees indicate they require communication by letter. Registration can be done online through the Planning Consultation pages of the Council's website (www.westlancs.gov.uk/planningpolicy)
- **Letter.** For those people who still wish to receive notification by letter, they may register onto the Council's planning consultation database to receive news and updates on consultation and the preparation of policy documents via post. To register for notification by letter, please contact the Strategic Planning and Implementation team by telephone (01695 585171) or by post (West Lancashire Borough Council, Planning Policy, 52 Derby Street, Ormskirk, Lancashire, L39 2DF).
- **Availability of documents 'on deposit' at libraries and Council offices.** The Council will make all documents and guidance available at libraries and Council offices. Should library facilities be no longer available, alternative venues around the Borough will be considered and sought when the situation arises.

Additional methods to include one or more of the following:

- **Press release.** Press releases may be issued to local newspapers to draw attention to policy documents. However, where releases are issued, the Council has no control over what the paper chooses to publish.
- **Press notice.** Press notices are public notices posted in the local press (normally the Champion Group newspapers).
- **Press advertisement.** The Council may publish advertisements in the local press to promote planning consultation. Due to their cost, they will usually only be used for significant policy documents which have an impact on a wider area, such as those affecting the whole Borough or for strategic development sites.
- **Leaflets.** Leaflets can often be a good way of informing local residents and businesses about planning policy documents, however they can also be costly and time consuming.

Leaflets will be used for significant policy documents which have an implication on a wider area, such as those affecting the whole Borough or for strategic development sites.

- **Neighbour letters.** Letters may be sent to properties neighbouring (immediately adjacent to) a development site to notify them about the preparation of a planning document. Due to cost, if a decision is made to send out neighbour letters, these will only be used for those policy documents which have an impact on a more localised area, such as a Development Brief for an allocated site.
- **Staffed Exhibitions.** Exhibitions help display information on policy proposals and give local people access to information. They also enable the public to speak to planning staff. Where staffed exhibitions are used, the Council will endeavour to arrange them during the earlier part of the consultation period in order to provide sufficient time for people to formulate and submit comments.
- **Unstaffed Exhibition.** Exhibitions help display information on policy proposals and give local access to information. Where unstaffed exhibitions are used, they will normally be available throughout the consultation period in a publicly accessible location.
- **Forums.** Public forums will be used to support discussions and workshops. As forums are often restricted in terms of capacity (both as a result of venue size, and the workable ratio of attendees to Council officers), attendance will be required to be registered in advance. Such forums will be advertised via some of the mediums set out above, so that interested individuals may register to attend.
- **Drop-in sessions.** Drop-in sessions enable members of the public to 'drop-in' to organised sessions at advertised venues, and to ask planning officers any questions they may have.
- **Social media (Facebook, Twitter).** Consultations will be publicised through social media wherever possible, and updated technologies.
- **Schools.** The Council is keen to engage with young people and schools provide one opportunity for this. Where appropriate, the Council will contact schools to offer them the opportunity to work with planning officers, who can attend schools to run workshops with pupils.

It should be noted that all consultations are public and that means they must be open to everyone, subject to limitations on numbers due to Health and Safety considerations or officer resources. We cannot restrict attendance at public events to certain specific societal groups, nor can we exclude certain individuals / groups from attending, unless they are aggressive towards other members of the public or Council officers. Where numbers are restricted, registration will be required for an event; this will be advertised and registration will be on a first-come first-served basis. Where demand is high and events are over-subscribed, the Council may seek to arrange additional events, where possible

We will try to ensure that all events are held in accessible locations which can be reached using public transport. We will also try to ensure that events are held at convenient times to as wide a range of people as possible, including weekdays, weekday evenings and, where appropriate, Saturdays.

Methods of consultation will vary depending on the type of document being consulted upon.

2.4.2 How we will accept representations

The Council will encourage the use of electronic-based modes (email, web, etc.) to submit and receive representations, in order to keep administrative costs and time to a minimum. The Council will, however, also accept representations on paper from those without access to the internet and / or a printer.

- **Electronic based**
 - **Website:** We will aim to have electronic surveys, questionnaires and forms available to complete from the Council website.
 - **Email:** Comments can be emailed to localplan@westlancs.gov.uk
- **Paper based**
 - **Forms:** Paper based surveys, questionnaires and forms can be printed from the website, or collected from Council offices and public libraries⁵.
 - **Comments:** Comments can be posted to Planning Policy, West Lancashire Borough Council, 52 Derby Street, Ormskirk, L39 2DF.

⁵ If, in future, library facilities are no longer available, consideration will be given to finding suitable alternative venues in which to make documents available.

2.5 Neighbourhood Plans

2.5.1 What is a Neighbourhood Plan?

The Localism Act 2011 introduced the opportunity for communities to produce 'Neighbourhood Plans'. A Neighbourhood Plan is a community-led framework for guiding the future development, regeneration and conservation of an area. It is about the use and development of land and may contain a vision, aims, planning policies, proposals for improving the area or providing new facilities, or the allocation of key sites for specific kinds of development.⁶

A Neighbourhood Plan can add detail and locally-set objectives to support and complement the Borough-wide Local Plan. It must be in conformity with the Borough-wide Local Plan, and with national planning policy (the National Planning Policy Framework), and cannot be used to block or veto development.

If successful at public referendum, a Neighbourhood Plan will become part of the statutory development plan for the area.

2.5.2 How will the Council be involved?

The Council has a statutory "Duty to Support" local groups in the preparation of Neighbourhood Plans. The amount of assistance will be dependent upon the level of resources available to the Council at the time of the request.

The Council will support those neighbourhoods who wish to prepare a Neighbourhood Plan, but the preparation of such plans is required to be led by community organisations such as the Parish Council or a Neighbourhood Forum (a group designated by the Local Authority in non-parished areas). While a Neighbourhood Plan is being prepared, consultation on it will be the responsibility of the individual Parish Council or Neighbourhood Forum and is therefore outside the scope of this SCI.

However, once a Neighbourhood Plan has been drawn up and submitted to the local planning authority, the local planning authority must carry out a statutory consultation on the proposed Neighbourhood Plan before it is examined by an independent and suitably qualified person.

Where appropriate, the Council will publish copies of any Neighbourhood Plans and updates on the progress of Plan preparation on its website.

Table 2.7 below sets out the different stages of consultation involved in producing a Neighbourhood Plan and whose responsibility it is to carry out this consultation.

⁶ Neighbourhood Plans Road Map Guide:
<http://locality.org.uk/resources/neighbourhood-planning-roadmap-guide/>

Table 2.7 Neighbourhood Plan consultation responsibilities

Stage	Responsibility
Designating the 'neighbourhood area' - consultation on the area to be subject to the Neighbourhood Plan	Local Planning Authority
Preparing a Draft Neighbourhood Plan - engagement and consultation with those living and working in the neighbourhood area and those with an interest in, or affected by, the proposals	Parish Council / Neighbourhood Forum
Pre-submission consultation – on Draft Neighbourhood Plan	Parish Council / Neighbourhood Forum
Consultation to satisfy requirements in relation to European directives, if and where they apply to a Draft Neighbourhood Plan	Parish Council / Neighbourhood Forum
Statutory consultation on a submitted Neighbourhood Plan	Local Planning Authority
Examination of Neighbourhood Plan	Local Planning Authority
Neighbourhood Planning referendum	Local Planning Authority

3.0 COMMUNITY INFRASTRUCTURE LEVY

The Community Infrastructure Levy (CIL) allows local authorities in England and Wales to raise funds from developers who are undertaking new building projects in their area. The money raised is used to pay for infrastructure required to support new development. CIL must be administered in accordance with the Community Infrastructure Levy Regulations 2010 (as amended). The CIL Regulations state when and how the Council must consult at specific stages of the CIL preparation process.

3.1 Preparation of a Charging Schedule

In preparing a Charging Schedule, the Council must follow a series of stages as set out in, and required by, Part 3 of the CIL Regulations. Some of the stages require consultation and/or publicity and include:

- Consultation on a Preliminary Draft Charging Schedule (Regulation 15)
- Publication of a Draft Charging Schedule (Regulation 16)
- Representations relating to a draft charging schedule (Regulation 17)
- Submission of documents and information to the examiner (Regulation 19)
- CIL examination: right to be heard (Regulation 21)
- Publication of the examiner's recommendations (Regulation 23)
- Approval and publication of a charging schedule (Regulation 25)

3.1.1 Who will we consult?

At most stages the Council, as the Charging Authority, must notify the consultation bodies which comprise adjoining local planning authorities, the County Council and Parish Councils. The Council must also invite representations from residents and businesses in the Borough and voluntary bodies.

3.1.2 When will we consult?

Table 3.1 below sets out the stages of preparation of the Charging Schedule and whether consultation and / or publicity is required.

Table 3.1 Preparation of CIL Charging Schedule and consultation

Stage	Charging Schedule Preparation Stage	CIL Regulation number	Purpose	Requires Consultation	Requires Publicity
1	Evidence gathering	-	To gather evidence to inform CIL	N	N
2	Preliminary Draft Charging Schedule	Reg.15	Publish and invite representations on Preliminary Draft Charging Schedule. Comments received at this stage will inform the preparation of the draft charging schedule. A Feedback Report will be produced.	Y	Y
3	Draft Charging Schedule	Reg.16	Publish and invite representations on Draft Charging Schedule. Comments received at this stage will be considered by the examiner.	Y	Y
4	Submission	Reg.19 Reg.21	Submission of Draft Charging Schedule and accompanying documents and representations to the examiner. Publication of matters	N	Y
5	Publication of the examiners recommendations	Reg.23	Publication of the examiner's recommendations	N	Y
6	Adoption	Reg.25	Approval and publication of CIL Charging Schedule by Council.	N	Y

3.1.3 How will we consult and publicise?

Consultation and publicity methods vary slightly with each stage of CIL preparation. Table 3.2 below outlines the methods that are required at each stage, although further consultation or publicity methods may also be used. An explanation of the methods can be found in the preceding chapter.

For the stages covered by Regulations 15 and 16, the Council will prepare a Statement of Representations setting out the availability of documents and how comments can be submitted.

Table 3.2 CIL preparation – consultation methods

Method	Stage: CIL					
	Preliminary Draft Charging Schedule (Reg.15)	Draft Charging Schedule (Reg.16)	Submission (Reg.19)	Right to be heard (Reg.21)	Examiners Report (Reg.23)	Adoption (Reg.25)
Website	✓	✓	✓	✓	✓	✓
Mail out	✓	✓	✓	✓	✓	✓
On deposit	✓	✓	✓		✓	✓
Press notice		✓		✓		✓
Feedback Report produced	✓	✓	✓			
Duration	Min.6 weeks	Min.6 weeks	Min.6 weeks	-	-	-

3.1.4 How will we feed back the results?

Following the key rounds of consultation (Preliminary Draft Charging Schedule and Draft Charging Schedule), the Council will prepare a **Feedback Report**, which will summarise the issues raised through the representations, how the Council has responded to them, and what has been changed to the Charging Schedule as a result of the comments.

3.1.5 Review of a Charging Schedule

Regulations 26 and 27 govern the correction of errors in a Charging Schedule. The Council will follow the requirements of the CIL Regulations in the case of any necessary changes to the Charging Schedule, and subsequent notification or consultation.

Viability will be monitored and reviewed at regular periods. Should any necessary changes to the Charging Schedule be needed as a result, the procedure for preparing a CIL Charging Schedule will be repeated and consultation undertaken at each stage.

4.0 COMMUNITY INVOLVEMENT IN DEVELOPMENT MANAGEMENT

This section explains how planning and related applications are dealt with and outlines the Council's consultation arrangements. In total the Council receives approximately 1400 planning applications per year. A principal aim of the planning process is to regulate the development and use of land in the public interest.

4.1 The Planning Application Process

The planning application process involves the making, consideration and determination of applications for "development" which can be either building works or a material change of use. There are also other types of applications that do not involve development but fall under the management of the local planning authority and include applications for advertisement consent and listed building consent.

4.1.1 Timescales

The government sets targets for the time taken to determine planning applications. These are currently 13 weeks for major⁷ applications and 8 weeks for all others. If an Environmental Impact Assessment is required as a result of the scale of development, then this period will extend to 16 weeks.

4.2 Permitted Development

However, not all "development" requires an application for planning permission. Some works can be carried out as "Permitted Development" whereby planning permission is automatically granted by the Town and Country Planning (General Permitted Development) (England) Order 2015. Similarly, not all advertisements require consent from the Council; certain types of advert may be displayed with "Deemed Consent."

If you are unsure whether or not you need planning permission, or other planning related consents, for the development you are contemplating, you should visit the Council's website: <http://www.westlancs.gov.uk/planning/planning-applications-enforcement/do-i-need-planning-permission.aspx>.

⁷ The government's definition of a Major application is development involving any one or more of the following

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwellinghouses where -
 - (i) the number of dwellinghouses to be provided is 10 or more; or
 - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i);
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more

The planning pages on the Council's website have useful advice including a link to the government's Planning Portal website. This includes an 'interactive house', a useful resource if you are considering works to your house.

In most cases, where you need to know whether or not an application for planning permission is required, you may be advised to submit a request (in the form of an application) for a "Certificate of Lawfulness of Proposed Use or Development". A fee is charged for this process, at 50% of a planning application fee for the same development. Pre-application planning advice may also be sought.

For up-to-date information on how to make a planning application, guidance notes are available on our website: www.westlancs.gov.uk/planning. The government's Planning Portal provides a wealth of guidance on the same topic at: <http://www.planningportal.gov.uk/permission/>

4.3 Pre-Application Advice

4.3.1 Why should I seek pre-application advice?

West Lancashire Borough Council welcomes and encourages applicants and developers to seek pre-application advice from the Council prior to the submission of a formal planning application. There are a number of benefits in seeking advice before making an application, including:

- It provides early guidance on the planning policies relevant to your development and helps you to understand how these policies apply to your proposal;
- It can identify at an early stage whether there is a need for specialist information such as a tree survey, flood risk assessment, ecological assessment;
- It enables proposals to be changed and potential problems overcome before an application is submitted, saving time during the application process and minimising the risk of planning permission being refused;
- It will ensure you know what information you need to submit with the application, thereby making sure it can be registered and validated without undue delay;
- It can give a greater degree of certainty of whether your application is likely to be successful;
- By identifying and addressing issues at pre-application stage, this can save time when an application is submitted and may result in a quicker decision.

In summary, pre-application discussions can help to achieve a better standard of application, which improves the chance of a successful outcome.

4.3.2 What is required when submitting a pre-application enquiry?

Normally pre-application enquiries involve the submission of sketch drawings and other relevant detail and applicants are asked to fill in forms which are available on the Council's web site. We aim to provide a response within 28 days wherever possible, or if a meeting is required, within 14 days of the meeting being held. We will advise on the likelihood of gaining an approval on an informal basis.

The schedule of charges for pre-application advice as well as the procedures for gaining pre-application advice is available at:

<http://www.westlancs.gov.uk/planning/planning-applications-enforcement/pre-application-advice.aspx>

4.3.3 How will the Council consult on pre-application enquiries?

For major pre-application enquiries the Council may seek advice from statutory consultees e.g. the highway authority, the Environment Agency, etc, and from non-statutory consultees e.g. Merseyside Environmental Advisory Service, in order to provide comprehensive pre-application advice.

During pre-application discussions officers will also advise developers on whether or not we feel the proposals would benefit from a process of community involvement before the application is submitted. National Planning Practice Guidance advises that "pre application engagement with the community is encouraged where it will add value to the process and the outcome." The Council understands that different developments will require public consultation to be tailored to suit the individual circumstances but on significant schemes a public meeting, exhibition and leaflet drop in the local area may be required. At pre-application stage, the Planning Officer will be able to agree an appropriate consultation plan for major development proposals.

For wind energy development pre-application consultation with the local community is mandatory for all onshore wind development of more than two turbines or where the hub height of any turbine exceeds 15 metres. Changes were made in 2015 to the planning consent regime for onshore wind farms of over 50MW. Previously these applications were dealt with by the relevant Secretary of State under the development consent order (DCO) system, rather than by the local planning authority. Now, the consent of the Secretary of State is no longer required, which brings larger onshore wind projects back under local authority control.

The community consultation measures outlined above are not necessary for small scale applications e.g. house extensions or single dwellings. However, we emphasise with applicants/ developers the benefits to be gained by discussing proposals with neighbours who may be affected by the development and taking account of their comments when drawing up the formal planning application.

4.4 Managing Development

4.4.1 Who will we consult?

The Council exercises its development management functions in the public interest and is committed to publicising and consulting widely on planning proposals. Upon receipt of a planning application the Council will undertake a period of formal consultation.

Depending on the type of planning application being considered, the Council is also required to consult various organisations and bodies and to invite them to make representations, as set out in the Town and Country Planning (Development Management Procedure Order) (England) (2015) (DMPO).

The main type of consultation groups include:-

- Public – including consultation with neighbouring residents and Parish Councils;
- Statutory Consultees – this is where there is a requirement in law to consult a specific body who in turn are under a duty to respond, for example, the Environment Agency, The Coal Authority, United Utilities, and Lancashire County Council as Highway Authority;
- Non Statutory Consultees – these are not required by law but advice is sought where non statutory bodies are likely to have an interest in the proposed development, for example the Health and Safety Executive and Merseyside Environmental Advisory Service.

4.4.2 How will we consult?

The level of consultation carried out for planning applications, will be proportionate to the type and scale of planning application being determined. In all cases, publicity will meet legal requirements and in some cases, additional publicity will be carried out.

The regulations set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015, The Planning (Listed Building and Conservation Areas) Regulations and The Planning (Listed Buildings and Conservation Areas) Act 1990, state how planning applications need to be publicised, either by site notice or individual neighbour notification.

Neighbour notification by letter is the principal method of consultation on most planning applications. For most planning applications, letters are sent to all owners/occupiers of properties that immediately adjoin the boundary of the application site. Where the Council is unsure of the owner of an adjoining site, for example where the application site adjoins open land, a site notice will be displayed.

In addition, a press notice and site notice is also required for the following types of applications:

- Erection of 10 or more dwellings, or a site area of 0.5 hectares or more
- Erection of 1000 square metres of floorspace or site area of 1 hectare or more
- An application accompanied by an Environment Impact Statement
- A departure from the Local Plan
- A development that would affect the public right of way, under part III of the Wildlife and Countryside Act 1981
- Development affecting the character or appearance of a Conservation Area
- Development affecting the setting of a Listed Building.

Neighbours / interested parties are given 21 days to respond in writing to the consultation.

A weekly list of all planning applications is sent to Councillors, Parish Councils, the local press, the Borough's libraries⁸, the Citizen's Advice Bureau and local amenity groups (listed within the Appendices). A copy of the list is also made available on the Council's web site.

The West Lancashire Conservation Advisory Panel is consulted on applications affecting listed buildings or Conservation Areas.

We consult neighbouring Councils where appropriate and also consult directly any properties in other Boroughs which directly adjoin an application site.

There are various types of planning and related applications that are commonly submitted to the Council for determination. These are listed in Table 4.1 below along with details of whom and how we will usually consult on different types of applications, depending on the particular circumstances.

⁸ If, in future, library facilities are no longer available, consideration will be given to finding suitable alternative venues in which to make information available.

Table 4.1 Consultation procedure for Planning Applications – by type

Types of application	Characteristics	Publicity and Consultation
Small scale planning applications	These may include householder applications involving proposals to alter or enlarge a single house, including works within the garden, or minor proposals for non-residential development like small commercial extensions.	Notify immediate neighbours; Consult relevant statutory and non-statutory consultees Publish on weekly list
Major planning applications	These may be proposals for: <ul style="list-style-type: none"> • Housing development of 10 or more dwellings, or a site area of 0.5 hectares or more. • Other development where the floor space to be built is 1,000 sq m or more, or where the site area is 1 hectare or more. 	Notify neighbours, site and press notices. Consult relevant statutory and non-statutory consultees. Publish on weekly list
Applications affecting a listed building or conservation area	These may involve proposals for alterations, extensions or demolition of a listed building or any works to be carried out within a conservation area.	Notify neighbours, site and press notices. Consult relevant statutory and non-statutory consultees Consult Conservation Area Advisory Panel. Publish on weekly list
Advertisement consent	Certain adverts require express consent from the Council to be displayed and will typically include adverts on shops and other commercial buildings.	Notify neighbours and highway authority if public safety impact. Publish on weekly list
Outline planning applications	This type of application is designed to establish the principle of a particular scheme, the full details are often not given at this stage, for example the full design details of the houses on a residential scheme. The full details are usually considered at the “reserved matters” stage.	Notify immediate neighbours; Consult relevant statutory and non-statutory consultees For major developments produce site and press notice. Publish on weekly list
Reserved matters applications	This type of application follows on from an outline planning permission and considers the full details of the scheme, for example the house design and landscaping.	Notify immediate neighbours; Consult relevant statutory and non-statutory consultees For major developments produce site and press notice. Publish on weekly list
Change of use applications	This type of application considers an alternative use for a building or land, for example a change of use from grocers shop to a hot food takeaway.	Publish on weekly list Notify immediate neighbours Consult relevant statutory and non-statutory consultees For major developments produce site and press notice.

Types of application	Characteristics	Publicity and Consultation
Tree Preservation Order applications	This type of application considers works to protected trees	Discretionary neighbour notification/consultation.
Notification of works to trees in a Conservation Area	This type of application is a technical assessment of the work by a tree specialist that is not protected by a Tree Preservation Order.	Discretionary neighbour notification/consultation.
Non material amendments	This type of application involves a minor amendment to the approved scheme that does not require the submission of a new application.	No notifications carried out
Prior approval applications	There are several types of proposal where the applicant must submit a prior approval application to the Council e.g. for demolition of some buildings, for some forms of telecommunications development, for agricultural buildings, for larger home extensions and also change of use of certain buildings (e.g. offices and agricultural buildings to dwellings).	Publish on weekly list. Notify neighbours if appropriate. Display site notice if required. Notify consultees if appropriate
Lawful development certificates (existing)	This type of application is made where a change of use or development has already been carried out and the applicant wants to confirm that it is lawful	Notify immediate neighbours. Publish on weekly list
Lawful development certificates (proposed)	This type of application is made where a change of use or development has not yet been carried out and the applicant wants to confirm that it is lawful	No notification carried out
Discharge of conditions applications	This type of application is made because planning and related applications are often approved subject to conditions which require the submission of further information e.g. details of building materials or landscaping.	Notify relevant consultees
EIA screening opinion	This type of application seeks to establish whether a proposed development will require an Environmental Impact Assessment.	Notify relevant consultees
EIA scoping opinion	This type of application seeks to establish what information will need to be provided as part of an Environmental Impact Statement.	Notify relevant consultees

The types of application listed above are not intended to be exhaustive. There may be further initiatives through which planning permission may be obtained and which may require consultation in line with government Regulations⁹. In such scenarios the Council will meet the minimum requirements for consultation, as set out by the relevant government Regulations.

⁹ For example, at the time of writing this SCI, Local Development Orders.

4.4.3 Notifying you of amendments

Following submission of a planning application, negotiations between Planning Officers and developers, and their agents may result in a revision to the proposed development necessitating the submission of amended plans. If the amendments are significant, the Council will, upon receipt of amended plans, carry out a further consultation on these amendments. This consultation is likely to include re-notification of neighbours, Parish Councils and statutory consultees, depending on the nature of the changes and the likely implications. In view of the tight time scales to determine planning applications the re-notification time may be set at 14 days.

4.4.4 How to comment on a planning application

Planning applications can be viewed in full on the Council's website. Alternatively, applications can be viewed online using computers at the Council's Customer Service points (52 Derby Street, Ormskirk, and 1st Floor, The Concourse, Skelmersdale). Applications for planning permission will be entered on a register. Maintaining a planning register is a statutory obligation and the information is available on the Council's website.

Comments may be made on any planning application, by anyone, regardless of whether or not they were consulted individually. All comments must be made in writing and must contain the name and address of the author. The Council will not take into consideration any anonymous comments received.

All comments received are public information and cannot legally be kept confidential. All written representations received on planning applications are published on the Council's website. Therefore comments should not include any personal information, for example phone numbers or signatures. When submitting comments by email it is recommended that they be sent as an attachment in order to avoid publication of personal email addresses.

Please note comments should be submitted within the identified consultation period as the Council may be in a position to determine the application as soon as the consultation period expires. If this date cannot be met, consultees should contact the case officer well in advance of the consultation period ending to see whether it is possible for an extension of time to be granted for comments to be submitted.

The name and phone number of the case officer dealing with the application is available on the Council's website and on notification letters. Telephone discussions may be held with the relevant case officer during office hours, and meetings made by appointment.

The Council welcomes comments, whether in support or opposition to an application, but the Council can only take account of material planning considerations. These include matters like the effect on traffic or parking, the appearance of the proposal, overlooking or disturbance, overshadowing, loss of privacy, and loss of ecological habitats. We cannot take into account matters such as loss of property value, private disputes between neighbours, matters covered by leases or covenants, the impact of construction work and competition

between firms. A list providing examples of valid (and invalid) planning considerations is included in Appendix E.

4.4.6 How are Applications determined?

The views of statutory consultees and the public are important in making decisions on planning and related applications. However they are just one consideration in the overall decision making process and must be weighed alongside national and local planning policy and guidance and other material planning considerations.

Having assessed an application the case officer will prepare a report summarising the comments received from consultees and other interested parties and taking account of planning policy and other material considerations, will recommend whether or not the application should be approved or refused. The application will then be determined under delegated powers by authorised officers of the Council. Some 90% of planning applications are determined in this way under the delegated powers of the Director of Development and Regeneration.

However, most major and/or controversial applications are reported to the Planning Committee for decision by Members of the Council. If the application is to be decided by the Planning Committee comments received from consultees or the public will be set out in the case officer's report. The Committee agendas are published 5 clear working days in advance of the meeting and are available on the Council web site.

4.4.7 Applications referred to Planning Committee

Planning Committee meetings are held in public and if an application is to be determined in this way we will inform the applicant/agent, the Parish Council and anyone who was directly notified in writing by the Council who has submitted comments on a particular application, of the date of the meeting.

The Council allows public speaking at Planning Committee meetings subject to prior notification to the Council (at least 3 working days) before the Committee meeting. The following people may address the Planning Committee:

- Anyone objecting to an application who has been notified under the neighbour notification process by the Council, or his/her representative
- The clerk of a Parish Council or his/her representative
- The applicant or his / her representative but only where it has been agreed that a third party objecting to the proposal may speak.

Planning Committee agendas are often long and complex and meetings can last for several hours. In order to ensure that Planning Committee meetings are effectively managed, requests to speak are to be put before the Committee Chairperson. If there is more than one speaker in any category then the Chairperson will decide how many can speak; this will

be done the day before the meeting. Groups (e.g. of residents) are asked to nominate one person to speak on their behalf. In the case of large and complex schemes if two objectors are heard they should avoid duplicating points made by other speakers. Each speaker has no more than three minutes. If you feel unable to address the Planning Committee, a Ward Councillor may be willing to put your view to the Committee. Details of Ward Councillors are available on the Council website at: <http://www.westlancs.gov.uk/about-the-council/councillors.aspx>

4.4.8 Notifying you of a decision

A list of planning decisions is available on the Council's website. A copy of the case officer's report setting out the reasons for the decision will be available on the web site. The Council advises that interested parties check the status of the application on the web site as people who have commented on an application are no longer notified that a decision has been made.

4.4.9 Planning Appeals

If an application for planning permission is refused by the local planning authority, or it is granted with conditions, an appeal can be made to the Secretary of State against the refusal or the conditions attached. There is also a right of appeal if an application is not determined within a specific time and against the issuing of an Enforcement Notice. Appeals are examined by an independent Planning Inspector. We will notify in writing all those who expressed an interest in the original application. Copies of their comments will be forwarded to the Planning Inspectorate and the Council will inform people how to make further representations to the Planning Inspectorate. Further advice on the appeal process is available at:

<http://www.planningportal.gov.uk/planning/planninginspectorate>

5.0 WORKS TO TREES

Tree Preservation Orders (TPOs) provide protection to trees, either as individual trees, groups of trees, or as woodlands, to prevent or control the cutting down, uprooting, topping, lopping, wilful damage or destruction of the trees or woodlands.

Trees in Conservation Areas have a level of protection whereby proposed tree works are notified to the Council to consider if the works are appropriate. If the works are not considered to be appropriate or reasonable then the Council has the option to make a TPO.

Any new TPO is open to a period for objections and representations, before the Council decides to confirm the Order or not. Any persons that may be affected or have an interest in the new Order will be served a copy.

To undertake work on a protected tree, permission must be obtained from the Council, unless the proposed works are exempt.

5.1 When will we consult?

The Council is not under an obligation to undertake a consultation, but will seek to consult on any applications for work on trees that are considered to be of particular interest to the wider public.

The standard timescale for allowing people to make representations is 14 days. However, if proposed works are of significant interest to the wider public, the period for making representations can be extended.

5.2 Who will we consult?

The Council will consult anyone who is considered to have an interest in the proposed tree works, including neighbours, the Parish Council, tree wardens and residents groups. There is also the option to take proposed works to Planning Committee for determination by Council Members.

Where a neighbour or any other party submits an application, the Council will endeavour to make sure the owner or occupier of the land on which the tree stands is informed and given a chance to comment.

5.3 How will we consult?

Where we consult, we will use one or more of the following methods: letters, site notices, email, telephone, and occasionally press advertisements. The Council will keep a register of all applications for consent under a TPO. This register will be available for inspection by the public during office hours and on the Council's website via the public portal.

5.4 Hedgerow Removal Applications

Under the *Hedgerow Regulations 1997*, the LPA is required to consult the local Parish Council upon receipt of a 'Hedgerow Removal Notice'. The time given for a response is a minimum of 42 days.

5.5 High Hedges Complaints

Where complaints are made in relation to high hedges between residential properties, most cases are unlikely to raise wider neighbourhood issues and the Council will not normally publicise these complaints. An exception might be where the trees in the hedge are protected by a TPO, or the hedge is situated in a Conservation Area.

The Council may occasionally seek views from the occupiers of properties, other than the complainant's, that might be affected by the hedge and so could potentially be affected by the Council's decision on the complaint. This may include properties that lie between the complainant's and the land with the hedge, or where a single hedge borders several adjoining properties. Otherwise, the Council will not normally take into account representations from people not directly involved in the dispute.

When consulting upon high hedges disputes, the Council will confine its consultations to those specialist organisations or individuals whose expert input will help inform the decision on the complaint, for example, English Heritage in the case of a hedge associated with a listed building.

6.0 CONSERVATION OF THE HISTORIC ENVIRONMENT

6.1 Conservation Projects

The Council's Heritage and Environment Team are involved in supporting various heritage and conservation projects from time to time. Work which affects a heritage asset, whether a listed building, conservation area or historic park is rarely undertaken in isolation and very often involves the need to work in partnership with others, after consultation. The Council will often use a number of methods to consult communities for this purpose. This includes publishing details on the Council website, writing to residents directly affected by proposals and issuing Press Releases

6.2 Conservation Area Appraisals

The Council has an obligation under Section 69 of the Planning (Listed Building and Conservation Areas) Act 1990 to review, from time to time, its Conservation Area designations, and under Section 71 of this Act to formulate and publish proposals for the preservation and enhancement of these areas. The outcome of such a review might result in a change to the boundary of the Conservation Area.

Whilst the Council does not have to directly consult with communities, unless there are proposed amendments to the designated boundary of the conservation area or changes to Permitted Development Rights, best practice guidance (published by Historic England) identifies a need to consult with residents and community organisations over Conservation Area Appraisal proposals.

When new documents related to the Borough's heritage are produced, designations revised or planning controls amended; the Council will use a variety of methods to consult or inform people. These are set out in Table 6.1 overleaf.

Table 6.1 Consultation methods in relation to changes within Conservation Areas

	Website	Letters to residents affected	Notice in newspapers	Press Release
Conservation Area Appraisal update	✓	✓	---	✓
Proposed changes to Conservation Area boundary	✓	✓	✓	---
Withdrawal of Permitted Development Rights through an Article 4 Direction	✓	✓	✓	---

7.0 GENERAL CONSIDERATIONS

7.1 Communication

The Council wants to make sure that communication is clear. The Council's Public Relations team have produced a Community Engagement Protocol, which contains good practice guidance for Council officers on the matter of consultation and community engagement. This Protocol is available on the Council website:

<http://www.westlancs.gov.uk/about-the-council/how-the-council-works/equality-and-diversity/find-more-information.aspx>

Council officers will endeavour to follow the Protocol when carrying out planning-related public engagement.

7.2 Equality & Diversity

All our consultation methods are in accordance with the Equality Act 2010, the Human Rights Act 1998 and the Freedom of Information Act 2000.

We will try to tackle difficulties with consultation in the following ways:

I have literacy problems	Upon request, we can make our information available in different formats, including other languages and braille. We can arrange for a planning officer to meet with you and explain policies and proposals and help you fill in relevant forms.
English is not my first language	
My vision is impaired	
I find it difficult to understand technical planning documents	Planning is often quite complex with technical words (jargon). These are often required because of the technical and legal nature of planning. However, we do try to make sure that all our communication, consultation and publicity materials can be understood so people feel they can get involved in shaping their area.
I do not have access to private transport	We try to plan meetings in convenient and local locations which can be accessed by public transport. Consultation documents will be placed 'on deposit' at accessible libraries ¹⁰ and Council offices across the Borough. Information will also be available on the Council website.
I find it difficult to attend meetings as I have children and no child minder	Children are welcome at our events. We try to arrange meetings in the daytime, in the evenings and sometimes at weekends to make sure that people can attend. We encourage older children to get involved in planning too!

¹⁰ If, in future, library facilities are no longer available, consideration will be given to finding suitable alternative venues in which to make information available.

I do not have any spare time to attend events	You can contact the Council by phone, letter or email to give us your views. Information is available on the Council website and can be accessed at any time.
Planning documents are too expensive for me to buy and get involved	All our documents are available on our website; most can be viewed at local libraries and Council offices.
I live in a remote, rural area and do not usually receive consultation documents	We try to make sure that publicity materials reach residents in the most rural areas of the Borough. However, all information can be found on the website. You can subscribe to our consultation database to make sure you receive notifications by email.
I do not have internet access	The internet and email tend to be the best form of communication from the point of view of the Council. However, the Council is aware that not everyone has access to the internet. The Council will still use traditional methods to support consultation and publicity. The internet can be accessed for free at libraries and at Council offices.
I feel my views are ignored	The views of the community are important. Even if the eventual decision made by the Council on a planning matter is not what you requested or recommended, this does not mean your views were not taken into account. A range of factors are taken into account in making planning decisions, the views of the public being one such factor.
I don't like speaking in public	You can put your views in writing to us during any consultation. If you don't wish to speak, you may be able to nominate someone to do it for you.
I want to remain anonymous	Planning is a public process, and so we have to make names and comments publicly available. We cannot accept anonymous comments. We will always comply with the Data Protection Act and not display personal details such as signatures, address, emails or telephone numbers.
I receive too much consultation material	Our consultation database enables you to refine your details, so you can opt in or out of certain consultation topics.

In keeping with Council policies, consultation pro-formas and surveys will usually be accompanied by a non-compulsory 'Equality and Diversity' questionnaire. The Council requests that these be completed and returned along with any planning representations made. This information will be kept confidential at an individual level, but collectively will enable the Council to gain a better understanding of the diversity of the population with which it is dealing, and should help make sure that the Council targets its services appropriately. If necessary, we can review our consultation methods to make sure that various equality groups are being reached.

7.3 How we will safeguard the information

Personal information supplied to the Council must be held securely in accordance with the provisions of the Data Protection Act 1998.

7.4 Freedom of Information Act 2000

The Council is required under the Freedom of Information Act 2000 to pass on certain information if requested by third parties or government departments unless the Act allows us to withhold that information. Examples of when this might occur are if the information requested is held in confidence, or if the information requested is commercially sensitive. If information is passed on in response to a Freedom of Information request, any personal data would be removed from the said information before being passed on.

APPENDICES

Please note: the lists within the following appendices are not exhaustive and will be updated as necessary.

Appendix A: Duty to Co-Operate Bodies

The Localism Act 2011 and the 2012 Regulations prescribe the following bodies who are subject to the to Duty to Co-operate in relation to the local development documents where they relate to a strategic matter. These duties also apply to the Local Planning Authorities and County Councils.

- Lancashire County Council (as County Council, transport authority, highway authority, education authority and as minerals and waste authority)
- Sefton Metropolitan Borough Council (MBC) (as neighbouring authority and neighbouring highway authority)
- Knowsley MBC (as neighbouring local planning authority (LPA) and neighbouring highway authority)
- St Helens MBC (as neighbouring LPA and neighbouring highway authority)
- Wigan MBC (as neighbouring LPA and neighbouring highway authority)
- Chorley Borough Council (neighbouring LPA)
- South Ribble Borough Council (neighbouring LPA)
- Fylde Borough Council (neighbouring LPA)
- Highways England
- Environment Agency
- Historic England
- Natural England
- Civil Aviation Authority
- Homes and Communities Agency
- Lancashire Care NHS Foundation Trust (as the Primary Care Trust)
- Office of Rail Regulation
- Liverpool City Region Combined Authority (as a neighbouring Integrated Transport Authority)
- Greater Manchester Combined Authority (as a neighbouring Integrated Transport Authority)
- Marine Management Organisation
- Lancashire Enterprise Partnership

The 2012 Regulations also include Transport for London and the Mayor of London in the list of Duty to Co-Operate bodies.

Appendix B: Specific Consultation Bodies

(These incorporate Statutory Consultees; they may be replaced by successor bodies.)

- The Coal Authority
- The Environment Agency
- Historic England
- Marine Management Organisation
- Natural England
- Network Rail Infrastructure Limited
- Highways England
- Adjacent Local Planning Authorities
- Parish Councils
- Telecommunications companies
- Utilities companies (electricity, gas, sewerage, water)
 - United Utilities
 - National Grid
 - Electricity North West
 - Scottish Power
- Health authority (Lancashire Care NHS Foundation Trust - as Primary Care Trust)
- Homes and Communities Agency
- Education authority (Lancashire County Council)
- Highways authority (Lancashire County Council)
- Emergency services
 - North West Ambulance Service
 - Lancashire Police
 - Lancashire Fire & Rescue Service
- Health services
 - Southport and Ormskirk Hospital NHS Trust
 - NHS West Lancashire Clinical Commissioning Group
- Office of Rail Regulation
- Civil Aviation Authority
- Lancashire Enterprise Partnership
- Lancashire Local Nature Partnership
- Civil Aviation Authority

Appendix C: General Consultation Bodies

- Canal & River Trust
- The National Trust
- Sport England
- West Lancashire Council for Voluntary Service (CVS)
- Liverpool City Region Authorities
- Lancashire Authorities
- Department for Environment, Food and Rural Affairs (DEFRA)
- Age UK
- Airport Operators
- Church Commissioners
- Diocesan Board of Finance
- Disability Rights Commission
- Campaign to Protect Rural England
- RSPB
- Wildlife Trusts
- Friends of the Earth
- Forestry Commission
- The Theatres Trust
- Gypsy Council, other organisations representing Gypsies and Travellers
- Post Office property holdings / Post Office operators
- Rail Companies
- Voluntary bodies working in the area
- Bodies which represent the interests of different racial, ethnic or national groups in the area;
- Bodies which represent the interests of different religious groups in the area;
- Bodies which represent the interests of disabled persons in the area;
- Bodies which represent the interests of persons carrying out business in the area.
- The Council website contains a list of different equality groups that it uses for consultation:
<http://www.westlancs.gov.uk/about-the-council/how-the-council-works/equality-and-diversity/find-more-information.aspx>

Appendix D: Other Consultees

- Local business groups
- Local community groups
- Local leisure and sports groups
- Local registered social landlords
- Local resident associations
- Council developer partner(s)
- Developers and landowners
- General public

Appendix E – Valid Planning Considerations

In reaching decisions on planning applications, the Council must take into account the policies of the Local Plan, any supporting guidance which is relevant and national legislation. The Council also takes into account any comments made which are in relation to ‘material planning considerations’.

Material planning considerations are matters that can be taken into account when deciding a planning application or an appeal. The planning system does not exist to protect the private interest of one person against the activities of another. Therefore, it cannot make decisions in relation to any resulting financial or other loss. To make decisions on planning applications, the Council needs to ask whether the proposal would unacceptably affect amenities and existing use of land and buildings which should be protected in the public interest.

The list below provides some common examples of material planning considerations although it is not exhaustive.

- Local, strategic and national planning policies
- Other government circulars, orders, statutory instruments
- Amenity and privacy of dwellings
- Environmental qualities of the surrounding area or the visual character of a street (including the design and materials, scale and landscaping, layout and density)
- Availability of a mixed housing stock
- Road safety (in terms of dangerous access, additional traffic, car parking)
- Retention of local services
- Character of the area in terms of noise, light and other forms of pollution
- Impact on trees, especially if protected by a Tree Preservation Order
- Impact on public services, such as water supply, drainage
- Public rights of way
- Impact on character and appearance of Listed Buildings or Conservation Areas
- Need to safeguard valuable resources such as high quality agricultural land or mineral reserves
- Disabled persons access
- Previous planning decisions
- Nature conservation
- Archaeology

In some circumstances, arguments are made which do not consider planning issues and therefore are not taken into account when reaching a decision on an application. Applicants may sometimes use personal arguments in an effort to support their application. However, in many cases these will not outweigh the more general planning considerations as the use of the land and any buildings located on it will remain long after the applicants personal circumstances have ceased.

The list below provides a number of common points found in comments received by the Council which cannot be taken into consideration. Councillors will be advised that such arguments should not be taken into account when making decisions on applications. Again, this list is not exhaustive.

- The applicant has already started work on the proposed development (carrying out any work prior to receiving planning permission is done at the persons own risk; the fact work has commenced will not affect the Council's decision)
- The applicant does not own the land to which the application relates. This issue can be overcome through agreements with the landowner.
- Fear that the proposal may devalue neighbouring properties. Such market forces, and private financial matters, are outside the control of planning.
- The applicant has carried out unauthorised development in the past. Each case is considered on its own merits.
- Objections relating to concerning competition in business trading
- Moral objections – e.g. for casinos or betting shops
- Allegations that proposals may affect private rights. These are legal matters and objectors should consult their own solicitors / advisors. Planning officers are not able to provide advice on such issues.
- The loss of an individual's attractive view
- The fact that an objector may be a tenant of the land where the development is proposed. The landowner can terminate the tenancy whenever they choose and whether development takes place or not, therefore any consequences are considered to be unrelated to the application.
- The belief that the applicant has submitted the application in order to profit from the land.

It is important to understand that any considerations of relevance to a particular planning application will be considered in reaching the final decision and will each be weighted according to its relative importance in planning terms.

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West Lancashire

Statement of Community Involvement

Consultation Report

May 2016

This report lists the representations made to West Lancashire Borough Council during the consultation on the draft Statement of Community Involvement (4 February – 18 March 2016) and the Council's responses to these representations.

No.	Name	Organisation	Section	Comments	Response
1	David Allcock	Natural England	-	No comments	Noted.
2	Emily Hrycan	Historic England	-	No comments	Noted.
3	Development Management Team	WLBC	Table 4.1 (P.30)	The table which provides examples of prior notifications should also include change of use of buildings (e.g. offices and agricultural buildings to dwellings).	Amend Table 4.1 to include these categories of development.
			4.4.9 (P.34)	Should also refer to appeals against enforcement notices.	Amend paragraph 4.4.9 to refer to such appeals.
			4.3.3	Section referring to wind energy pre-apps should reflect the new Statutory Instruments tabled by Government that will eventually remove onshore wind projects from the Planning Act 2008. This honours the election pledge that local people would have a final say on wind farm planning applications	Amend Section 4.3.3 accordingly.
4	Strategic Planning Team	WLBC	Table 4.1/2.3	Reference should be made in the SCI to Local Development Orders (LDOs). This could be either in the planning policy section after the section on Development Briefs, or built into Table 4.1 which refers to types of planning applications.	Point noted. Since LDOs may be superseded at some point in the future, add in a paragraph after Table 4.1 to acknowledge the possibility of there being new initiatives through which planning permission may be obtained and which may require consultation (in line with government regulations). We will meet the minimum requirements set out by government regulations in such scenarios.
5	Gavin Rattray	Burscough Action Group	1.4 (3 rd sentence)	Change, “Local authorities have a duty to act fairly” to “local authorities have a legal duty to act fairly”	Agree in part. The fact that this is a duty in law is made clear in the subsequent section 1.5 which lists the Acts and Regulations that place legal duty upon Local Authorities in relation to public consultation. However paragraph 1.4 will be amended accordingly.

No.	Name	Organisation	Section	Comments	Response
Page 85			1.4 (general)	Add "Local authorities have a legal duty to provide a balanced case and also a duty not to omit material planning evidence."	We consider that this is alluded to in s. 1.4 which states: "Local Authorities have a duty to act fairly" and therefore not necessary to refer to this separately. (No change)
			1.4 (3 rd & 4 th para.)	These paragraphs are unnecessary and should be removed because they insult residents' intelligence, who of course understand that planning is a balance.	We consider that this section is a clear and concise explanation of the Planning System which may prove helpful to those who have no experience of planning procedures or principles. (No change)
			1.4 (2 nd sentence)	Change, "engagement with local communities and other stakeholders can increase public acceptability of developments" to "real meaningful consultation with local communities and other stakeholders can increase public support for developments."	Agree in part. Change first part of sentence to read "meaningful engagement with local communities..." Change final part of sentence to read: "increase public support for developments."
			1.4 (general)	Add "When local authorities consult they have a legal duty to ensure that the consultation is meaningful".	The legal requirements in relation to public consultation set out minimum standards for who should be consulted and at what stage of the planning process (which is referred to in s.1.5). This is to ensure consultation is meaningful. The Council follows these standards in its consultations. Given it is proposed to add the word "meaningful" above, it is not considered necessary to repeat it here. (No change)
			2.1.2 (general)	Add "Greenfield sites need to be subject to a sustainability appraisal if they are to undergo conversion/development to house building or employment land. Loss of jobs and the economic cost should be calculated and form a factor within the planning application; and whether or not the applicant has chosen to leave the land fallow or allowed ditches and hedges and farm buildings to deteriorate should not form part of the material factors. Instead the economic impact should be ascertained by comparing it with similar quality land in full production."	The impacts of developing land upon biodiversity (and other matters referred to in this representation) are taken into account by seeking specialist advice as part of the Planning Application process. It is not considered necessary to state these points in a generic document such as the SCI. (No change). Sustainability appraisal is not always required for planning applications on greenfield sites. The Local Plan, which may allocate greenfield sites for development, is subject to a sustainability appraisal. (No change).

No.	Name	Organisation	Section	Comments	Response
6	Colin Atkinson	Aughton Residents Group	4.4 Managing Development	Concerns about lack of consultation in relation to Local Plan designations and Planning Applications from developers. The current requirements / legislation set out the 'minimums' that have to be met during consultations / notifications. These requirements are totally inadequate when dealing with large proposed developments such as Parrs Lane. Hundreds if not thousands of residents would be affected, not just the residents who live in the direct vicinity of the land in question.	Para. 4.4.2 states that the level of consultation carried out for planning applications will be proportionate to the type and scale of planning applications being determined. The Council considers this to be the most appropriate course of action and the programme for consultation set out in the SCI reflects this. (No change)
			Para. 4.4.1 'Who will we consult?'		Representative bodies such as the Parish Council and Ward Councillors are notified of planning applications in their area. The 'community network' will be encouraged to disseminate information to other members of the community who may not have been aware of consultation exercises and planning issues that might affect them. Any other individuals or organisations are welcome to sign up to the weekly list of planning applications or can register to be notified of any applications within a given distance from their property.
			Para. 4.4.2 'How will we consult?'	When conducting such future consultations WLBC must ensure that the community at large are made aware by increasing the level of publicity and neighbour notifications currently employed. WLBC should vastly increase the use of postal notifications and possibly hold public meetings to enable all interested parties to have a say on what will directly affect them and completely alter the characteristics of the environment in which they live.	The Council's process for notifying the public of planning applications does in all cases meet and in some cases exceeds its statutory obligations. (No change)
7	Alexander Hazel	Environment Agency	Whole document	No comments.	Noted.
8	Mrs C A Cross	Wrightington Parish Council	Whole document	The Parish Council agree with the contents of the draft document and the means of consulting people on planning matters. The Parish Council believe that all avenues of communication on planning matters/issues should remain in place to ensure the continued roll out of planning information to rural and isolated areas, who may not have easy access to libraries, Council Offices or e-communications. Local organisations and community interest groups should also be kept in the loop on planning matters/issues in which they have expressed an interest earlier.	Comments noted. Comments noted. It is agreed that people in rural / isolated locations should be able to access planning information. The Council utilises a number of methods of communication – including paper and electronic. Local and community groups can register to join the Council's Planning Consultation database and can be kept informed of new planning documents or consultations by post or email. The weekly list of planning applications can also be viewed through the Council's website. (No change)

No.	Name	Organisation	Section	Comments	Response
9	Mrs Elizabeth-Anne Broad	Lathom South Parish Council	General comment	Table numbering in the draft SCI does not relate to the numbered paragraphs and this makes the draft unnecessarily complicated to read, quote and comment upon. Also, the draft treats both the Borough Council and the Government as plural subjects, whereas they are singular.	Change in part. Tables are numbered consecutively and are prefixed by the number of the section they are located within. They are also referred to directly in the text for clarity. There is one incidence of a table not being numbered – this will be amended. References to ‘Council’ will be amended to imply a singular entity.
			Table 2.2	This Parish Council welcomes the Borough Council’s commitment to improve consultation but doubts the value of using social media as a representative method of obtaining comments. Social media have the potential to generate uninformed bandwagons which are not necessarily indicative of local opinions.	Comments noted. Social media has not generally been used as a method of communication for planning matters to date and would only be done on a more regular basis in future with caution, and if considered appropriate. Comments received via social media will be noted but not necessarily treated as representative.
			1.3	“The Government have placed an ever-increasing emphasis on localism – to empower local communities to get involved in decision making. The Council also recognise that engagement with local communities and other ‘stakeholders’ can help in the planning process and increase public acceptability of developments.” - This general statement is welcomed.	Comments noted.
			1.4	The Town and County Planning (Local Planning) (England) Regulations 2012 (as amended) set out the minimum requirements for consultation on planning policy documents. Whilst the Borough Council must observe the minima, it may (and should be overtly prepared to) exceed them.	The Council have the flexibility to extend consultation beyond the minimum requirements where considered appropriate and in many cases the minimum standards are often exceeded (e.g. in preparing the 2012 Local Plan). The view is taken that decisions relating to the level of consultation undertaken by the Council should be taken on a case by case basis rather than being pre-determined by inclusion in the SCI – adherence to which is a legal requirement. (This comment also applies to several of the responses below.) (No change)

No.	Name	Organisation	Section	Comments	Response
Page 88			Table 2.1 (DPDs)	<p>This table sets out the legal requirements and shows that, at the preferred options stage, consultation and publicity are optional. It states: "If consulted upon, comments received will inform the preparation of the next [publication] stage". If the draft SCA is intended to improve community involvement, it should demonstrate the Borough Council's commitment. By stating, for such a fundamental document, only that it might decide to consult, the document fails to demonstrate such commitment.</p> <p>At stage 3 (public consultation on draft SPD), the only public notification methods that must occur are website, E-mail out, mail out and on deposit. The only groups to be notified are those who are on the database. This means that there is no automatic way of ensuring that as many residents as possible are given an opportunity to comment before the draft reaches its final stage; instead it depends upon an individual decision being made to go further. This is unsatisfactory.</p> <p>There ought also to be a minimum number of the optional methods to be met, in order for proper public notification to occur, and checks should be made to ensure that the organisations listed under Appendices A to D are included.</p>	<p>The preparation of planning documents is broken down in the Town and Country Planning (Local Planning) (England) Regulations 2012 into a number of statutory stages. It is not a legal requirement for DPDs to be consulted upon at 'preferred options' stage. However in most cases, this may well be considered beneficial – e.g. if a document is particularly complex and an early indication of consultees' views would be helpful for the development of the document. Consultation levels undertaken by the Council should be taken on a case by case basis rather than being pre-determined by inclusion in the SCI.</p> <p>Any individual resident or group is able to request to be added to the planning consultation database at any time, or do this themselves online. This ensures that they receive notifications of all planning policy consultations and have the opportunity to read the document and comment should they wish to. The database contains all statutory and general consultation bodies, including representative bodies such as Parish Councils, who are encouraged to disseminate information to those they represent.</p> <p>Circumstances, or the types of communities impacted by particular planning documents, may make it necessary for additional forms of public consultation to be employed. It is appropriate that this decision is made on a case by case basis rather than being pre-determined by inclusion in the SCI. (No change)</p>
	Table 2.2 (SPDs)	<p>This does not provide for the final SPD to be published before being considered for adoption. Although a feedback report is provided for, it is not the same to see piecemeal comments as to see the full, amended, document. This omission is a major weakness because it denies objectors to the final wording the opportunity to approach their elected representatives.</p>	<p>Noted. Whilst the Council is obliged to consider each comment received and make changes where appropriate in each case, the Regulations do not require the re-publication of a further draft. However if the Council judged that comments received or changes to Government policy necessitated substantial changes to the document, it may be considered appropriate to re-consult. (No change)</p>		

No.	Name	Organisation	Section	Comments	Response
Page 89				<p>This refers to stages of preparation, not consultation, and only one stage (draft) contains a commitment to particular forms of “notification/consultation” there can be no assurance that the people or groups notified will have had the opportunity to comment at the pre-draft stage. Many SPDs, like this one, are revised versions of earlier documents and so if consultation does not take place at the earliest opportunity, the chance is missed to find out what people object to, approve of, or miss from, the current document.</p> <p><u>Methods to be used as a minimum:</u></p>	<p>Comments received at draft stage will be considered on the same basis as those made at earlier stages. Any individuals or organisation is able to request to be added to the planning consultation database at any time. This ensures that they receive notifications of all planning policy consultations and have the opportunity to read the document and comment should they wish to. Pre-draft consultation may be undertaken if considered necessary. It is the view of the Council that this decision be made on a case by case basis rather than being pre-determined by inclusion in the SCI.</p>
			Tables 2.3 and 2.4	<p>Website. The Council’s website will contain a consultation page to provide information on recent, current and future consultations. This will include all the relevant documents, guidance on how to comment and comments forms (online and paper based). The Council may also publish the results of consultation exercises, including any feedback reports, on the website.”</p>	<p>It is usual practice to publish such reports, but the Council is not always bound to do so (this depends on the document in question). Consultation levels undertaken by the Council should be taken on a case by case basis rather than being pre-determined by inclusion in the SCI. (No change)</p>
			2.2.4	<p>The final sentence of this statement does not commit the Borough Council to publish results but in the interests of public engagement it should do. It would be an improvement for the document to be changed by removing “may” and replacing it with “will”.</p>	<p>The use of language reflects whether this is an action required under the 2012 Regulations. The Council reserves the right to use a flexible approach - choosing consultation methods which suit the circumstances. (No change)</p>
			2.4.1	<p>There is a weakness with the website, in that it does not mention planning policy on the home page. It should be listed on the home page and the link to that page should contain links to current consultations to show that the council wants people to be involved.</p> <p>The comments made above in respect of SPDs apply also to Development Briefs. However, the emphasis on localised</p>	<p>Comments noted. However, there is only space for three ‘sub-links’ from Planning on the Council website’s home page. The three links listed are more popular than ‘Planning Policy’, and thus the corporate decision has been made not to include planning policy on the homepage. (No change).</p> <p>The Council have the flexibility to extend consultation beyond the minimum requirements where considered</p>

No.	Name	Organisation	Section	Comments	Response
Page 90				consultation should be tempered to make provision for matters which have wider implications to be consulted on more widely. For example, provision for cycle tracks and public footpaths is likely to form part of a larger network and drainage proposals can affect flooding considerations downstream, rather than just in the local area.	appropriate and in many cases minimum standards are often exceeded (e.g. in preparing the 2012 Local Plan). The view is taken however, that decisions relating to the level of consultation undertaken by the Council should be taken on a case by case basis rather than being pre-determined by inclusion in the SCI – adherence to which is a legal requirement.
			4.3	<u>In relation to Pre-application engagement:</u> It is important to avoid creating the impression that applicants can buy a quick route to planning approval by paying an extra fee for advice. Such applications might advance more quickly as a result of proper preparation but they should not jump the queue. Otherwise, the Council will leave itself open to accusations of holding back applications which have not gone through the pre-application process and of revenue-raising, rather than regulatory control.	Agree in part, however we do not consider this is the overall impression created by the text relating to pre-application advice. The wording does not infer that this service is a way of ‘buying’ or ‘fast-tracking’ permission; instead it sets out the benefits of seeking advice early on. The fee reflects only administration / officer time spent in dealing with the enquiry. Agree to remove reference to “fast-tracking” – amend the final bullet point under 4.3.1 to read: “By identifying and addressing issues at pre-application stage, this can save time when an application is submitted and may result in a quicker decision”.
			4.3.3	<u>Consultation on pre-application enquiries:</u> This Parish Council would like to see this paragraph strengthened to include discussions with Parish Councils and Residents’ Associations, so that areas of potential conflict at the application stage could be avoided. Positive discussions at this stage have the potential to ensure that a development is integrated into the area and accepted by the local community.	Pre-application advice is treated as confidential due the potential for the commercial sensitivity of some information which may be shared. However as part of their response, planning officers may advise developers if they feel the proposals would benefit from a process of community involvement before a planning application is submitted. (No change)
			4.3.3	In order to strengthen the statement about discussions with neighbours, the following revisions to the wording are suggested: after ‘single dwellings’ insert a full stop. Begin the following sentence: ‘However, we emphasise with applicants/developers the benefits to be gained by discussing proposals with neighbours...’	Agree. Change wording to that suggested in the representation.

No.	Name	Organisation	Section	Comments	Response
Page 91			4.4.2	The Borough Council's interpretation of the terms 'neighbouring residents' and 'Parish Councils' has been a most contentious matter in recent years. It has not met the spirit of the term 'consulting widely' used in the opening statement of paragraph 4.4.1. Legislation sets out minimum requirements but does not limit notification and consultation arrangements to those minima.	Public consultation has to be balanced with the constraints of budget and staff resources. Individually addressed letters are an expensive method of consultation; therefore these are only sent to adjoining neighbours, as required in the Regulations. Electronic communications can be circulated much more widely and is much more cost-effective, therefore a weekly list of planning applications submitted is made available on the Council website and emailed to Local Councillors and amenity groups. People can request to be added to this distribution list. (No change)
			4.4.2	In a situation in which the Council is required to consult neighbouring authorities over proposals which affect their areas, it is nonsensical for officers to draw rigid boundaries between residents, and organisations which represent them, on either side of a Ward or Parish boundary in determining who should be consulted and who might be represented at Planning Committee meetings.	Electoral wards are the spatial units used to elect local Councillors and are fixed and only subject to periodic review. The Council's protocol allows representatives of a Parish Council to speak at Planning Committee in relation to developments within their ward. The protocol does not allow representatives of neighbouring Authorities to speak at Planning Committee. They are however able to submit written comments, these are reported to the Planning Committee and given due consideration in the decision making process. (No change)
			4.4.2	It is also nonsense to consult only neighbours who share a boundary with the application site when there are wider local planning issues at stake, such as road safety and neighbourhood character. It seems sensible to define "local amenity groups" by reference to the Appendices. With the current tendency to close local libraries it would seem sensible to attempt to find alternative locations for displaying the weekly list when a library is to be closed.	See earlier response (p4) in relation to public consultation: this should be taken on a case by case basis rather than being pre-determined by inclusion in the SCI. (No change) Agree. Make reference to the Appendices. Agree. This will be considered if and when this situation arises. Amend the SCI to acknowledge that existing library services may not be available indefinitely.
			4.4.4	This paragraph mixes the terms 'Case Officers' and 'Planning Officers' as though they are inter-changeable. Maybe it would improve the document to indicate that phone	Agree – refer to 'Case Officers' only to avoid potential confusion. The wording of the fifth paragraph under 4.4.4 will be amended to read: "The name and phone number of

No.	Name	Organisation	Section	Comments	Response
Page 92				<p>appointments with case officers can be made available, since it would often be unproductive to attempt to discuss a particular case with the planning officer who happens to answer the phone.</p> <p>It might be simpler just to refer to Appendix E after ‘...material planning applications’.</p>	<p>the case officer dealing with the application is available on the Council’s website and on notification letters. Telephone discussions may be held with the relevant case officer during office hours and meetings made by appointment”. It is considered a better approach to provide a summary outline at this point in the text, referring readers to the fuller explanation provided in the Appendix.</p>
			4.4.6	This section of the paragraph referring to the Case Officer’s Report belongs in 4.4.7.	A report is written by the case officer for delegated applications as well as for those going to Planning Committee, therefore this should not be moved to the section ‘Applications referred to Planning Committee’. (No change)
			4.4.6	Comments received are not currently ‘set out’, as they should be in the Planning Officer’s report but summarised, often to the detriment of the points that have been made. Where evidence supporting a particular point has been supplied it should be included. It is then open to the Planning Officer to comment on the validity of such evidence.	The expression ‘set out’ does not require that all comments be included in full. It is not practical for a Planning Officer to transcribe all responses to Planning Applications as written into the Report. Some applications receive hundreds of comments; therefore a summary is the only suitable method of reflecting these. Whether or not evidence is not directly referred to within the Officer’s Report is not an accurate reflection of the consideration given it by the officer. Decision makers (and the public) can view all comments made in full on the Council’s website. (No change)
			4.4.7	The statement excludes parties who object in writing and raise points which go beyond the concerns of immediate neighbours and those who do not feel that the Officers’ report covers the issues in a balanced way. It also excludes bodies which have borough-wide interests and consultees who wish to explain their comments. These exclusions are detrimental to the process and generate public suspicion and resentment.	The rules relating to Planning Committee are in place to ensure that these long and complex meetings are effectively managed and also to ensure that the process remains fair and avoids the risk of bias. (No change)

No.	Name	Organisation	Section	Comments	Response
Page 93			4.4.7	The paragraph fails to mention the current requirement to state in advance the matters that will be covered in a three-minute long speech which has yet to be written; this is highly questionable in terms of being a) required and b) reasonable.	The Council asks people who register to speak at Planning Committee to list the matters they wish to address. This is a reasonable approach as it is often not possible for all residents who register to speak to be allowed to address the Committee. Residents may only address the Committee at the Chair's discretion and where several people register to speak about the same topic, the Chair asks that a spokesperson be appointed. This prevents Committee meetings from potentially being too long and ensures that the Committee is able to deal with the whole agenda. (No change)
			4.4.6	It makes little sense to refer (note 7) to a temporary job title in a long term document. We suggest that the word 'interim' be deleted and 'or successor title' be added.	This reference was to reflect the position at the time the draft SCI was written. This final SCI will refer to the current post: Director of Development and Regeneration.
			4.4.7	Although Planning Committee reports are published five days before the meeting date, there can be late information and even later information published, even on the day of the meeting. Changes to conditions or deferrals might be added to the Officers' recommendations and this might operate to the disadvantage of speakers. It is in the interests of justice being done, and being seen to be done, that fundamental late recommendations should result in deferral to the next meeting.	The Council ensures that late information is published prior to the Planning Committee meeting. In cases where the submission of late information would fundamentally alter the officer recommendation, the item is deferred to allow consideration of the information. In many cases a deferral is not necessary as the late information results in only minor changes to the officer report or conditions. (No change)
			4.4.7	Groups (e.g. of residents) are asked to nominate one person to speak on their behalf. In the case of large and complex schemes if two objectors are heard they must avoid duplicating points made by other speakers..." It should be accepted that different groups might have different points to make but that the points might overlap between groups. It is not practicable for groups completely to avoid duplication and so the word 'must' should be changed to 'should try to'.	The rules relating to Planning Committee are in place to ensure that these long and complex meetings are effectively managed. The rules relating to duplication are important in order to ensure that speakers address different concerns so that a full picture of residents' concerns can be provided. Change 'must' to 'should'.

No.	Name	Organisation	Section	Comments	Response
Page 94			4.4.7	Also, although not mentioned in the draft, it is not in the interests of justice for people who have spoken at one meeting (only for the item to be deferred) to be denied the chance to speak again if significant changes in the Officers recommendations are made in the interim period.	Comments are noted by Committee even if the application is deferred. This will be considered as part of the planning balance by the Committee prior to a decision being made. If comments are made and an application is deferred and amended, either the concerns raised by the speaker have been addressed (in which case there is no need for them to speak again), or else they have not been addressed (in which case Committee will have heard the concerns and will know – through the Case Officer’s Report – that they have not been addressed).
			4.4.8	The Council publishes a weekly list of applications determined under delegated powers but it is not readily available on the website. It should be included in a readily accessible place.	Comments noted. However, there are only so many pages that can be made “readily accessible” on the Council website. Planning sits alongside other services, each of which has valid claims for being “readily accessible”. (No change)
			4.4.8	A post-meeting list of decisions of the Planning Committee is published on the day after the meeting but it takes three clicks to reach it from the Home Page (Planning entry). This situation could be improved significantly.	Comments noted. As above, there are many matters ‘vying for ready accessibility’ on the Council website. (No change)
			4.4.8	It is not practicable for people constantly to follow particular applications over a period that can remain live for several months. It should be possible for the Council at least to send E mail notifications (where possible) when cases which have been delayed significantly are approaching a decision, so that a) if required, further representations can be made and {subsequently} b) people are alerted to look on the website for the decision.	This generally applies to major applications which may be the subject of hundreds of comments. It is not considered practical to provide email notifications due to limitations on staff time. This may also be seen as unfair to those who are not contactable via email – postal correspondence would add a further burden of cost and time. (No change)
			7.2 (Table)	“Planning is a public process, and so we have to make names and comments publically available.” The correct spelling is ‘publicly’.	Agree – amend accordingly.

No.	Name	Organisation	Section	Comments	Response
Page 95			7.4	“The Council is required under the Freedom of Information Act (FOIA) 2000 to pass on certain information if requested by third parties or government departments unless the Act allows us to withhold that information.” The Freedom of Information Act forms a substantial part of the Government’s commitment to open government. It would be more pertinent to change ‘allows us’ to ‘requires us’.	The exemptions within the FOIA are enabling provisions. As such, even if an exemption did apply, it does not require the Council to apply it and the information could still be disclosed. (No change)
			7.4	Also In paragraph 7.4 there is a spurious letter i.	Amend paragraph 7.4 accordingly.
			Appendix C	Campaign for Rural England should be Campaign to Protect Rural England (CPRE)	Amend Appendix C accordingly.
			Appendix D	This Parish Council takes the view that the residents should be able to call upon the services of any residents’ or other associations which have a particular interest in the subject of an application. There is a particularly strong case for areas which are unparished, two of which cover more than 50% of the Borough’s population. However, Parish Councils have problems with the timing of some applications because the consultation period is shorter than the time to the next meeting. There are also sometimes cases in which all or most of the Parish Councillors have a conflict of interest. Local residents’ associations and some others listed in this Appendix and in Appendix C can perform a useful role for residents and also assist the process by combining the views of several individuals into a single representation. When this creates concern about the number of speakers it can be overcome by discussion and agreement between the parties, or ultimately the Chairman’s decision. The area covered by a Residents’ Association might extend into more than one Ward, especially where Wards are geographically small. That creates an anomaly when Parish Councils are restricted by Parish boundaries and when Ward	Residents or Parish Councils are able to seek advice from third parties and may submit comments on applications to the Council. Any such comments are given due consideration in the assessment of a planning application. The statutory consultation period is set down by legislation and adhered to by the Council. The Council has a duty to determine planning applications within a statutory time frame so would not be in a position to extend consultation periods for Parish Council as this would affect the performance figures of the Local Planning Authority. Local residents groups do not have the same status as Parish Councils as they are not democratically elected bodies therefore it is not considered appropriate that they should be afforded the same rights to speak at Planning Committee meetings. (No change) The Council’s protocol allows Ward Councillors to address Planning Committee about developments that are in their wards which should allow a suitable level of representation for local residents.

No.	Name	Organisation	Section	Comments	Response
				<p>Councillors are not allowed to speak about applications in neighbouring wards. This can be resolved quite easily by allowing for exceptions when application sites are close to Parish or Ward boundaries.</p> <p>Such a decision should not be influenced by the Council's planning officers, who have a professional interest in ensuring that their recommendations are followed. Again it is a matter of ensuring that justice is seen to be done.</p> <p>The appendices are useful additions to the document.</p>	<p>Whilst it would be possible to allow elected representatives to address Planning Committee about developments in other wards if they are close to the ward boundary, this would introduce discretion into the system and make it more difficult to ensure consistency when requests to speak are accepted or declined. The current system strikes a balance between allowing speakers and ensuring that Committee meetings are not too long and unwieldy. The ultimate decision whether to hear speakers remains with the Chair of Planning Committee and is not taken by professional officers. (No change)</p> <p>Comment noted.</p>
10	Clerk to the Council	Aughton Parish Council	Whole document 4.4.2	<p>Aughton Parish Council has read and noted the Draft Statement of Community Involvement, the contents of which appear to cover most areas of consultation with the local communities, businesses and other local organisations, including Parish Councils.</p> <p>Pre-application enquiries / non-validated planning applications / Prior Notification applications / certificate of lawfulness requests etc, should be notified via a weekly list to Parish Councils (to be kept out of the public domain until after the verification stage), similar to the list made available to all Borough Councillors. This request, if taken on board, would keep the Parish Councils, as Specific Consultation Bodies, better informed of 'what was happening' in each Parish rather than by finding out by default.</p>	<p>Comments noted.</p> <p>Pre-application advice is treated as confidential due the potential for the commercial sensitivity of some information which may be shared. However as part of their response, planning officers may advise developers if they feel the proposals would benefit from a process of community involvement before a planning application is submitted. Prior notification applications and certificate of lawfulness requests are already included on the weekly list. To distribute an additional weekly list of non-validated applications and pre-application enquiries is considered an onerous requirement. As stated above, pre-application enquiries are confidential. (No change)</p>

No.	Name	Organisation	Section	Comments	Response
11	Sandra Jones	Newburgh Parish Council	Whole document	Overall, Newburgh Parish Council is happy with the proposals in the draft Statement of Community Involvement and feels that the current system works well.	Comments noted.
			7.2	The Parish Council is pleased to note the efforts made by WLBC to communicate with all sections of the Borough, including those in rural areas and those who do not have the internet.	Comments noted.
			4.4.2	The Parish Council would like West Lancashire Borough Council to consider extending the notification of planning applications, not only to just adjoining neighbours but also to other neighbours within a certain distance as there will be occasions where those neighbours may also be affected by the application proposed.	Public consultation has to be balanced with the constraints of budget and staff resources. Individually addressed letters are an expensive method of consultation so these are only sent to adjoining neighbours, as required in the Regulations. However additional letters may be sent at the discretion of the planning officer. Electronic communications can be circulated much more widely and is much more cost-effective, therefore a weekly list of planning applications submitted is made available on the Council website and emailed to Local Councillors and amenity groups. (No change)
			4.4.2	The Council should consider other locations to hold hard copies of planning documents for residents to view other than libraries and council offices. Due to cuts at County Council level, it is likely that many local libraries will be closed and the end result may be that only Skelmersdale and Ormskirk libraries will be left open, which is also where the main Council offices are. Residents in rural areas with reducing bus services will find it harder and longer to get to these locations.	Noted. The possibility of alternative venues will be considered if and when this situation arises. Amend the SCI to acknowledge that existing Library services may not be available indefinitely.
12	Alan Hubbard	National Trust	Whole document	Generally the new draft SCI is appropriately drafted and its preparation, including the important up-dates, is welcomed and supported.	Noted.

No.	Name	Organisation	Section	Comments	Response
Page 98			2.0.1 Appendix C	<p>National Trust is surprised that it is not included in the General Consultee Bodies listed in Appendix C. As a result of its important ownership at Rufford Old Hall the Trust is an important part of the West Lancashire community employing a number of local people and many more volunteers as well as providing a significant tourism and leisure resource for the enjoyment of West Lancashire residents and employees as well as for visitors from further afield.</p> <p>More particularly the Trust has been a regular and consistent contributor to planning work in the Borough over the last 15 years in particular. This has included detailed responses to a range of Development Plan Documents as well as many associated documents such as SPDs, SHLAA work, Masterplans and CIL documents. In these circumstances the Trust would be grateful if you could amend the SCI to include National Trust as one of the specified General Consultation Bodies in Appendix C.</p> <p>Whilst the ability to be included on the Council's consultee database is helpful the text in the Draft SCI Review simply refers to it being the details of those "that wish to be kept informed of planning consultations", what it does not do is to confirm that those on the database will be consulted / notified on all occasions as per the fifth column of Tables 2.1 and 2.3. Although Statutorily some consultations, in particular on SPDs, are 'optional' it is likely that the consultee bodies themselves will be best placed to gauge which documents they wish to assess and respond to and which they do not need to comment upon. Especially as consultation by e-mail is now the norm an inclusive approach to consultation should not be burdensome and will ensure that relevant consultees are not mistakenly left out.</p>	<p>Noted – amend para 2.0.1 and Appendix C to include National Trust.</p> <p>Comments noted. People registering on the database are able to choose which subjects are of interest to them, or to select “All matters”. A body such as National Trust is likely to be consulted on every matter.</p> <p>Amend section 2.0.1 to specify that consultees on the Database will be contacted when the Council consults on planning documents.</p>

No.	Name	Organisation	Section	Comments	Response
13	Mr J Rothwell	Resident	2.1	Recommend in terms of consulting on documents such as the Local Plan, the best approach would be for Council officers to use their objective / unbiased opinions to prepare a draft plan for the Borough, and then to consult on this draft plan, rather than to ask for initial views on issues and what options to deal with the perceived issues. Consulting on such "initial" matters can lead to biased / non-objective comments being submitted by some groups.	We consider it advantageous to seek the community's / stakeholders' views on issues and on which option(s) is / are best, in order not avoid the possibility of Officers missing any significant facts, and to seek to gain community "ownership" from an early stage. Also the Regulations require us to carry out a "scoping" consultation at the outset. (No change)

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**Planning and Compulsory Purchase Act 2004 (as amended)
Town and Country Planning (Local Planning) (England) Regulations 2012**

**NOTICE OF ADOPTION OF WEST LANCASHIRE
STATEMENT OF COMMUNITY INVOLVEMENT**

**Notice is given that West Lancashire Borough Council adopted the
West Lancashire Statement of Community Involvement on 14 June 2016**

The West Lancashire Statement of Community Involvement supersedes and revokes the Statement of Community Involvement July 2007 and the West Lancashire Statement of Community Involvement Addendum January 2009.

- Title of Document:** West Lancashire Statement of Community Involvement
- Subject Matter:** The Statement of Community Involvement (SCI) sets out how the local planning authority will consult with the community, businesses, stakeholders and other organisations about the development of their area, and explains how people can engage with the planning system.
- Area covered by Document:** The SCI applies to the whole of West Lancashire.
- Adoption Date:** 14 June 2016
- Modifications to SCI:** See Appendix below for a schedule of changes made to the draft SCI following consultation undertaken February – March 2016.
- Availability of Documents:** The West Lancashire SCI and this Adoption Statement are available for inspection by following the link from: www.westlancs.gov.uk/planningpolicy and will be available at the locations on the following page during normal opening hours for a period of 3 months from 24 June 2016 – 24 September 2016. (Regulation 35)

Council offices

Opening hours	Mon	Tue	Wed	Thu	Fri	Sat	Sun
WLBC Offices, 52 Derby St, Ormskirk, L39 2DF	09:00 – 17:00				09:00 – 16:45	Closed	Closed
Contact centre, The Concourse, Skelmersdale	09:00 – 17:00				09:00 – 16:45	Closed	Closed

Libraries

Opening hours	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Ormskirk Library, Burscough St, Ormskirk, L39 2EN	09:00 - 19:00	09:00 - 17:00	09:00 - 17:00	09:00 - 17:00	09:00 - 19:00	09:00 - 16:00	Closed
Skelmersdale Library, Southway, Skelmersdale, WN8 6EL	09:00 - 19:00	09:00 - 17:00	09:00 - 17:00	09:00 - 19:00	09:00 - 17:00	09:00 - 16:00	Closed
Up Holland Library, Hall Green, Up Holland, WN8 0PB	9.30- 13:00; 14:00- 19:00	9:30- 13:00	Closed	9.30- 13:00 14:00- 17:00	9.30- 13:00; 14:00- 19:00	9.30- 12:30	Closed
Burscough Library, Mill Lane, Burscough, L40 5TJ	9.30- 12:30; 13:30- 18:00	9:30- 12:30; 13:30- 17:00	Closed	9.30- 12:30; 13.30- 17.00	9.30- 12:30; 13:30- 18:00	9.30- 12:30	Closed
Tarleton Library, Mark Square, Tarleton, PR4 6TU	09:30 - 19:00	09:30 - 17:00	Closed	09:30 - 17:00	09:30 - 19:00	09:30 - 13:00	Closed
Parbold Library, The Common, Parbold, WN8 7EA	9.00 - 18:00	9:00- 17:00	Closed	9:00- 17:00	9:00- 18:00	9:00- 12:30	Closed

Further information:

Further information or advice can be obtained by phoning 01695 585068 or by emailing localplan@westlancs.gov.uk

Appendix

Schedule of changes made to the West Lancashire SCI following public consultation undertaken February – March 2016

Additional inserted text is shown in blue and underlined. Deleted text is shown in ~~blue~~ and ~~struck through~~. Changes have been made either as a result of representations received on the SPD during the public consultation exercise, or in order to improve the clarity of the document.

Page	Change(s) to text	Reason for change
Front Cover	Draft West Lancashire Statement of Community Involvement 1 <u>June</u> 2016	To reflect updated document.
Front Cover	John Harrison, DipEnvP, MRTPI, Interim Director <u>of Development and Regeneration, Planning</u> West Lancashire Borough Council	To reflect changes to the Council's management structure.
1	The Council published its their original SCI in 2007, with an addendum produced to update it in 2009.	Amend wording to refer to the Council and the government as singular rather than plural entities.
1	This se new West Lancashire SCI, <u>adopted in June 2016</u> , will replace the 2007 SCI and its 2009 addendum.	
1	The government has ve placed an ever-increasing emphasis on localism... The Council also recognises <u>s</u> that <u>meaningful</u> engagement with local communities and other 'stakeholders' can help in the planning process and increase public acceptability of support for developments. In more general terms, local authorities have a <u>legal</u> duty to act fairly in the exercise of their functions.	To improve clarity, to refer to the Council and to the government as single entities, and to more accurately reflect national policy.
2	As an LPA, the Council needs <u>s</u> to balance the views of all sides in forming their decisions. The Council will clearly document how <u>decisions</u> they have <u>been</u> reached their decisions to demonstrate how all comments have been considered.	For clarity and to refer to the Council as a singular entity.
3	The Borough Council are <u>is</u> committed to fulfilling this Duty and, as a matter of practice, works <u>s</u> closely with neighbouring authorities and other partner organisations and stakeholders.	To refer to the Council as a singular entity.
5	The Council are <u>is</u> responsible for producing local planning policy which, along with national policy, is used to inform decisions in Development Management.	To refer to the Council as a singular entity.
5	The Council will maintain a database containing the contact details of individuals, groups and other bodies that wish to be kept informed of planning consultations. <u>Consultees are able to specify which subjects are of interest to them. Individuals and organisations on this database will be contacted by email or post when the Council consults on relevant planning policy documents and / or subjects.</u> The database will be administered in accordance with the provisions of the Data Protection Act, and will be regularly updated.	To state explicitly that people on the Council's consultation database will be contacted when consultation takes place on planning policy documents.

Page	Change(s) to text	Reason for change
10	Following each round of consultation, the Council will prepare a Feedback Report (or Consultation Statement), which will summarise the issues raised through the representations, how the Council hasve responded to them and what has been changed in the DPD as a result of the comments.	To refer to the Council as a singular entity.
12	The Council, however, are is required to determine whether an SPD requires SA / SEA, i.e. there is a need to 'screen'.	To refer to the Council as a singular entity.
13	Following each round of consultation, the Council will prepare a Feedback Report, which will summarise the issues raised through the representations, how the Council hasve responded to them and what has been changed in the SPD as a result of the comments.	To refer to the Council as a singular entity.
16	Availability of documents 'on deposit' at libraries and Council offices. The Council will make all documents and guidance available at libraries and Council offices. <u>Should library facilities be no longer available, alternative venues around the Borough will be considered and sought when the situation arises.</u>	To take into account the possibility of some libraries closing during the lifetime of the SCI.
16	Press releases may be issued to local newspapers to draw attention to policy documents. However, where releases are issued, the Council have has no control of over what the paper chooses to publish.	To refer to the Council as a singular entity.
17	The Council are is keen to engage with young people and schools provide one opportunity for this.	To refer to the Council as a singular entity.
18	[Footnote added: <u>⁵If, in future, library facilities are no longer available, consideration will be given to finding suitable alternative venues in which to make documents available</u>]	To provide flexibility for changing circumstances.
19	The Council hasve a statutory "Duty to Support" local groups in the preparation of Neighbourhood Plans.	To refer to the Council as a singular entity.
22	Consultation and publicity methods vary slightly with each stage of CIL preparation. The Table 3.2 below outlines the methods that are required at each stage, although further consultation or publicity methods may also be used. An explanation of the methods can be found in the preceding chapter.	To improve clarity and for consistency – other tables in the document are numbered.
23	Add heading: <u>Table 3.2 CIL preparation – consultation methods</u>	Table labelled for clarity.
23	Following the key rounds of consultation (Preliminary Draft Charging Schedule and Draft Charging Schedule), the Council will prepare a Feedback Report, which will summarise the issues raised through the representations, how the Council has have responded to them, and what has been changed to the Charging Schedule as a result of the comments.	To refer to the Council as a singular entity.

Page	Change(s) to text	Reason for change
26	An application received following proper and full pre-application engagement will be fast-tracked through to a decision. By identifying and addressing issues at pre-application stage, this can save time when an application is submitted and may result in a quicker decision.	To improve clarity with regard to the purpose of pre-application enquiries.
27	For wind energy development pre-application consultation with the local community is mandatory for all onshore wind development of more than two turbines or where the hub height of any turbine exceeds 15 metres. Changes were made in 2015 to the planning consent regime for onshore wind farms of over 50MW. Previously these applications were dealt with by the relevant Secretary of State under the development consent order (DCO) system, rather than by the local planning authority. Now, the consent of the Secretary of State is no longer required, which brings larger onshore wind projects back under local authority control.	To reflect changes to government policy.
27	The community consultation measures outlined above are not necessary for small scale applications e.g. house extensions or single dwellings. although However, we encourage <u>emphasise with</u> applicants/ developers to discuss proposals <u>the benefits to be gained by discussing proposals</u> with neighbours who may be affected by the development and taking account of their comments when drawing up the formal planning application.	For clarity.
29	A weekly list of all planning applications is sent to Councillors, Parish Councils, the local press, the Borough's libraries, the Citizen's Advice Bureau and local amenity groups <u>(listed within the Appendices)</u> . A copy of the list is also made available on the Council's web site. [Footnote added: <u>If, in future, library facilities are no longer available, consideration will be given to finding suitable alternative venues in which to make information available.</u>]	For clarity and to provide flexibility with regard to the possibility of changing circumstances.
31 (Table 4.1)	Prior approval applications: There are several types of proposal where the applicant must submit a prior approval application to the Council e.g. for demolition of some buildings, for some forms of telecommunications development, for agricultural buildings, for larger home extensions <u>and also change of use of certain buildings (e.g. offices and agricultural buildings to dwellings)</u> .	To reflect recent changes in government policy.
31	The types of application listed above are not intended to be exhaustive. There may be further initiatives through which planning permission may be obtained and which may require consultation in line with government Regulations [Footnote: For example, at the time of writing this SCI, Local Development Orders.] In such scenarios the Council will meet the minimum requirements for consultation, as set out by the relevant government Regulations.	For clarity and to reflect recent changes in government policy.
32	When submitting comments by email it is recommended that they are sent as an attachment in order to avoid publication of personal email addresses.	Grammar correction.

Page	Change(s) to text	Reason for change
32	The name and phone number of the Planning case Officer dealing with the application is available on the Council's website and on notification letters. Telephone discussions may be held with the relevant case officers during office hours, and meetings . Meetings with Case Officers may be made by appointment.	To aid clarity.
33	The application will then be determined under delegated powers by authorised officers of the Council. Some 90% of planning applications are determined in this way under the delegated powers of the Director of Development and Regeneration Assistant Director Planning . [Footnote: As from 1 February 2016, Interim Director Planning].	To reflect changes to the Council management structure.
33	If the application is to be decided by the Planning Committee comments received from consultees or the public will be set out in the Planning Officer's case officer's report.	For clarity.
34	In the case of large and complex schemes if two objectors are heard they must should avoid duplicating points made by other speakers. Each speaker has no more than three minutes.	Change made in response to a representation submitted.
34	A list of planning decisions is available on the Council's website. A copy of the case officer's report setting out the reasons for the decision will be available on the web site. The Council would advise s that interested parties check the status of the application on the web site as we no longer write to people who have commented on an application are no longer notified to advise them that a decision has been made.	For clarity.
34	If an application for planning permission is refused by the local planning authority, or it is granted with conditions, an appeal can be made to the Secretary of State against the refusal or the conditions attached. There is also a right of appeal if an application is not determined within a specific time and against the issuing of an Enforcement Notice .	For clarity.
37	Whilst the Council do s not have to directly consult with communities...	To refer to the Council as a singular entity.
39	The Council want s to make sure that communication is clear.	To refer to the Council as a singular entity.
39	[Add footnote: If, in future, library facilities are no longer available, consideration will be given to finding suitable alternative venues in which to make information available]	To provide flexibility with regard to the possibility of changing circumstances.
40	Planning is a public process, and so we have to make names and comments public al ly available.	Spelling correction
40	In keeping with the Council policies, consultation pro-formas and surveys will usually be accompanied by a non-compulsory 'Equality and Diversity' questionnaire. The Council request s that these be completed and returned along with any planning representations made.	To correct a typographical error, and to refer to the Borough Council as a singular entity.
41	If information i is passed on in response to a Freedom of Information request, any personal data would be removed from the said information before being passed on.	Spelling correction.
45 (Appendix C)	The National Trust	Addition of a general consultee.

Page	Change(s) to text	Reason for change
45 (Appendix C)	Campaign for to Protect Rural England	Correction of name of organisation
46 (Appendix E)	The Council also takes <u>s</u> into account any comments made which are in relation to 'material planning considerations'.	To refer to the Council as a singular entity.
46 (Appendix E)	To make decisions on planning applications, the Council needs <u>s</u> to ask whether the proposal would unacceptably affect amenities and existing use of land and buildings which should be protected in the public interest.	To refer to the Council as a singular entity.

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Equality Impact Assessment Form



Directorate: Development & Regeneration	Service: Planning policy
Completed by: Stephen Benge	Date: 29/4/15
Subject Title: West Lancashire Statement of Community Involvement	
1. DESCRIPTION	
Is a policy or strategy being produced or revised:	Yes
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
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:	Seeking approval for the adoption of a document that sets out the Council's standards for consultation when carrying out its various planning functions.
<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
<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>	
<p>If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups:</p> <p><i>You do not need to complete the rest of this form.</i></p>	

3. EVIDENCE COLLECTION	
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	<p>The document has the potential to impact on almost all stakeholders in, or with an interest in, the Borough.</p> <p>The new Statement of Community Involvement (SCI) sets out how the Council will engage with and consult stakeholders when carrying out its various planning functions, e.g. preparing planning policy documents, dealing with planning applications, Neighbourhood Planning. These different functions have the potential to impact a very wide range of stakeholders.</p> <p>The SCI will influence how such stakeholders are consulted on planning matters by setting out minimum standards that must be adhered to.</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)?	There should be no particular group affected more than others.
<p>Which of the protected characteristics are most relevant to the work being carried out?</p> <p>Age Gender Disability Race and Culture Sexual Orientation Religion or Belief Gender Reassignment Marriage and Civil Partnership Pregnancy and Maternity</p>	All of these protected characteristics are indirectly relevant to the work being carried out. The SCI sets out standards for consultation and seeks to ensure that people with any protected characteristic can engage equally easily in the planning process.
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?	Previous engagement with the 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 general planning policy.
What will the impact of the work being carried out be on usage / the stakeholders?	The document in question will replace an existing, older, SCI, but will continue with the same principles of meaningful engagement with all sections of the community. In that sense, the impact of the work should not be significantly different from previously, but it simply reflects changes to planning legislation that affect, for example, the number of stages of a document's preparation, or the procedure for development management.

<p>What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?</p>	<p>The document is not a 'service' as such.</p> <p>Looking back to the engagement carried out since the adoption (in 2007) of the previous SCI, it is evident that some customers have ended up being more satisfied than others. It would appear, however, that levels of satisfaction are most closely related to the outcome of the planning decision in question (e.g. permission being refused or granted for development that may affect their outlook or financial position), rather than to the nature of the consultation carried out.</p> <p>The SCI is concerned with consultation procedures, rather than planning decisions.</p>
<p>What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?</p>	<p>We have very little, if any, data on the impact of our consultation methods to date on people with various protected characteristics. We have included equalities monitoring forms alongside our comments forms when undertaking consultation exercises, but very few have been returned, and cannot be used to arrive at any statistically robust conclusions.</p>
<p>If any further data / consultation is needed and is to be gathered, please specify:</p>	<p>No further consultation is required on the document in question, i.e. the SCI.</p>
<p>5. IMPACT OF DECISIONS</p>	
<p>In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?</p>	<p>As previously stated, this new SCI is replacing an older, now out-of-date, SCI (out-of-date in terms of the planning legislation it refers to). The new SCI does not represent any significant change in approach to community engagement nor in seeking to facilitate the involvement in planning of people with protected characteristics.</p>
<p>6. CONSIDERING THE IMPACT</p>	
<p>If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).</p>	<p>We do not envisage any negative impact associated with the new SCI.</p>
<p>What actions do you plan to take to address any other issues above?</p>	<p>N/A</p>

7. MONITORING AND REVIEWING

When will this assessment be reviewed and who will review it?

It is anticipated that the new SCI, once adopted, will not need reviewing for several years, unless there is a major change in government legislation relating to community engagement or planning procedures.

Equalities monitoring questionnaires will continue to be used in tandem with consultations on planning policy documents to monitor how well different sections of the community and other stakeholders are being engaged.



AGENDA ITEM: **7(d)**

CABINET:
14 June 2016

Report of: Director of Development and Regeneration

Relevant Portfolio Holder: Councillor J Hodson

Contact for further information: Mr S Benge extn. 5274
(Email Stephen.benge@westlancs.gov.uk)

SUBJECT: PROVISION FOR TRAVELLER SITES DEVELOPMENT PLAN DOCUMENT

Wards affected: Borough Wide

1.0 PURPOSE OF THE REPORT

1.1 To seek Cabinet's approval for suspending preparation of the Provision for Traveller Sites Development Plan Document as attached at Appendix A to this report.

2.0 RECOMMENDATION

2.1 That the preparation of the Provision for Traveller Sites Development Plan Document ('Traveller Sites DPD') be suspended, and that it be noted that the issue of Traveller site allocations will instead be dealt with as part of the future review of the Local Plan.

3.0 BACKGROUND

3.1 The West Lancashire Local Plan 2012-2027 was adopted by Council in October 2013. Earlier drafts of this Local Plan contained a policy (Policy RS4) on Gypsies and Travellers and Travelling Showpeople (referred to collectively hereafter as 'Travellers'). During the Local Plan Examination in early 2013, the Local Plan Inspector advised that he could not find Policy RS4 sound, as it did not meet the national policy requirement to allocate specific deliverable sites to provide a five year supply of land to meet Traveller accommodation needs. The Inspector

recommended that Policy RS4 be deleted from the Local Plan, and that the Council commit to preparing a separate Development Plan Document (DPD) to allocate sufficient deliverable sites to meet Traveller accommodation needs over the Local Plan period.

- 3.2 Acting upon the Local Plan Inspector's recommendation, the Council agreed to prepare a Traveller Sites DPD. The DPD was to comprise the following elements:
- a) A statement of objectively assessed Traveller accommodation needs;
 - b) A criteria-based policy against which planning applications for Traveller sites can be assessed (these criteria would also be applicable to enforcement and appeal cases); and
 - c) Site-specific allocations for Gypsies and Travellers, and for Travelling Showpeople.
- 3.3 In terms of (a), the Borough Council participated in a joint Gypsy and Traveller Accommodation Assessment (GTAA) with the five Merseyside local authorities. This Merseyside and West Lancashire GTAA (August 2014) concludes that the need for new Traveller accommodation in West Lancashire, additional to that which already has permission, is as follows:
- 14 pitches on permanent Gypsy and Traveller sites by 2018, rising to 17 pitches by 2023, 20 pitches by 2028, and 22 pitches by 2033;
 - 4 transit pitches; and
 - 1 yard for Travelling Showpeople with at least 1 residential plot.
- 3.4 In terms of (b), the Options and Preferred Options Traveller Sites DPD contained a criteria-based policy (policy GT1), based upon the government's Planning Policy for Traveller Sites document (PPTS, August 2015), but tailored to local circumstances. In developing the criteria, regard was had to advice set out in the government document, 'Designing Gypsy and Traveller Sites - Good Practice Guide', although, as this document was cancelled in 2015, less weight has been attached to it.
- 3.5 In terms of (c), the Council has undertaken as robust a search for sites as possible, the intention being to assemble a 'pool' of sites, from which to shortlist the most deliverable sites for allocation to meet local Traveller accommodation needs ('deliverable' defined in national policy as meaning available, suitable, and achievable). Paragraphs 3.8 – 3.10 below summarise the site search process and outcomes.
- 3.6 In preparing DPDs, the Council is bound by the 'Duty to Co-operate', set out in the Localism Act and the National Planning Policy Framework. The Council has co-operated, and will continue to co-operate, with neighbouring local authorities and other relevant organisations ('Prescribed Bodies') throughout the preparation of the Traveller Sites DPD. The Consultation Report and Duty to Co-operate Statement appended to this report (Appendix D) summarises the interaction between this Council, Prescribed Bodies and neighbouring authorities.

- 3.7 The Traveller Sites DPD, so far as it has progressed, has been subject to Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA). The SA and HRA reports have been taken into account in preparing the Traveller Sites DPD, and are appended to this report (Appendices B and C).

The search for potential Traveller sites

- 3.8 In searching for potential sites for allocation to meet Traveller accommodation needs, the following sources of site were explored from 2013 onwards:

- (i) Sites known to the Council on account of their Traveller-related planning history, including sites subject to enforcement action;
- (ii) Sites put forward by landowners (private or public), Travellers, and / or other stakeholders in two ‘Call for Sites’ exercises held in 2013 and 2015;
- (iii) Direct approaches to owners of sites in the Council’s Strategic Housing Land Availability Assessment (SHLAA) in 2013 and 2015, asking whether the owners would be willing for their land to be considered as Traveller sites;
- (iv) Engagement with a number of other landowners in areas of Traveller need, to ascertain whether they were willing for any of their land to be considered as a Traveller site;
- (v) Approaches to owners / agents / developers of allocated residential sites, or safeguarded sites in the West Lancashire Local Plan 2012-2027, enquiring as to the possibility of part of any site being set aside for Traveller accommodation;
- (vi) Liaison with the WLBC Economic Regeneration team to investigate the possibility of any land on industrial estates being considered for Travellers (in particular, transit sites);
- (vii) Discussions with the Lancashire County Council Estates and WLBC Estates teams to enquire as to the availability and suitability of any Council-owned land being released for Traveller accommodation.
- (viii) Approaches to neighbouring local authorities under the Duty to Co-operate, to enquire whether they have any land or sites that could contribute towards meeting West Lancashire’s Traveller accommodation needs.

- 3.9 Elements (iv) – (viii) above yielded no potential Traveller sites. Elements (i) – (iii) initially yielded twenty sites. However, at the time of preparing the Options and Preferred Options version of the Traveller Sites DPD (autumn 2015), owners of eleven of the twenty sites had indicated that they were not in fact willing for their land to be considered as a potential Traveller site allocation. Of the nine remaining sites, two were located in Flood Zone 3, in which permanent residential use of static caravans is not permitted by national policy; consequently, these sites were also ruled out, leaving just seven sites.

- 3.10 The seven sites considered ‘available’ for Traveller development are as follows:

No.	Site name / address	Source
3	Land adjacent to ‘The Poppys’ (sic), Sugar Stubbs Lane, Banks	Site subject to Traveller-related planning applications.

6	Land west of The Quays, Burscough	Site with planning permission for Travelling Showpeople accommodation.
8	Pool Hey Caravan Park, Pool Hey Lane, Scarisbrick	Site occupied by Travellers.
14	White Moss Road South (B), Skelmersdale	Site submitted in 2015 Call for Sites exercise.
16	Land at Blackacre Lane, Ormskirk	Site submitted in 2013 Call for Sites exercise.
17	Land south of Butcher's Lane, Aughton	SHLAA site whose owner expressed willingness for the site to be considered as a potential Traveller site.
18	Land east of Brookfield Lane, Aughton	SHLAA site whose owner expressed willingness for the site to be considered as a potential Traveller site.

3.11 In preparing the Options and Preferred Options Traveller Sites DPD, the above seven sites were analysed for deliverability. It was concluded that only three sites were deliverable, namely:

- Land at Sugar Stubbs Lane, North Meols, currently occupied by Travellers, and with permission for one caravan. This site was considered a suitable site for permanent Traveller accommodation (3 pitches);
- Pool Hey Caravan Park, Pool Hey Lane, Scarisbrick, currently occupied by Travellers. This site was also considered suitable for permanent Traveller accommodation (5 pitches); and
- Land west of The Quays, Burscough, currently with permission for 10 Travelling Showpeople plots, considered suitable as a Travelling Showpeople site (10 plots).

3.12 The above three sites were chosen as preferred options in the Options and Preferred Options Traveller Sites DPD, which was subject to public consultation from 3 December 2015 – 25 January 2016.

3.13 Representations on the draft DPD were received from 21 different stakeholders (individuals, statutory consultees, agents for Travellers, etc.). The representations received, and the Council's response to them, are set out in the Schedule of Representations and Responses (Appendix D to this report). The most significant points made by respondents are as follows:

- Site 3 (proposed permanent Traveller site allocation at Sugar Stubbs Lane, Banks) has been redesignated by the Environment Agency as being in Flood Zone 3, and therefore under national planning policy should not be allocated as a Traveller site;
- The owner and occupier of Site 6 (proposed Travelling Showpeople site allocation at Burscough) has stated he is opposed to the site's proposed allocation;
- Both opposition and support were expressed in relation to Site 8 (proposed permanent Traveller site allocation at Pool Hey Lane, Scarisbrick). Network

Rail stated they have no objection to the site being made permanent as long as there is no increase in the type and / or volume of usage at the site;

- Concern was expressed by two neighbouring authorities and by one agent acting for Travellers that the document did not propose meeting identified Traveller accommodation needs in full, and the impact this may have on Travellers, and on neighbouring Local Authorities. The Agent advised that it may be necessary to 'reassess sites put forward and compromise on selection' in the light of the likely shortfall in meeting Traveller accommodation needs.

3.14 Since the consultation on the Options and Preferred Options Traveller Sites DPD, the Council has contacted neighbouring authorities once again to ask whether there was any change in circumstances with regard to these authorities' ability to contribute towards meeting West Lancashire Borough's unmet Traveller accommodation needs. The neighbouring authorities have all confirmed that they remain unable to help meet this Borough's Traveller needs.

4.0 CURRENT POSITION AND ISSUES

4.1 In the light of the representations made regarding the Options and Preferred Options Traveller Sites DPD, a number of changes were made to the Traveller sites policy, and to the proposed site allocations. The changes agreed by the Council are described in the Schedule of Representations and Responses (Appendix D). The most significant amendment in terms of proposed Traveller site allocations would have been the removal of Site 3 (Sugar Stubbs Lane, Banks).

4.2 As a result of the removal of Site 3, and given no new sites have come forward since the consultation on the Options and Preferred Options DPD, the Traveller Sites DPD: Publication version ('Publication Traveller Sites DPD') that has been drafted was to propose only two sites for allocation:

- Site 6: Land west of The Quays, Burscough, as a Travelling Showpeople site. This site was to remain as a proposed site allocation, given its existing use and planning permission as a Travelling Showpeople yard. However, the fact that the site owner has expressed opposition to the site's proposed allocation is an important consideration.
- Site 8: Pool Hey Caravan Park, Pool Hey Lane, Scarisbrick, for permanent Traveller accommodation.

4.3 Therefore, of the identified Traveller accommodation needs, the proposed site allocations would have provided only 5 Gypsy and Traveller pitches. (The proposed Travelling Showpeople allocation at Burscough does not meet the identified Travelling Showpeople need, which is over and above any existing consented provision.) There would be an unmet need of 9 pitches to 2018, rising to 17 by 2033 on permanent Gypsy and Traveller sites, 4 transit pitches, and one Travelling Showpeople yard with at least one residential plot. Therefore, the Publication Traveller Sites DPD that has been drafted has a greater deficit in terms of meeting identified Traveller accommodation needs than the Options and Preferred Options Traveller Sites DPD. In addition, the owner and current

occupier of Site 6 has expressed his opposition to the site being allocated as a Travelling Showpeople site and is of the opinion that the Council should identify another site to accommodate the Travelling Showpeople currently occupying Site 6, as well as their equipment.

- 4.4 With regard to not meeting identified Traveller accommodation needs in full, the report to Cabinet in November 2015 advised (paragraph 5.18) that:
- There is no policy requirement to meet need at any cost;
 - If the Council is unable to identify sufficient deliverable sites (defined as sites that are available, suitable, achievable, and viable for the intended use) or if environmental constraints (i.e. harm to the Green Belt and other possible elements of harm) are such that need cannot be met in West Lancashire, then that position could be justified;
 - In seeking to show that the balance fell against meeting the need, the Council would have to demonstrate that its search for sites had been rigorous (and that in respect of candidate sites, harm was such that an allocation was not acceptable).
- 4.5 The Publication Traveller Sites DPD that has been drafted explains that the Council has undertaken a rigorous search for sites, and concludes that the harm associated with the allocation of sites 16, 17 and 18 would be such that an allocation is not considered acceptable. The Council's position in proposing not to meet Traveller accommodation needs in full could therefore be considered justified. However, I am not aware of any other Traveller Sites DPD (or Traveller site allocation policy forming part of a post-NPPF / post-PPTS Local Plan) that has been submitted for examination in which it is proposed not to meet needs in full. Therefore, whilst it is considered the Council's position is justified, progressing the Traveller Sites DPD to Publication and Submission / Examination stages is akin to entering uncharted waters, and the outcome is not certain.
- 4.6 As such, in deciding whether or not to approve the Publication Traveller Sites DPD for consultation (and subsequent submission to central government), it is necessary for Cabinet to weigh up the desirability of progressing this document (in accordance with national policy, the recommendations of the Local Plan Inspector in 2013, and the Council's commitment in its Local Development Scheme to prepare the DPD) against the risk of the document potentially being found unsound at examination. If the DPD is found "not sound", the Council may be asked to reconsider the 'available but unselected' sites (i.e. Sites 16, 17 and 18 listed in paragraph 5.10 above), and / or may be asked to identify additional sites to meet Traveller needs, or, at worst, may be required to recommence the preparation of the DPD.
- 4.7 If the Traveller Sites DPD were not to be progressed at this point, the need to identify and allocate sites to meet Traveller accommodation remains. Barring the unlikely prospect of appropriate deliverable sites coming forward to meet identified Traveller accommodation needs in the Borough, it is probable that the next opportunity to identify and work towards allocating sites would be as part of the Local Plan Review process, likely to take place 2017-2020. This work is more likely to yield deliverable sites than the work undertaken so far on the Traveller Sites DPD, as the Council will be able to take a more comprehensive

approach towards allocating land for development, combining proposed Traveller sites with sites for other uses such as housing, thereby giving landowners greater incentive to agree to their land being used to help meet Traveller accommodation needs. Until such time as a Traveller site allocations DPD (or Local Plan incorporating Traveller sites) is well-advanced, there is a possibility that the Council may be vulnerable to further unauthorised encampments and / or occupation of sites, and it is possible there would be a reduced prospect of success in taking enforcement action against such activity, including cases where (retrospective) planning applications for Traveller accommodation had been refused. There is also a greater risk of the Council not being able to successfully defend Traveller-related planning appeals. However, these risks will apply whatever action the Council takes given that the Draft Traveller Sites DPD, if adopted, would not meet all the Borough's identified need. I also think it worth noting, when considering risk, that since the adoption of the West Lancashire Local Plan in October 2013, there have been no new unauthorised encampments in the Borough (excluding the 'roadside' type of encampments, typically lasting only a few days).

- 4.8 Given the severe shortfall in deliverable sites to meet Traveller needs, there is a significant likelihood the Traveller Sites DPD would be found unsound, were it to be submitted for examination. Rather than incurring unnecessary expenditure on a failed examination, it would, in my view, be preferable to suspend the preparation of the Travellers Sites DPD and to address the issue of Traveller site provision as the Local Plan is reviewed.

5.0 NEXT STEPS

- 5.1 If Cabinet were to accept the recommendation at 2.1 above, work on the Travellers DPD will stop, and a fresh consideration of how best to meet the needs of Travellers will be undertaken as part of the next review of the Local Plan.
- 5.2 However, if Cabinet wished to proceed with the matter and subsequently approved the Traveller Sites DPD for public consultation, this would take place for 8 weeks between Thursday 7 July and Thursday 1 September 2016.
- 5.3 Following the public consultation, the Publication version of the Traveller Sites DPD, together with the formal representations received, would be considered by Council. It is possible (depending on the nature of the representations made during the consultation) that Council would be asked in October to approve the DPD for submission to the Secretary of State for an Examination in Public. Once submitted, the Traveller Sites DPD would then be examined by a Planning Inspector.
- 5.4 If the Inspector were to find the DPD "sound" (i.e. that it has been prepared in a manner compliant with the relevant legislation and regulations, and that it is justified, effective, positively prepared, and consistent with national policy), the Traveller Sites DPD can be brought back to Council for adoption. If the DPD is found "not sound", the Council may be asked to reconsider the "available but unselected" sites (i.e. Sites 16, 17 and 18 listed in paragraph 5.10 above), and / or may be asked to identify additional sites to meet Traveller needs, or, at worst, may be required to recommence the preparation of the DPD.

6.0 SUSTAINABILITY IMPLICATIONS / COMMUNITY STRATEGY

6.1 The purpose of the Traveller Sites DPD is to facilitate the allocation of land for Traveller sites and to provide local planning policy to guide local decision-making on applications related to Gypsies, Travellers and Travelling Showpeople. By allocating land for these groups, the DPD will help meet two objectives of the Sustainable Community Strategy:

- To improve health outcomes, promote social wellbeing for communities and reduce health inequalities for everyone (improved health for all)
- To provide more appropriate and affordable housing to meet the needs of local people (affordable housing)

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

7.1 The preparation of the Preferred Options for the Traveller Sites DPD has been resourced through the Planning Service's revenue budgets. The Publication stage would also be resourced through the Planning Service's revenue budgets. However, the Examination in Public would be resourced separately using a specific revenue budget previously established for this purpose.

7.2 However, if recommendation 2.1 above is agreed by Cabinet, there will be no further expenditure on the Travellers DPD and any future work on preparing policy and site allocations for Travellers will be incorporated within that for the next review of the Local Plan.

8.0 RISK ASSESSMENT

8.1 The West Lancashire Local Plan 2012-2027 was found sound in relation to the provision of Traveller sites only because the Council committed to preparing a separate DPD on the matter, the purpose of the DPD being to comply with national policy by allocating specific deliverable sites for Traveller accommodation. This commitment was set out and published in the Council's Local Development Scheme. Were the Council not to proceed with the Traveller Sites DPD, regardless of whether this course of action were subject to challenge on the basis that the Council had failed to ensure adequate provision, the matter would have implications for the next review of the Local Plan, which would need to address the complicated and potentially controversial matter of meeting Traveller accommodation needs in full.

8.2 Conversely, were the Council to continue preparation of the Traveller Sites DPD, the risks of submitting a document that falls significantly short of meeting identified Traveller accommodation needs in full have been set out above. It is quite possible (however justified the Council may feel in their approach to the Traveller Sites DPD and site assessments) that the DPD may be found unsound at Examination or that alternative sites might be forced upon the Council in order to make the DPD sound. Furthermore, even if the DPD as it currently stands

were to be taken forward, found sound and adopted, the need to provide additional Traveller accommodation as part of the next review of the Local Plan would remain, given the shortfall in meeting identified needs in the current DPD.

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

Appendices

- Appendix A – Provision for Traveller Sites DPD: Publication Version
- Appendix B – Sustainability Appraisal Report
- Appendix C – Habitats Regulations Assessment
- Appendix D – Schedule of Representations and Responses
- Appendix E – Equality Impact Assessment

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Provision for Traveller Sites Development Plan Document Publication

June 2016

John Harrison, DipEnvP, MRTPI
Director of Development and Regeneration
West Lancashire Borough Council



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Preface

This Provision for Traveller Sites (Publication) Development Plan Document is the final draft of a site allocations document for Gypsy and Traveller and / or Travelling Showpeople sites in West Lancashire. It sets out the objectively-assessed need for Traveller accommodation in West Lancashire, a policy against which planning applications for Traveller sites can be assessed, and sites proposed for allocation to help address the accommodation needs of Travellers.

The Council consulted on options and preferred options for Traveller sites during December 2015 and January 2016; comments received during this consultation exercise have been taken into account in preparing this 'Publication version' of the DPD.

Consultation on this document will run for eight weeks, from Thursday 7 July 2016 – Thursday 1 September 2016. Chapter 5 of this document sets out how comments can be made.

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1 Introduction

The Need for a Traveller Sites DPD

- 1.1 The West Lancashire Local Plan 2012-2027 was adopted by West Lancashire Borough Council on 16 October 2013. Earlier versions of this Local Plan (i.e. Preferred Options, January 2012, and Publication, August 2012) contained a policy on Gypsies and Travellers and Travelling Showpeople (referred to hereafter in the general sense as 'Travellers'). This policy, Policy RS4, was a criteria-based policy whose purpose was to direct Traveller development to the most appropriate places in the Borough, and to provide a means by which planning applications or enforcement cases relating to Traveller development could be judged.
- 1.2 At the Local Plan Examination in early 2013, the Local Plan Inspector advised that he could not find Policy RS4 sound, as it did not meet the national policy requirement, as set out in the government's Planning Policy for Traveller Sites (PPTS, published March 2012), to allocate specific deliverable sites to provide a five year supply of land to meet Traveller accommodation needs. In order that the West Lancashire Local Plan as a whole could be found sound, the Inspector recommended that Policy RS4 be deleted in its entirety from the Local Plan, and that the Council commit to preparing a separate Development Plan Document (DPD) to allocate sufficient deliverable sites to meet Traveller accommodation needs over the Local Plan period. West Lancashire Borough Council ('the Council') is acting upon the Local Plan Inspector's recommendation by preparing this Provision for Traveller Sites DPD.
- 1.3 This document comprises the 'Publication' version of the West Lancashire Provision for Traveller Sites DPD (referred to hereafter as the 'Traveller Sites DPD'). It contains the following elements:
 - A statement of objectively-assessed Traveller accommodation needs;
 - A criteria-based policy against which planning applications for Traveller sites can be assessed (these criteria would also be applicable in enforcement and appeal cases);
 - Proposed site-specific allocations for Gypsies and Travellers, and for Travelling Showpeople.
- 1.4 This Provision for Traveller Sites DPD supersedes the saved Policy DE4 of the West Lancashire Replacement Local Plan 2006 (WLRLP).

Terminology

- 1.5 This Traveller Sites DPD uses various terms to describe the travelling community, as set out below. The term “Gypsies and Travellers” is defined in the government’s Planning Policy for Traveller Sites (PPTS) document (first published March 2012, revised August 2015) as follows:

Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of Travelling Showpeople or circus people travelling together as such.

- 1.6 Similarly, PPTS defines Travelling Showpeople as:

Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family’s or dependants’ more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above.

- 1.7 The above definition of Gypsies and Travellers and Travelling Showpeople in PPTS has been changed from the 2012 PPTS definition to exclude people who have ceased to travel permanently. PPTS Annex 1, paragraph 2, advises that in determining whether persons are “Gypsies and Travellers” for the purposes of planning policy, consideration should be given to the following issues amongst other relevant matters:

- a) whether the persons previously led a nomadic habit of life
- b) the reasons for ceasing their nomadic habit of life
- c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.

- 1.8 The government has indicated that there are no plans to publish guidance on whether a person meets the revised planning definition of a “Gypsy and Traveller”, and that this is a matter for local planning authorities to determine.

- 1.9 For the purposes of this DPD, the general term “Travellers” refers to all groups of Gypsies and Travellers, and Travelling Showpeople.

- 1.10 The term “pitch” is used to denote a pitch on a Gypsy and Traveller site, whilst “plot” means a pitch on a Travelling Showpeople site (also often called a “yard”). This terminology differentiates between residential pitches for Gypsies and Travellers and mixed-use plots for Travelling Showpeople. Gypsy and Traveller pitches should be of a suitable size to accommodate both a static and a touring caravan, plus any associated vehicle(s), and a small amenity building. Travelling Showpeople plots tend to be larger, requiring extra space or to be split to allow for the storage of fairground equipment.

- 1.11 A ‘permanent’ site means a site on which a family or group of Travellers is based, from which they travel. Typically, the Travellers would stay in a static caravan on the site, and use a touring caravan when travelling away. A ‘transit’ site means a site on which different families or groups of Travellers can stay, usually for a few days, whilst passing through the Borough on their way to other destinations or choosing to occasionally visit the area for short periods.

Site Assembly Process

- 1.12 In preparing this Traveller sites DPD, the Borough Council has endeavoured to compile as comprehensive a list of potential 'candidate' Traveller sites as possible, from which to select preferred sites, investigating all reasonable sources of potential Traveller sites. The site assembly process is summarised below, and is set out in more detail in the separate Site Assembly and Site Assessment Report.
- 1.13 The following sources were investigated in order to compile a list of candidate sites for consideration as potential Traveller sites:
- Sites known to the Council by virtue of their Traveller-related planning history, e.g. planning applications, planning appeals, occupation by Travellers, and / or enforcement action;
 - Two "Call for Sites" exercises, carried out in autumn 2013 and summer 2015 respectively;
 - Two rounds of letters to owners of sites in the Council's Strategic Housing Land Availability Assessment, asking whether the owners would be willing to consider Traveller accommodation on all or part of their land;
 - Correspondence with owners / developers of, or agents for, sites allocated for housing, and for safeguarded land in the West Lancashire Local Plan 2012-2027, asking whether they would consider part of the land being set aside for Traveller accommodation;
 - Discussions with other private landowners in the Borough
 - Enquiries to Lancashire County Council (LCC) Estates Department as to the availability of any LCC land in West Lancashire which could be released or sold as a potential Traveller site;
 - Discussions with the West Lancashire Borough Council Regeneration and Estates Team as to the existence or availability of any employment land (redundant or otherwise), or any land in the Borough Council's ownership that could be released or set aside as a potential Traveller site;
 - Requests to neighbouring local authorities to help meet West Lancashire's accommodation needs within their Borough boundaries (see the 'Duty to Co-Operate' section below).

Legal Compliance in the Preparation of Traveller Sites DPD

- 1.14 In order that the preparation of this Traveller sites DPD be legally compliant, regard must be had to national planning policy, the Town and Country Planning (Local Planning) (England) Regulations 2012, the West Lancashire Sustainable Community Strategy, and the Council's Local Development Scheme and Statement of Community Involvement. These are addressed in turn below.

National Planning Policy

- 1.15 National planning policy is set out in the government's National Planning Policy Framework (NPPF), published March 2012. Sustainable development is to be seen as a 'golden thread' running through the NPPF, with paragraph 14 setting out a presumption in favour of sustainable development.
- 1.16 National policy with specific regard to provision for Traveller accommodation is set out in the document Planning Policy for Traveller Sites, first published in March 2012 alongside the NPPF. Three Ministerial Statements were issued subsequently (July 2013, January 2014, March 2015), covering the issue of proposed Traveller sites in the Green Belt, matters of enforcement, and revoking a number of older guidance documents. In September 2014, the government consulted on proposed changes to national planning policy for Travellers, including a proposal to amend the definition of the term "Traveller".
- 1.17 Following the Ministerial Statements and the 2014 consultation on proposed changes to national planning policy, the government published a revised Planning Policy for Traveller Sites in August 2015 (referred to hereafter as 'PPTS 2015'). A summary of the key requirements of PPTS 2015 with regard to plan preparation (set out in Policies B-G, paragraphs 8-13), in relation to the circumstances of West Lancashire Borough, is set out below:
- (i) Local planning authorities (LPAs) should set pitch and plot targets for Travellers which address the likely permanent and transit site accommodation needs of Travellers in their area, working collaboratively with neighbouring LPAs.
 - (ii) LPAs should identify and update annually, a supply of deliverable sites sufficient to provide five years' worth of sites against their locally set targets. PPTS 2015 paragraph 10(a) footnote 4 defines "deliverable" as available now, offering a suitable location for development, and achievable with a realistic prospect that development will be delivered on the site within five years.
 - (iii) LPAs should identify a supply of specific, developable sites, or broad locations for growth, for six to ten years time, and, where possible, for eleven to fifteen years' time. "Developable" is defined (PPTS 2015 paragraph 10(b), footnote 5) as being in a suitable location for Traveller site development and having a reasonable prospect that the site is available and could viably be developed at the point envisaged.
 - (iv) LPAs should relate the number of pitches or plots to the circumstances of the specific size and location of the Traveller site in question and to the size and density of the surrounding population, and should protect local amenity and environment.

- (v) Criteria should be used to guide land allocations, and criteria-based policies prepared to provide a basis for decisions on Traveller site planning applications. These policies should be fair and should facilitate the traditional and nomadic way of life of Travellers while respecting the interests of the settled community.
 - (vi) Exceptionally, where there is a large-scale unauthorised site that has significantly increased the LPA's Traveller accommodation need, and where the area is subject to strict and special planning constraints, then there is no assumption that the LPA is required to meet Traveller needs in full.
 - (vii) PPTS 2015 paragraph 13 requires that LPAs ensure their policies:
 - (a) promote peaceful and integrated co-existence between the site and the local community;
 - (b) promote, in collaboration with commissioners of health services, access to appropriate health services;
 - (c) ensure that children can attend school on a regular basis;
 - (d) provide a settled base that reduces the need for long-distance travelling and possible environmental damage caused by unauthorised encampment;
 - (e) provide for proper consideration of the effect of local environmental quality on site occupants or others as a result of new development;
 - (f) avoid placing undue pressure on local infrastructure and services;
 - (g) do not locate sites in areas at high risk of flooding;
 - (h) reflect the extent to which traditional lifestyles (whereby some Travellers live and work in the same area) can contribute to sustainability.
- 1.18 The Council considers this document complies with national policy in the following respects:
- (i) The Borough Council has worked collaboratively with neighbouring Merseyside Councils in a joint Gypsy and Traveller Accommodation Assessment (see Chapter 2 below). The Council has also met with neighbours in Wigan, Sefton and Chorley with regard to cross-boundary issues, and is participating in a general Lancashire Gypsy Group. In addition, the Council has been in correspondence with neighbouring local authorities under the 'Duty to Co-Operate' (see section below). Early Duty to Co-Operate work has indicated a general consensus that Traveller accommodation needs should be met in the area in which the needs arise, and that West Lancashire's targets can therefore be based upon need figures for this Borough;
 - (ii) It is considered that the proposed sites for allocation in this document are deliverable;
 - (iii) The proposed sites' capacities have been estimated, taking into account site size, the local population, amenity and environment;
 - (iv) Criteria for Traveller-related planning applications are set out in Chapter 3 of this document; these are considered fair and provide an appropriate balance between the needs of Travellers and the interests of the settled community.

1.19 Through recent case law¹, the 'rights of the child' have become a key consideration of relevance to planning decisions, including those related to Traveller accommodation. Where Article 8 of the 1998 Human Rights Act is

¹ ZH(TANZANIA) v Secretary of State for the Home Department [2011]UKSC and Collins v SSCLG & Fylde Borough Council [2013] EWCA Civ 1193

engaged (as is often the case in planning decisions), the best interests of children will be a material consideration which the decision maker must take into account. Article 8 rights of children are to be seen in the context of Article 3 of the United Nations Convention on the Rights of the Child, which requires those best interests to be a primary consideration. In terms of planning decisions:

- The decision maker must first identify what the child's best interest are;
- The best interests are not necessarily determinative;
- No other consideration must be regarded as more important or given greater weight than the best interest of a child and these best interests must be kept at the forefront of the decision maker's mind as (s)he performs the balancing exercise.

1.20 In September 2015, a further planning policy pronouncement was issued by the government introducing a planning policy to make intentional unauthorised development a material consideration that would be weighed in the determination of planning applications and appeals. Furthermore, the statement reiterated that most development in the Green Belt is inappropriate and should be approved only in very special circumstances, and that, subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.

1.21 One further national document that has been of relevance in early work on this document is the Designing Traveller Sites: Good Practice Guide, published by the government in May 2008. This document set out how best to design Traveller sites, providing advice on site size, layout, and location. The Good Practice Guide was cancelled by the government on 31 August 2015. Whilst this document has been revoked, it is considered that the advice contained within it (for example on pitch and plot sizes and layout) remains relevant, and the Guide has been taken into account, albeit having less weight, in preparing the site assessment criteria in the proposed Traveller sites policy (Chapter 3) as well as in the site selection process.

Sustainable Community Strategy 2007-2017

1.22 The West Lancashire Local Strategic Partnership prepared the West Lancashire Sustainable Community Strategy (SCS) in 2007. Whilst Travellers are not referred to in the SCS, elements of the document's vision, objectives, and cross-cutting themes are considered to have relevance to the subject matter of this DPD.

1.23 The vision of the SCS is to 'improve the quality of life for all' and is to be achieved by the Local Strategic Partnership working with other bodies to be, amongst other things, 'a place where everyone is valued and has the opportunity to contribute'.

1.24 Of the nine key objectives of the SCS, the following three are relevant:

- To improve health outcomes, promote social wellbeing for communities and reduce health inequalities for everyone;

- To provide more appropriate and affordable housing to meet the needs of local people;
 - To provide opportunities for young and older people to thrive.
- 1.25 Of the eight cross-cutting themes, the most relevant are:
- Reducing deprivation, with the aim to narrow the gap between the most and least disadvantaged people and communities;
 - Social inclusion, equality and diversity, with the aim to improve community cohesion, including for people of all nationalities and ethnicities.
- 1.26 The Council considers that the Provision for Traveller Sites DPD is consistent with, and may, to an extent, help to achieve the above vision and objectives of the SCS. Taking into account the fact that the Council is required by law to provide sites to meet Traveller needs, the DPD does not contravene the SCS.

Planning Regulations

- 1.27 The Town and Country Planning (Local Planning) (England) Regulations 2012 (referred to hereafter as ‘the 2012 Regulations’) set out the process that must be followed when preparing a local plan². The first statutory stage for preparing a document is covered by Regulation 18, which requires that the LPA notify certain specified bodies of the subject of the local plan and invite them to make representations about what a local plan with that subject ought to contain.
- 1.28 Regulation 18 was complied with in autumn 2013 when the Council duly wrote to the specified bodies, as well as a number of other bodies, inviting representations on the Provision for Traveller Sites DPD’s content, and has taken into account the representations received.
- 1.29 Although not required by Regulation 18, the Council also consulted in December 2015 and January 2016 on options and preferred options for meeting Traveller accommodation needs. The representations received during the above consultation and the Council’s responses are set out in the separate “Consultation and Duty to Co-operate Statement” that accompanies this DPD.

² The definition of ‘local plan’, as set out in the 2012 Regulations (nos. 5 and 6), includes any document prepared by the local planning authority which allocates sites for a particular type of use and / or contains development management and site allocation policies intended to guide the determination of planning applications. The Provision for Traveller Sites DPD therefore is a ‘local plan’.

Statement of Community Involvement

- 1.30 The Statement of Community Involvement (SCI) is a document that sets out how the LPA intends to engage the public and other stakeholders when preparing its Local Plan and other local development documents. This includes details of the types of consultation methods the Council intends to use at the different preparation stages of different types of planning documents.
- 1.31 The SCI was first required as part of the 'Local Development Framework' system introduced under the 2004 Planning and Compulsory Purchase Act. West Lancashire Borough Council started preparing its SCI in 2006, the document eventually being adopted in July 2007, and updated with an Addendum in January 2009, reflecting amendments made to the government's Planning Regulations in 2008.
- 1.32 Recognising that the 2007/2009 SCI had become out-of-date, a new SCI was prepared in 2014/15. The new SCI reflects the 2012 Planning Regulations, as well as other changes (e.g. to technology) and was adopted by the Council in June 2016. This DPD has been prepared in compliance with the 2016 SCI.

Duty to Co-Operate

- 1.33 Despite the abolition of the regional tier of planning in 2010, the need for strategic planning remains, in particular the need to ensure coherent planning beyond local authority boundaries. To this end, the Localism Act 2011 introduced the Duty to Co-Operate which:
- requires local authorities and public bodies to engage constructively, actively and on an ongoing basis in relation to planning for sustainable development;
 - requires local authorities to consider whether to enter into agreements on joint approaches or to prepare joint Local Plans; and
 - applies to planning for strategic matters in relation to the preparation of local plans, and other activities that prepare the way for these activities.
- 1.34 The Localism Act and the NPPF require LPAs to fulfil the Duty to Co-Operate on planning issues, including provision for Travellers, in order to ensure that their approaches are consistent, and that they address cross-border issues with neighbouring authorities. The 2012 Planning Regulations set out the organisations which, as a minimum, should be contacted under the Duty to Co-Operate ('Prescribed Bodies').
- 1.35 West Lancashire Borough Council has fulfilled, and will continue to fulfil, the Duty to Co-Operate by working with neighbouring local authorities and other prescribed bodies throughout the preparation of this Traveller Sites DPD.
- 1.36 The government's Planning Policy for Traveller Sites 2015 document (Section 10(c)) requires that local planning authorities consider production of joint development plans that set targets on a cross-authority basis. Given the differing timescales for the different authorities surrounding West Lancashire, the fact that this is a topic-specific DPD, and the West Lancashire Local Plan Inspector's recommendation that the Council have this Traveller Sites DPD adopted as soon as possible, it is the Council's view that production of a joint development plan would not be a realistic prospect.

Determination of Traveller Accommodation Needs

- 1.37 As set out in Chapter 2 below, West Lancashire Borough Council has worked collaboratively with the five Merseyside authorities (including Sefton, Knowsley and St Helens, all of whom directly border West Lancashire) in a joint Gypsy and Traveller Accommodation Assessment (GTAA), which was published in August 2014.
- 1.38 Chorley and South Ribble Borough Councils participated in a joint interim GTAA (with Preston City Council), as required by the Planning Inspectors during their respective site allocations local plan examinations. This GTAA concluded in January 2014 that there was no need for a Traveller site in South Ribble, but a need for five permanent Traveller pitches in Chorley Borough. Chorley BC have since identified and allocated a site in Chorley to meet its identified Traveller accommodation needs to 2026. A further joint GTAA was undertaken by Chorley, South Ribble and Preston Councils and completed in May 2015. This has identified a need for 6 additional permanent pitches for Travellers in Chorley Borough, 22 in Preston, 1 in South Ribble and a Central Lancashire wide need for 4 transit pitches to 2026. The three Central Lancashire authorities are preparing a Gypsies and Travellers and Travelling Showpeople Local Plan, with consultation on Issues and Options taking place May – July 2016.
- 1.39 Wigan MBC are participating in a Greater Manchester GTAA, which is nearing completion. Based on recent discussions with Wigan Council, it is expected that any Traveller accommodation needs in the Wigan area will be met within Wigan MBC boundaries.

Identification of Cross-Boundary Issues

- 1.40 In terms of cross-boundary issues, West Lancashire Borough Council wrote to all the Prescribed Bodies, as well as to a range of other organisations, in November 2013, setting out what it considered were the main cross-boundary issues with regard to the provision of Traveller sites in West Lancashire, and inviting comments on these issues.
- 1.41 West Lancashire Borough Council's understanding of cross-boundary issues at present is as follows:
- It would be desirable for Merseyside authorities to co-operate where possible on the issue of transit site provision (transit sites are intended to meet the short term needs of Travellers who are passing through local authority areas on their way to other destinations or choose to occasionally visit the area for short periods), as Travellers who require such sites are almost certain to be moving between different boroughs.
 - The Council is unaware of any significant cross-boundary issues between West Lancashire and Wigan / Central Lancashire in terms of transit site provision.
 - If each LPA were to meet its own need for permanent Traveller sites (which may be used for Travellers to base themselves throughout the majority of the year, or for Travelling Showpeople to live and store their equipment outside their touring season), there should be no cross-boundary issues in terms of a need for sites. As far as this Council is aware, the neighbouring

authorities of Sefton, Knowsley, St Helens, Wigan, Chorley, and South Ribble are intending to fully meet their needs for permanent Traveller sites within their own boundaries.

- Depending upon the location of any proposed Traveller site allocations, it may be the case that occupants of sites may seek to make use of facilities and services (education, health, etc.) in an adjacent Borough(s). With the exception of Sefton and Chorley, neighbouring authorities are not yet at the stage where sites have been formally proposed for allocation. The allocated site at Chorley is within the settlement of Chorley, reasonably close to facilities in that town and several kilometres from the West Lancashire boundary. Therefore it is not expected that the occupants of the Chorley site would rely upon facilities or services in West Lancashire Borough. Whilst the proposed sites in Sefton are close to the West Lancashire border, the nearest services in West Lancashire (typically in Ormskirk) are considerably further from these sites than comparable services in Sefton (Ainsdale or Formby). Once again, it is not expected, therefore, that the occupants of the proposed Sefton sites would rely upon services or facilities in West Lancashire.
- The proposed Traveller site at Pool Hey Lane Scarisbrick is within 4km by road from Sefton, and there is thus a possibility that the occupants of the sites may use facilities in Sefton (Southport). However, this site is already occupied and is not proposed to be expanded by any significant amount, so its proposed allocation is not expected to lead to any material increase in cross boundary issues.

- 1.42 The Council received 18 written responses to its initial 'Duty to Co-Operate letter', all of them either concurring with the Council's understanding of cross-boundary issues as set out in November 2013, or else having no specific comments to make at that stage of preparation of the Traveller Sites DPD.
- 1.43 A second round of letters was sent to the 'Prescribed Bodies' in September 2015, providing an update with regard to the preparation of the West Lancashire Provision for Traveller Sites DPD, advising of the completion of the Merseyside and West Lancashire Gypsy and Traveller Accommodation Assessment, and asking neighbouring local authorities whether they have any sites within their districts that could potentially contribute towards West Lancashire's Traveller accommodation requirements. No neighbouring Council indicated that they had any potential sites to help meet West Lancashire's needs.
- 1.44 Similarly, a third round of letters was sent in April 2016, once again providing an update and asking neighbouring authorities whether there was any change in their position. As previously, no neighbouring authorities had any sites that they considered could potentially contribute towards meeting West Lancashire's Traveller accommodation shortfall.

Sustainability Appraisal

- 1.45 A Sustainability Appraisal (SA) of the content of this draft DPD has been undertaken by Council officers, and scrutinised by consultants AECOM. AECOM have also carried out a Habitats Regulations Assessment of the content of this document.
- 1.46 The SA concludes that the proposed Policy GT1: Assessment of Proposals for Gypsy and Traveller and Travelling Showpeople Sites (see Chapter 3 of this DPD) is likely to make a greater positive contribution towards the goal of achieving sustainable development, compared with the alternative approaches of having a less stringent policy in place, or no policy at all. The SA further concludes that the allocation and occupation of the preferred sites would make a positive contribution towards the goal of achieving sustainable development.

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2. Traveller Accommodation Needs

Assessing Traveller Accommodation Needs

- 2.1 This chapter sets out the objectively-assessed need for Traveller accommodation in West Lancashire, and how this has influenced the process whereby potential Traveller sites have been sought.
- 2.2 Since 2006, West Lancashire Borough has participated in three processes that have resulted in the derivation of Traveller accommodation needs figures for the Borough. These are a 2006-based North West Gypsy and Traveller Accommodation Assessment (GTAA), abortive work on the North West Regional Spatial Strategy Partial Review 2008-2010, and the Merseyside and West Lancashire GTAA 2013-14.

North West Regional GTAA 2006

- 2.3 In 2006, an assessment of Gypsy and Traveller accommodation needs was commissioned – *The North West Regional Gypsy and Traveller Accommodation and Related Services Assessment*. This report was undertaken by a team of academic researchers and consultants based in Salford, with research support from members of the travelling community.
- 2.4 The assessment identified that for the County of Lancashire there was a requirement for an additional 205-231 permanent Gypsy and Traveller pitches over the period 2006-2016 plus 7 plots for Travelling Showpeople. At the district level, the assessment calculated that there was a need for 17 permanent Gypsy and Traveller pitches and 3 plots for Travelling Showpeople across West Lancashire Borough over 2006-2016. There was also a need identified for transit pitches within the sub region, but this need figure was not disaggregated to individual local authority level.

North West RSS Partial Review

- 2.5 In January 2009, '4 North West' (4NW), the former regional planning body, started a period of stakeholder engagement on an interim draft policy on the scale and distribution of Gypsy and Traveller pitches and Travelling Showpeople plots.
- 2.6 The proposed requirements for West Lancashire over 2007-2016 were 20 permanent pitches for Gypsies and Travellers and 5 transit pitches. These figures differ to those set out in the 2006 GTAA owing to an attempt to address the issue of 'hidden' overcrowding, which had been raised by the Gypsy and Traveller community during consultation, and a broadening of the geographical distribution of the pitch numbers, in order that greater choice may be available for Gypsies and Travellers in the future. (This contrasted with the GTAA approach, which tends to look at need as it arises, based upon "snapshot" counts of Gypsy caravans.)
- 2.7 The required number of Travelling Showpeople pitches to 2016 was raised from 3 to 5, based on more up-to-date information provided by the Lancashire and North Wales section of the Showmen's Guild, based upon survey work conducted in June 2007.

- 2.8 As part of the consultation process, 4NW sought support from the individual local authorities regarding pitch numbers. West Lancashire Borough Council (WLBC) suggested a revised figure of 14 permanent pitches (based upon the number of unauthorised pitches based within the Borough at that time) and 10 transit pitches (in order to make it easier to direct Travellers to a transit site), whilst supporting the figure of 5 pitches for Travelling Showpeople.
- 2.9 Following the Council's comments a submitted draft was published, setting out the following requirements for West Lancashire:
- 15 pitches on permanent Gypsy and Traveller Sites
 - 10 transit pitches
 - 5 Travelling Showpeople plots.
 - An annual increase of 3% in the level of overall residential pitch provision.
- WLBC supported these figures, and they formed the basis of the now-abandoned West Lancashire Replacement Local Plan Policy RS4.
- 2.10 Work on the RSS Partial Review was halted in 2010 following the Secretary of State's announcement of his intention to abolish the regional tier of planning. The RSS was finally revoked early in 2013, and the RSS and the RSS Partial Review no longer have any legal status.

Merseyside and West Lancashire GTAA 2013-2014

- 2.11 West Lancashire Borough Council participated in a GTAA with the five Merseyside local authorities during 2013 and 2014. This GTAA was carried out on the authorities' behalf by the consultants Arc⁴, who were appointed in March 2013. The final study was published in August 2014.
- 2.12 The Merseyside and West Lancashire GTAA concludes that the need for new Traveller accommodation in West Lancashire, additional to that which already has permission, is as follows:
- 14 pitches on permanent Gypsy & Traveller sites by 2018, rising to 20 by 2028, and 22 by 2033;
 - 4 transit pitches;
 - One site for Travelling Showpeople with a minimum of one residential plot.
- 2.13 As such, and consistent with PPTS paragraph 7, the Council has worked collaboratively with neighbouring local authorities and engaged with Travellers and / or their agents / representative bodies to discuss their accommodation needs in order to gain an up-to-date understanding of the permanent and transit accommodation needs of Travellers in the Borough over the lifetime of this development plan.
- 2.14 With regard to the government's redefinition of the word "Traveller" in PPTS 2015, in the absence of any evidence to suggest the identified Travellers in West Lancashire do not satisfy the new government definition, the findings of the 2014 Merseyside and West Lancashire GTAA will continue to be relied upon until such time as a new assessment is undertaken.

3. Traveller Sites Policy

- 3.1 Policy GT1 below provides a set of criteria against which planning applications for Traveller accommodation should be assessed, either on allocated sites, or elsewhere. The policy will also be applicable in enforcement and planning appeal cases.

Policy GT1

Assessment of Proposals for Gypsy and Traveller and Travelling Showpeople Sites

Broad Locations

Proposals for permanent or transit Traveller sites or pitches should be located in areas where need exists, as demonstrated by robust evidence.

Site-Specific Criteria

Permanent Sites

Proposed permanent sites for Travellers must not lie within Flood Zone 3. In order to ensure that sites are fit for purpose and will provide adequate residential amenity, both to members of the travelling community and to members of the settled community, proposed permanent sites for Travellers should meet the following criteria:

- (i) The site does not lie within the Green Belt, unless very special circumstances are demonstrated;
- (ii) The site, on account of its scale and / or location, would not dominate the nearest settled community in such a way that the prospect of peaceful and integrated co-existence between the site and the local settled community would be undermined;
- (iii) The site is sufficiently far from any refuse site, industrial process, high voltage electricity infrastructure, other hazardous place, or any other process, land use or environmental issue (e.g. flyover, motorway), for there to be no unacceptable impact on the health, safety or general well-being of the residents of the site;
- (iv) The site is not subject to any physical constraints or other environmental issues that cannot be mitigated to an acceptable level, and that would impact on the health, safety or general well-being of the residents of the site, or on non-residents;
- (v) The site is accessible by a public highway that can accommodate typical Traveller-related vehicles without compromising highway safety;
- (vi) The site is not in Flood Zone 2;
- (vii) The site is not within, adjacent to, or close to (such that it would adversely affect) any area of land subject to a nature conservation designation;
- (viii) The site is not within, adjacent to, or close to (such that it would adversely affect) any area of land subject to an historic environment or historic landscape designation;
- (ix) The site has mains water, drainage and electricity, or else these services could readily be provided and satisfactory drainage achieved;

- (x) The use of this site as a Traveller site would not place undue pressure on local infrastructure and services;
- (xi) The site is within 1.5 kilometres (or 20 minutes' walk) of a bus route or other public transport facility, and / or it is possible to access from the site by means other than private motor vehicle the following facilities / services:
 - an appropriate health facility;
 - education facilities, in particular a primary school;
 - employment opportunities;
 - shops;
 - other necessary services;
- (xii) It is possible to achieve visual and acoustic privacy on the site without any unacceptable visual impact on the site's surroundings;
- (xiii) The site can accommodate between 3 and 15 pitches.

Transit Sites

In the case of transit sites, these should meet the above criteria, and, in addition should be accessible to the M58, or to the strategic highway network.

Justification

Broad Locations

- 3.2 Policy GT1 is intended to direct Traveller development to areas where there is a need for such accommodation, as demonstrated by robust evidence. As a first recourse, the Council will rely on the findings of the most up-to-date Gypsy and Traveller Accommodation Assessment (GTAA) covering West Lancashire³. Any planning application that departs from the findings of the most up-to-date GTAA will require to be backed up by robust evidence justifying this departure, either an unequivocal demonstration of need in a different area, or a clear demonstration that no sites are realistically available within the GTAA-identified areas of Traveller need.
- 3.3 In the light of the findings of the 2014 Merseyside and West Lancashire GTAA:
- Permanent sites should be located in, or as close as reasonably possible to, the settlements of Skelmersdale, Scarisbrick or Banks;
 - Transit sites should be located along the M58 corridor; and
 - Land for Travelling Showpeople should be located within the Burscough area.
- 3.4 For the purposes of this policy, the M58 corridor is defined as land within 2.4km (equivalent to three minutes' drive time at 30mph) of any M58 junction via a classified road.

³ At the time of writing this document, the most up-to-date GTAA covering West Lancashire is the Merseyside and West Lancashire GTAA 2014. It is expected that GTAAs will be updated approximately every five years.

Criteria

- 3.5 The criteria in Policy GT1 above are based on national policy, as set out in the government's National Planning Policy Framework (NPPF; March 2012), and Planning Policy for Traveller Sites (PPTS; August 2015)⁴ documents. Regard has been had to the advice contained in the document Designing Gypsy and Traveller Sites Good Practice Guide (DCLG, May 2008), although, as this document has been revoked, less weight is attributed to criteria based solely on the Good Practice Guide.
- 3.6 Policy GT1 is intended to facilitate the traditional and nomadic life of Travellers whilst respecting the interests of the settled community. The policy aims to ensure that if a site is granted permission for Traveller development, its development maintains a suitable quality of life, both for residents of the site in question, and, equally, for those living or working in the vicinity of the site. Sites should have reasonable access to facilities and services, and should not cause an adverse impact on neighbouring residents or land uses.
- 3.7 The criteria set out in Policy GT1 are similar to the criteria used in the assessment of potential Traveller sites, as set out in the accompanying Site Assembly and Site Assessment Report. This Report provides more specific detail as to the source of each site assessment criterion.
- 3.8 With regard to the requirement in Policy GT1 that sites lie outside Flood Zone 3, caravans intended for permanent residential use are defined as 'highly vulnerable' development in Table 2: Flood Risk Vulnerability Classification (paragraph 66 of the Flood Risk and Coastal Change section) of the national Planning Practice Guidance (PPG) to the NPPF. Table 3: Flood Risk Vulnerability and Flood Zone 'Compatibility' (paragraph 67) states that 'highly vulnerable' development should not be permitted on sites within Flood Zone 3. With regard to criterion (vi), if a site lies within Flood Zone 2, the site must be demonstrated to meet the Exception Test. Furthermore, Policy GN5 of the West Lancashire Local Plan 2012-2027 requires that a Sequential Test be satisfied where development is proposed in flood risk areas. The allocation of caravans intended for non-permanent residential use, which are defined as 'more vulnerable' in the PPG (Table 2, Para 66), in Flood Zone 2 are subject a specific warning and evacuation plan, and in Flood Zone 3 the Exception Test is also required.
- 3.9 In relation to criterion (i), Traveller site development is by definition inappropriate in the Green Belt, and PPTS 2015 (paragraph 16) requires that very special circumstances be demonstrated in order for Traveller sites in the Green Belt to be judged acceptable. It also advises that, subject to the best interests of the child, personal circumstances and unmet need for Traveller accommodation are unlikely to establish very special circumstances.
- 3.10 Criteria (ii), (vii), (viii), (x) and (xii) seek to ensure that Traveller sites integrate as far as is reasonably possible with the local settled community, and with the surrounding natural and built environment. National policy, as set out in the NPPF, is also applicable. For example, with regard to heritage assets, NPPF paragraphs 133 and 134 are relevant, the primary consideration being whether or not there would be 'substantial harm' as a result of the proposed

⁴ PPTS requires *inter alia* that a criteria based policy should be set out within Local Plans.

development. With regard to nature conservation designations, the level of protection afforded to different sites is influenced by the sites' particular designations.

- 3.11 Criteria (ii), (iii), (iv) and (x) are intended to protect the occupants of sites from unacceptable adverse living conditions, and to protect those living near to sites from possible adverse impacts of Traveller site development. These criteria do not necessarily rule out development if a site is subject to the particular issues specified in the criteria. For example, if existing residential development or existing authorised Traveller development is located equally close to the uses listed in criterion (iii), this will be taken into account when assessing proposals for new Traveller sites in the locality. It is necessary also to take into account the scope for mitigation measures, and whether the adverse impact from any uses set out in the criteria can be minimised to an acceptable level.
- 3.12 Ensuring adequate highways access to Traveller sites is important (criterion (v)). Whilst on a day-to-day basis, the sites are likely to be used by cars, vans and small lorries, there are also likely to be regular movements of touring caravans, and occasional movements of larger static caravans. Travelling Showpeople sites are likely to be regularly accessed by articulated lorries and / or heavy goods vehicles carrying fairground rides. The 2008 Good Practice Guide advised that access onto Traveller sites should be readily achievable by regular or potential visitors to the site, including the emergency services. Similarly, easy movement through, or manoeuvres within, the site should be possible for typical Traveller vehicles, and the safety of [pedestrian] site occupants, including children, is an important consideration. Whilst the Guide has been cancelled, its advice with regard to highways access is considered to remain relevant. Access to Traveller sites should be achievable in such a way that highway safety and the free flow of traffic are not compromised. In the event of any planning application, the highway authority would be consulted as a matter of course.
- 3.13 In terms of criterion (xi), whilst it is recognised that Travellers, by definition, are most likely to have ready access to motor vehicles, it is preferable, in terms of sustainable development, that Travellers also have the opportunity to access local services by sustainable modes of transport, such as walking, cycling, and public transport. It is generally recognised, however, that most established (and legal) Traveller sites tend to be situated a short distance outside the nearest settlement, allowing for appropriate separation between the settled and Travelling community. As such, the accessibility distances set out in policy GT1 (1.5km) are greater than those usually applied for 'bricks and mortar' residential development. When considering accessibility by walking (i.e. 20 minutes walking distance), the route taken on foot can differ from the highway-based route, for example using more direct public footpaths.
- 3.14 With regard to the screening of sites (criterion (xii)), careful attention should be paid to the nature of screening and how it relates to the character of the surrounding area. Close board and other fencing, or evergreen landscape planting may be appropriate in some areas, but not in others. Sites on elevated or sloping ground (criterion (xiii)) are likely to be more difficult to screen appropriately. For sites adjacent to developed areas, an acceptable balance needs to be struck taking into account the privacy of occupants and neighbours, the visual impact of screening (if it needs to be greater in height

than on a more isolated site), and the general urban design principle of natural surveillance.

- 3.15 The Good Practice Guide stated that sites should consist of a maximum of 15 pitches unless there is clear evidence that a larger site is preferred by the Gypsy and Traveller Community. At the lower end of the scale, having a minimum site threshold of 3 pitches (criterion (xiii)) should result in fewer sites around the Borough, lessening the overall impact of providing for Traveller accommodation needs. Having a maximum site size of 15 pitches should reduce the possibility of individual sites dominating the nearest settled community.
- 3.16 Traveller sites in one local authority area can potentially impact neighbouring local authority areas (for example through use of services). Any possible cross-boundary effects should be taken into account when assessing proposals for Traveller accommodation, in particular on sites close to the West Lancashire boundary.

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4. Traveller Site Allocations

4.1 In the light of the site assessments set out in the accompanying Site Assembly and Site Assessment Report, the locations and scale of Traveller accommodation need across West Lancashire, and the proposed uses and indicative capacities of the different candidate sites, the sites to address Traveller accommodation needs are set out in Policy GT2 below.

Policy GT2

Traveller Accommodation in West Lancashire

Traveller Accommodation Needs

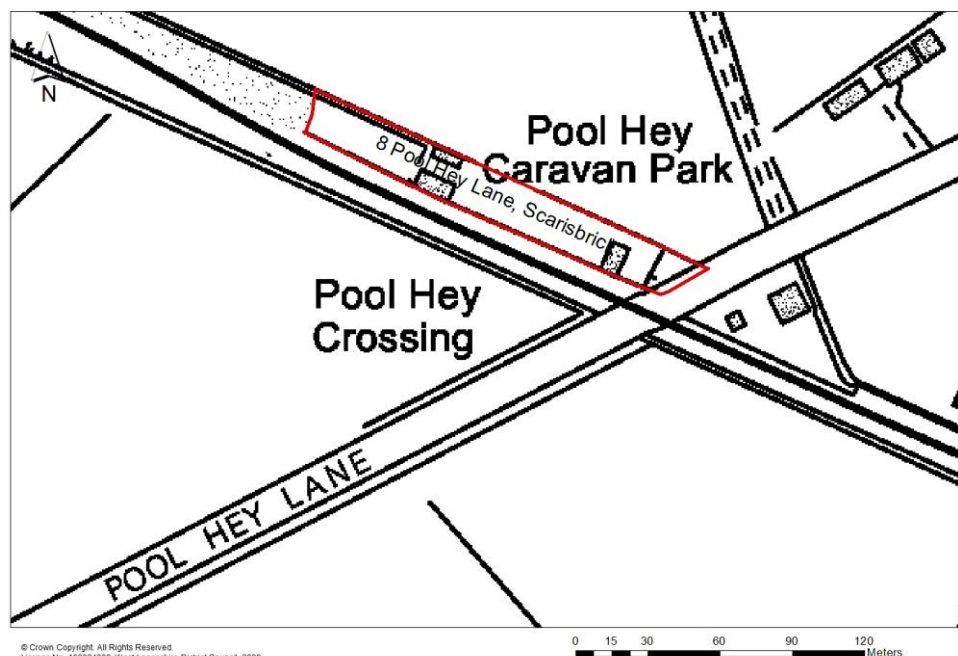
The Traveller accommodation needs in West Lancashire are as set out in the 2014 Merseyside and West Lancashire Gypsy and Traveller Accommodation Assessment (GTAA) and are as follows:

- 14 pitches on permanent Gypsy and Traveller sites by 2018, rising to 17 pitches by 2023 and 22 pitches by 2033;
- 4 transit pitches; and
- One yard for Travelling Showpeople with at least one residential plot.

Sites for Traveller Accommodation

The following site will be inset from the Green Belt and allocated as permanent Gypsy and Traveller accommodation only:

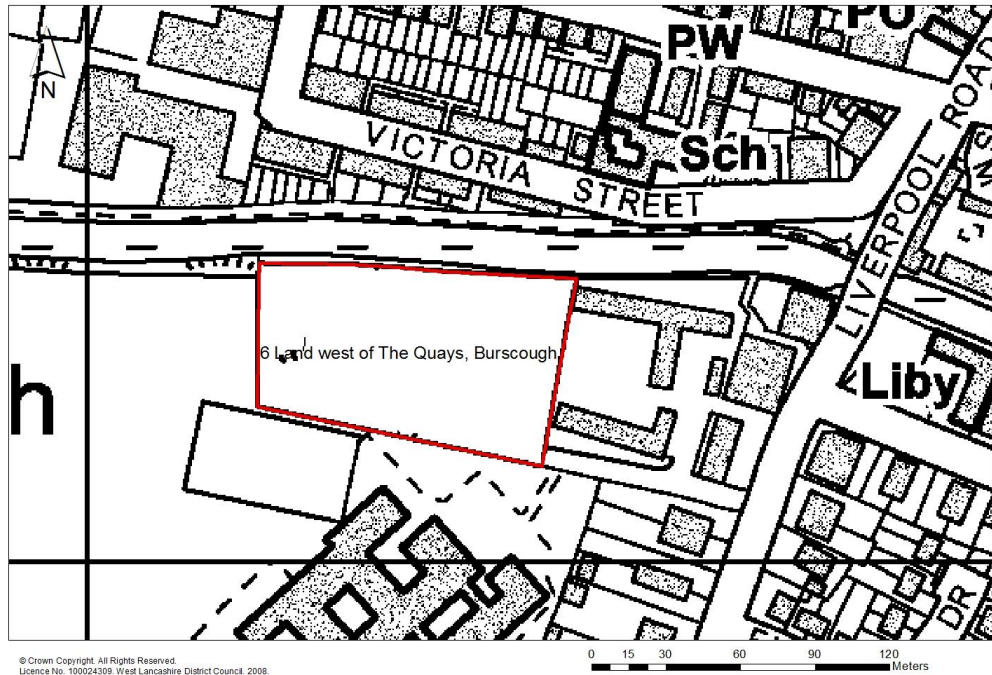
- Pool Hey Caravan Park, Pool Hey Lane, Scarisbrick 5 pitches



Expansion or intensification in the use of the Pool Hey Lane site beyond 5 pitches will not be permitted. The use of the site shall be restricted to permanent (i.e. non-transit) Gypsy and Traveller accommodation. If such a use of the site were to cease in the future, the land shall only be used for purposes deemed appropriate for a Green Belt location.

The following site will be allocated as a Travelling Showpeople site:

- Land to the west of The Quays, Burscough 10 plots



Proposals for Traveller sites other than the two sites specified above will be required to meet the criteria set out in Policy GT1.

Justification

Traveller Accommodation Needs

- 4.2 As explained in Chapter 2 above, the most up-to-date objective assessment of Traveller accommodation needs in West Lancashire is the Merseyside and West Lancashire GTAA, published August 2014. This robust and comprehensive cross-boundary study involved dialogue with Travellers in the area, as well as their representative bodies and other stakeholders.
- 4.3 This DPD has been prepared on the basis that the Travellers whose accommodation needs have been assessed in the 2014 GTAA meet the revised government definition of “Travellers” as set out in PPTS 2015 Annex 1. If subsequent evidence base work indicates that changes need to be made to assessed accommodation needs in West Lancashire as a result of any “Travellers” no longer being classified as such, or for any other reason, this will be reflected in an update to this DPD, or in a review of the West Lancashire Local Plan.

Alterations to Green Belt boundary

- 4.4 PPTS (Policy E, paragraph 17) allows, in exceptional circumstances, for limited alterations to be made to Green Belt boundaries (for example to accommodate a site inset within the Green Belt) to meet a specific, identified need for a Traveller site. Such alterations should be made through the plan-making process and should be specifically allocated in the development plan as a Traveller site only.
- 4.5 It is considered, in the case of the Pool Hey Lane site, that exceptional circumstances do indeed exist that justify the release of the site from the Green Belt as a Traveller, site for the following reasons:
- There is an unmet need for Gypsy and Traveller accommodation, including in the Scarisbrick area;
 - There are no deliverable sites for Gypsy and Traveller accommodation in non-Green Belt areas, and no other deliverable sites in the Green Belt for Traveller accommodation (the deliverability of the Pool Hey Lane site relative to the other available sites is considered in Table 4.2 below);
 - The site is owned by, and has been occupied by, the same extended family of Travellers for more than 20 years;
 - The Council has no record of issues arising as a result of the site's occupation by Travellers⁵.
- 4.6 Consistent with PPTS Policy E, the Pool Hey Lane site is allocated for permanent (i.e. non-transit) Gypsy and Traveller accommodation only. If, at some point in the future, the site ceases to be used for Gypsy and Traveller accommodation, the use of the site other than for Gypsy and Traveller accommodation will be restricted uses appropriate in the Green Belt. (Thus, for example, 'bricks and mortar' housing will not be supported on the site.) This restriction reflects the fact that the site was designated Green Belt before its allocation for Traveller accommodation, and that it is an inset site, surrounded by Green Belt, and located some distance from the nearest non-Green Belt land.

Shortfall in Provision of Sites

- 4.7 It is evident that the proposed 'preferred sites' for allocation in Policy GT2 are not sufficient to meet the Borough's Traveller accommodation needs in their entirety, either for the short term or for the long term. This is far from ideal, yet the constraints of the Borough are such that, despite a very rigorous search for sites, and having investigated all reasonable avenues, it has not been possible to identify sufficient deliverable or developable sites in West Lancashire to meet identified needs. As such, the Council is proposing to meet what needs it can in the immediate term by allocating the Pool Hey Lane and 'The Quays, Burscough' sites. It is intended to identify and pursue the allocation of sufficient other deliverable sites through the forthcoming review of the West Lancashire Local Plan, commencing in autumn 2016.

⁵ For example, Network Rail do not object to the allocation of this site, provided there is no expansion and / or intensification of the site; the police have not expressed any concern about the occupants of this site.

- 4.8 As set out in the Site Assembly and Site Assessment Report accompanying this DPD, the Borough Council undertook as robust a search for sites as was reasonably possible, in order to identify potential candidate Traveller sites. A total of 20 sites were identified from 2013 onwards. However, just nine of the 20 'candidate' sites were considered available by summer 2015. Three of these nine sites were ruled out on the grounds of their being located in Flood Zone 3⁶.
- 4.9 Table 4.1 below shows the six remaining sites, the types of Traveller accommodation that may be possible or most appropriate on them, and their indicative capacities. The potential type of Traveller uses for each site have been assigned based on site submission forms (SHLAA / Call for Sites), on current uses of the sites, or on a judgement of the sites' suitability for different uses.

Table 4.1 Potential site uses and capacities of candidate sites

Site no. / name	Potential accommodation	Indicative capacity
6. Land west of The Quays, Burscough	Travelling Showpeople site only	10 plots (current permission). Current consented use of the site is as a Travelling Showpeople yard.
8. Pool Hey Lane 'Caravan Park', Scarisbrick	Permanent Gypsy site only	Maximum 5 pitches within current site boundary.
14. White Moss Road South (B), Skelmersdale	Transit site only	Less than 4 pitches. Capacity significantly limited by nearby oil / gas pipelines.
16. Blackacre Lane, Ormskirk	Any type of Traveller site	15 pitches
17. Land south of Butcher's Lane, Aughton	Permanent Gypsy site only	2-3 pitches; site constrained by flood risk and EA easement associated with Sudell Brook running adjacent to the site.
18. Land east of Brookfield Lane, Aughton	Permanent Gypsy site only	15 pitches ⁷

- 4.10 Figures 4.1 -4.3 below show the locations of sites 14 and 16 – 18.

⁶ (Amongst the sites ruled out on account of their location in Flood Zone 3 is Site 3: Land adjacent to 'The Poppys' (*sic*), Sugar Stubbs Lane, Banks. This site was proposed in the November 2015 Provision for Traveller Sites DPD: Options and Preferred Options as a preferred option for allocation. However, changes to the Environment Agency flood maps in late 2015 resulted in this site being reclassified from Flood Zone 1 to Flood Zone 3.

⁷ The maximum indicative number of pitches per site has been limited to 15, based on advice in the government's Designing Gypsy and Traveller Sites: Good Practice Guide (May 2008), which, although now cancelled, is still considered applicable.

Figure 4.1 White Moss Road South (B), Skelmersdale



Figure 4.2 Blackacre Lane, Ormskirk

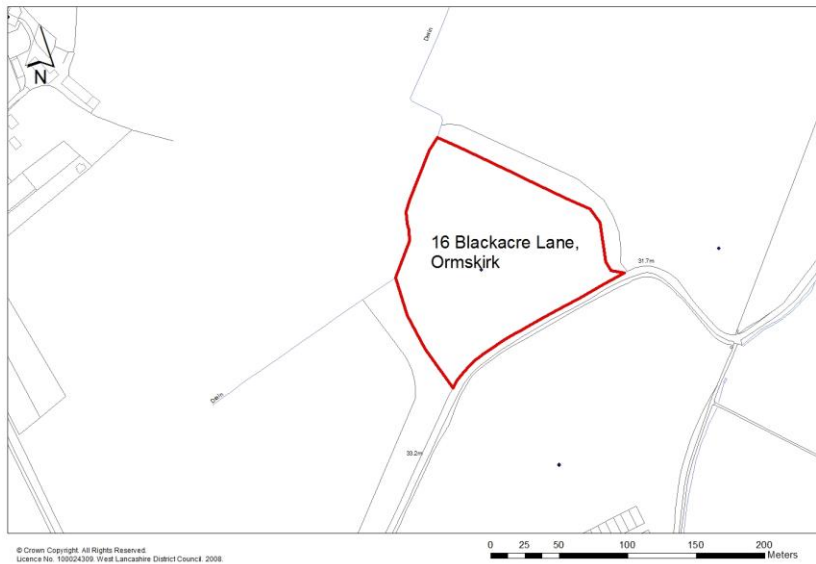
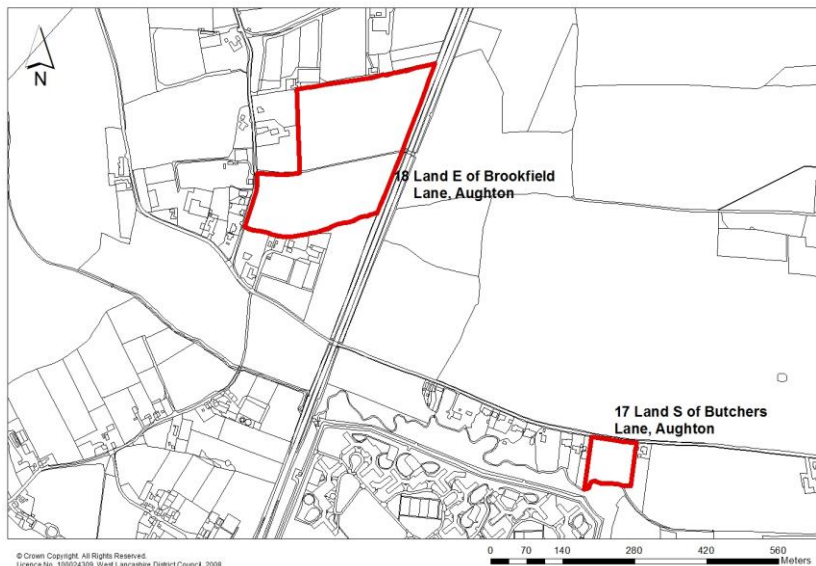


Figure 4.3 Brookfield Land and Butcher's Lane, Aughton



4.11 The detailed site assessment work (see the Site Assembly and Assessment report) concludes that of the six available sites, only two are considered deliverable (Sites 6 and 8), whilst the other four are not considered deliverable (Sites 14, 16, 17, 18) for the reasons summarised in Table 4.2 below, linked primarily to the suitability and achievability of the sites:

Table 4.2 Deliverability of Sites 6, 8, 14, 16, 17, 18

Site no. / name	Comments on Deliverability
6. Land west of The Quays, Burscough	<ul style="list-style-type: none"> • Site has permission as a Travelling Showpeople yard; • The use of the site for Travelling Showpeople accommodation is long-established; • It should be noted that this site does not contribute towards meeting the outstanding need for Travelling Showpeople accommodation in the Borough – the need is over and above this site, and this site's allocation represents the formalisation of an existing permitted use.
8. Pool Hey Caravan Park, Scarisbrick	<ul style="list-style-type: none"> • Site is in the hands of Travellers, and has been in use as a Traveller site for over 20 years; • The occupants of the site have long-established ties to the area; • Site is reasonably close to the A570 and public transport connections, but is sufficiently separated from existing built-up areas so as to have a limited impact on the settled population; • Site is sufficiently separated from environmental constraints so as to have a limited impact on (or not to be impacted by) the local environment; • Whilst in the Green Belt, the site is well screened by established hedging on three sides, lessening its visual impact; • Site is close to a level crossing, but the Council has no record of any incidents at the level crossing resulting from the use of the site for Traveller accommodation. Network Rail do not object to the site being made permanent, provided there is no expansion and / or intensification of the site.
14. White Moss Road South (B), Skelmersdale	<ul style="list-style-type: none"> • Site was submitted in a Call for Sites exercise by its owners as a Traveller site; • Site is sandwiched between Whitemoss hazardous waste landfill site and the M58 motorway, thus considered to have potential for a transit site only; • Close to three underground oil and high pressure gas pipelines, all of which are Major Hazardous Installations with buffer zones in which the Health and Safety Executive is opposed to the siting of caravans; these buffer zones severely limit the capacity of the site. • Question marks over deliverability – owners are willing to make the site available for Travellers, but do not want to run the site as a transit Traveller site.

<p>16. Blackacre Lane, Ormskirk</p>	<ul style="list-style-type: none"> • Site owned by Travellers; used for grazing horses; • Open, slightly elevated, Green Belt land with little ‘screening vegetation’; as a result, use of this site for Travellers would have significant visual impact; • Poor road access; • Site is not in an area of Traveller accommodation need; • Site is reasonably sustainable, but its use as a Traveller site could have an impact on the nearby settled community (200-300m away); • Site lies outside the public water supply network; • Two large diameter sewers run through the site; building over these will not be permitted.
<p>17. Butcher’s Lane, Aughton</p>	<ul style="list-style-type: none"> • Not in an area of identified Traveller accommodation need; • Site is situated on a rural lane with residential properties directly adjacent on both sides, meaning that its use as a Traveller site would be likely to have a significant impact on the local settled community; • Green Belt site with little screening vegetation to Butcher’s Lane and to adjacent properties; • Site lies partly in Flood Zones 2 and 3 on account of its lying beside Sudell Brook; • Prior written consent would be needed from the Environment Agency for any proposed works or structures within 8 metres of the top bank of Sudell Brook; • Unsustainable location, remote from services and public transport; • Owner has expressed willingness for the land to be considered for Traveller use but is not actively promoting the site as such.
<p>18. Land east of Brookfield Lane, Aughton</p>	<ul style="list-style-type: none"> • Not in an area of identified Traveller accommodation need; • Large site with some road frontage, mostly set back from the road; highly visible from the Ormskirk – Liverpool railway; • Brookfield Lane is a minor, rural road; • Open Green Belt site; it is unlikely to be feasible to achieve adequate screening of the site, especially from the adjacent railway line (on an embankment) and thus the use of the site for Travellers is likely to have significant visual impact; • Site comprises a significant area of Best and Most Versatile agricultural land; • Public footpath runs through site; • Unsustainable location, remote from services and public transport; • Owner has expressed willingness for the land to be considered for Traveller use but is not actively promoting the site as such.

- 4.12 As such, whilst sites 16-18 are 'available' in the sense that the landowners have indicated that they are willing for the sites to be looked at as potential Traveller sites, it is considered that harm to the Green Belt and other likely elements of harm associated with the allocation and use of these sites as Traveller sites are such that they should not be allocated as Traveller sites, despite their availability.
- 4.13 Site 14 is subject to constraints that restrict its useable area to such a small proportion of the site as to render it almost unviable. Furthermore, it is not clear who would manage the site, were it to be allocated.
- 4.14 Given the sites proposed for allocation are insufficient to meet the Borough's Traveller accommodation needs, Policy GT1 allows for the possibility of other sites coming through via the development management process. If any such sites are granted permission for Traveller accommodation use, consideration may be given to their allocation in future reviews of this DPD or of the Local Plan.

5. How to comment

Comments are invited on this document, as well as on the Site Assembly and Site Assessment Report, and on the Sustainability Appraisal accompanying this DPD.

The consultation period on this document runs from Thursday 7 July 2016 – Thursday 1 September 2016.

Comments must be received by the Council by 11.59pm on Thursday 1 September.

Comments may be made in the following ways:

Online: Please visit the Council's website at: www.westlancs.gov.uk/Travellers and fill in the online form.

Email: Comments forms can be downloaded from the Council's website (as above) and emailed to Localplan@westlancs.gov.uk

By post: Please post comments forms to:

Strategic Planning and Implementation Team
West Lancashire Borough Council
52 Derby Street
Ormskirk
Lancashire
L39 2DF

We respectfully ask that comments be made using the official forms. Under the Town and Country Planning (Local Planning) (England) Regulations 2012, representations must be made concerning whether or not the document is considered sound and / or legally compliant.

Any queries on the consultation process should be made to the above email or postal addresses, or can be made by telephone to 01695 585284 / 585274.

Equality Act 2010

Under the Equality Act 2010 the Council is under a duty to:

- Eliminate conduct that is prohibited by the Equality Act;
- Advance equality of opportunity between those who share a protected characteristic and those who do not share it;
- Foster good relations between those who share a protected characteristic and those who do not share it.

Race is one of nine "protected characteristics" covered by the Equality Act 2010; Romany Gypsies and Irish Travellers are recognised as having a protected characteristic. The Council reserves the right not to accept responses received that are considered to contain offensive or derogatory comments about Gypsies and Travellers.

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West Lancashire Borough Council

Provision for Traveller Sites DPD: Publication Version Sustainability Appraisal Report

May 2016

**John Harrison, DipEnvP, MRTPI
Director of Development and Regeneration
West Lancashire Borough Council**



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A. Introduction

- A.1 This sustainability appraisal (SA) has been prepared by Council officers and critically reviewed by the consultants AECOM. It represents an updated version of the Interim SA Report that was published for consultation from 3 December 2015 – 29 January 2016.
- A.2 The document being appraised is the West Lancashire Borough Council Provision for Traveller Sites Development Plan Document ('the Traveller Sites DPD'). The Traveller Sites DPD's purpose is threefold – firstly to set out the objectively assessed accommodation needs of Gypsies and Travellers or Travelling Showpeople (referred to hereafter as 'Travellers'), secondly to provide a policy against which proposals for Traveller sites can be assessed, and thirdly to allocate a number of specific sites across the Borough in order to meet, as far as is realistically possible, the identified needs for Traveller accommodation.
- A.3 This SA is divided into four main sections. Firstly, the Introduction Section sets out the SA process and how it is being applied to the emerging Provision for Traveller Sites Development Plan Document ('the Traveller Sites DPD'), as well as outlining the planning policy context within which the DPD is being prepared.
- A.4 Secondly, the Context Section identifies the main sustainability issues relating to the subject of Traveller sites provision, drawing from the West Lancashire Local Plan Sustainability Appraisal Scoping Report and any more recent or specific data. The Context Section also outlines the purpose of the Traveller Sites DPD and describes the process by which it has been prepared, how policies and sites have been identified and chosen, how reasonable alternative policies and sites have been identified, and how the significance of effects of policies / site allocations has been determined.
- A.5 Section 3 'Appraisal' contains the appraisal of the proposed Traveller sites policy as well as the proposed Traveller site locations and reasonable alternatives.
- A.6 The final section draws together conclusions from the appraisal of the proposed policy and site allocations, and sets out how future monitoring should be carried out.

1. The Sustainability Appraisal process

- 1.1 The requirement to carry out SA comes from European Directive 2001/42/EC “on the assessment of the effects of certain plans and programmes on the environment”, known as the Strategic Environmental Assessment (‘SEA’) Directive. The SEA Directive has been transposed into English law through the Environmental Assessment of Plans and Programme Regulations 2004 (‘the SEA Regulations’).
- 1.2 The SEA Regulations require that certain information be presented in an Environmental Report (in this case, the SA Report). These are set out in Table 1.1 below; the table also shows how this SA of the Traveller Sites DPD complies with the SEA Directive.

Table 1.1 Compliance of this SA with the SEA Regulations 2004

Information required by the SEA Regulations	Existence of this information in the Traveller Sites DPD SA report
Contents, objectives and relationship of the document in question with other plans and programmes.	Summarised in Appendix 1 of this report. Full details can be found within the Local Plan Scoping Report.
Current state of the environment and implications without the supporting DPD.	Baseline data - Appendix 2.
Characteristics likely to be affected.	Baseline data - Appendix 2.
Existing environmental problems.	Baseline data - Appendix 2.
Environmental protection objectives that are relevant to the DPD.	Chapter 3.
Likely significant effects on the environment	Chapter 6.
Measures to prevent / reduce / offset significant adverse effects on the environment of implementing the DPD	Chapters 7 - 9 and Appendix 3.
Reasons for selecting the alternatives, describing how the assessment was undertaken.	Chapter 6.
Measures envisaged concerning monitoring.	Chapter 10.

- 1.3 Sustainable development is central to the planning system. The purpose of SA is to promote sustainable development, through the integration of social, environmental and economic considerations, into the preparation of new or revised Development Plan Documents and Supplementary Planning Documents. This approach is reiterated within paragraph 165 of the National Planning Policy Framework (NPPF).
- 1.4 SA is a methodology for assessing plans, policies or programmes (in this case the Traveller Sites DPD), to investigate whether they are likely to result in significant effects on the environment, seek to avoid or mitigate any negative social, environmental and economic effects and maximise the positives, and to promote a sustainable pattern of development.
- 1.5
- 1.6 The implication of the SEA Regulations for the Traveller Sites DPD is that a report is required to be published for consultation alongside the draft plan that ‘identifies, describes and evaluates’ the likely significant effects of implementing the Traveller Sites DPD, and any ‘reasonable alternatives’ that have been identified. The report must then be taken into account, alongside consultation responses, when finalising the DPD.
- 1.7 In line with the Regulations, the report (which for the purposes of Sustainability Appraisal is known as the ‘SA Report’) must essentially answer **four questions**:
1. What is the scope of the SA?
 2. What has plan-making / SA involved up to this point?
 - Preparation of the final Plan must have been informed by at least one earlier plan-making / SA iteration at which point ‘alternatives’ are appraised.
 3. What are the appraisal findings at this current stage?
 4. What happens next?
- 1.8 An Interim SA was prepared and consulted upon alongside the Options and Preferred Options version of the Traveller Sites DPD during from 3 December 2015 to 29 January 2016. The findings of the Interim SA, along with the results of consultation on the Options and Preferred Options Traveller Sites DPD, have been taken into account in preparing this SA report, and were taken into account as the Publication Traveller Sites DPD was formulated.
- 1.9 In order to establish the most important sustainability issues, this report draws upon the SA of the West Lancashire Local Plan 2012-2027 (which covers the whole Borough) and reviews the relevant evidence and baseline data in order to inform and support the assessment of the Traveller Sites DPD.

West Lancashire Borough Council's Approach to the Sustainability Appraisal

- 1.10 There are five distinct stages to undertaking a Sustainability Appraisal, as outlined in National Planning Practice Guidance (NPPG, paragraph 013).

Stages of the Sustainability Appraisal Process (NPPG)	
Stage A	Setting the context and objectives, establishing the baseline and deciding on the scope
Stage B	Developing and refining alternatives and assessing effects
Stage C	Prepare the Sustainability Appraisal Report
Stage D	Seek representations on the sustainability appraisal report from consultation bodies and the public
Stage E	Post adoption reporting and monitoring

Stage A

- 1.11 Stage A contains five principal elements:

- 1. Identify other relevant plans, policies and programmes, and sustainability objectives.*
- 2. Collect baseline information*
- 3. Identify sustainability issues and problems*
- 4. Develop the sustainability appraisal framework*
- 5. Consult the consultation bodies on the scope of the sustainability appraisal report*

- 1.12 In terms of Stage A, this SA Report draws from the West Lancashire Local Plan 2012-2027 Sustainability Appraisal Scoping Report, and from the evidence base that was compiled during the preparation of the Local Plan. Chapter 3 below and Appendices 1-3 (which correspond with stages A1-A4) provide a summary and analysis of the WLLP evidence base and SA Scoping Report. This evidence base has been updated to reflect the scope of the DPD and relevant new or updated data.

Stage B

1.13 Stage B consists of the following elements:

B1: Test the Plan objectives against the SA Framework.

This element has been carried out for the Local Plan SA and is discussed in Chapter 3 below.

B2: Developing the options and reasonable alternatives

The development of options and reasonable alternatives is set out in Chapter 6.

B3: Evaluate the likely effects of the Plan and alternatives,

The prediction of the likely effects of the Traveller Sites Policy (and alternative policies) is set out in Chapter 7. The prediction of the likely effects of specific Traveller sites, including the proposed Traveller sites, as well as the effects of alternative approaches to providing Traveller sites, are set out in Chapter 8. The evaluation of the effects is carried out in Chapters 7 and 8, and conclusions are drawn in Chapter 9.

B4: Considering ways of mitigating adverse effects and maximising beneficial effects.

This element of Stage B is given consideration in stages B3 / B4 above, and in Chapter 9 below.

B5: Proposing measures to monitor the significant effects of implementing the Plan.

This is covered in Chapter 10.

1.14 Further details about West Lancashire Borough Council's approach to SA can be found in the West Lancashire Local Plan 2012-2027 Sustainability Appraisal Scoping Report, available on the Council's website at:

<http://www.westlancs.gov.uk/planning/planning-policy/the-local-plan/the-local-plan-2012-2027/sustainability-appraisals.aspx>

2. National Planning Policy

- 2.1 The Localism Act 2011 and the introduction of the National Planning Policy Framework (NPPF) in March 2012 led to a substantial reform of the planning system. At the heart of the NPPF is the 'Presumption in Favour of Sustainable Development', which should be seen as 'a golden thread running through both plan making and decision taking' (NPPF paragraph 14).
- 2.2 Paragraph 165 of the NPPF states that an SA that meets the requirement of the European Directive on SEA should be an integral part of the plan preparation process, and should consider all the likely significant effects on the environment, economic and social factors.
- 2.3 National planning policy for Traveller-related development is set out in the government document Planning Policy for Traveller Sites (PPTS), first published in March 2012 alongside the NPPF, and updated in August 2015.
- 2.4 Paragraph 7 of PPTS advises that local planning authorities should co-operate with Travellers, neighbouring authorities and other relevant bodies to gain an understanding of Traveller accommodation needs in their area, and that this evidence should inform the preparation of local plans.
- 2.5 Paragraph 10 places a requirement on local planning authorities to identify and update annually a five year supply of specific deliverable Traveller sites, and to identify a supply of specific developable sites, or broad locations for growth, for years 6-10 and, where possible, years 11-15 of their Plan period.
- 2.6 Paragraph 13 sets out a series of criteria that are to be adhered to when considering the locations of Traveller sites. These include access to education and health services, and avoiding areas at high risk of flooding.
- 2.7 Paragraph 17 allows for amendment of Green Belt boundaries only in exceptional circumstances, and through the plan-making process rather than through a planning application.
- 2.8 Paragraph 19 advises that sites for Travelling Showpeople have different requirements from 'typical' Gypsy sites.
- 2.9 Further government guidance on provision for the travelling community is set out online in National Planning Practice Guidance (NPPG):
<http://planningguidance.communities.gov.uk/blog/guidance/>

B. Context

- B.1 This section provides contextual information relating to the West Lancashire-specific and Traveller-related sustainability appraisal framework against which the proposed Traveller sites policy and the proposed sites themselves are being assessed.
- B.2 It goes on to outline the background to, and purpose and content of, the Traveller Sites DPD, and to describe the process by which the Traveller sites policy was formulated, and by which the list of potential Traveller sites was compiled and how the proposed sites were chosen.
- B.3 The final chapter of this section looks at reasonable alternatives to the Traveller sites policy, and to the choice of proposed sites, and discusses the significance of effects, and possible mitigation measures.

3. Key Sustainability Issues Relating to Travellers

- 3.1 The first stage of the SA process involved reviewing the Local Plan (formerly known as the “Core Strategy”) Scoping Report and considering which objectives and key issues relate specifically to the Traveller Sites DPD. The opportunity was also taken to review some of the baseline data applicable to the background evidence of the DPD, in case any of this information had become out of date; and to identify any additional / more detailed baseline information that was relevant to preparation of the DPD, but not addressed by the high level Local Plan Scoping Report.
- 3.2 The initial Scoping Report for the (then) Local Development Framework (LDF) Core Strategy was consulted upon for a period of 6 weeks in 2009, in line with the SEA Regulations¹. The Scoping Report was sent to the statutory consultees - Environment Agency, Natural England and English Heritage (now Historic England) for comment. Comments were also invited from a wide range of community groups and other stakeholders, in order to ensure that the appraisal was transparent, comprehensive and addressed the relevant issues.
- 3.3 The evidence behind the Scoping Report has been updated regularly throughout the preparation of the West Lancashire Local Plan 2012-2027 and, since the Local Plan’s adoption, as part of the Council’s ongoing monitoring work. The most recent analysis of the evidence base for this SA document (presented in Appendices 1 and 2) has not indicated any significant changes to the baseline information or policy context that would require any change to the SA Framework and Objectives. This approach was outlined in the Interim SA Report that was consulted upon in December 2015 – January 2016. (No comments on the ‘scoping approach’ were made during the consultation period.)
- 3.4 The LDF Core Strategy Scoping Report covered the whole range of matters that were intended to be addressed in the LDF, i.e. the Core Strategy plus also the Site Allocations DPD, the Development Management (DM) Policies DPD that were

¹ In fact, the SEA Regulations were exceeded, as they require only five weeks consultation.

anticipated to follow the preparation of the Core Strategy, and any Supplementary Planning Documents. In 2011, the decision was taken to merge West Lancashire’s Core Strategy, Site Allocations DPD and DM Policies DPD into a single “Local Plan” document.

- 3.5 The Traveller Sites DPD deals with one discrete “subset” of the Local Plan, and thus its subject matter is covered by the wider Core Strategy (“Local Plan”) Sustainability Appraisal Scoping Report.
- 3.6 In accordance with Task A1, a review was undertaken of key documents and the policy context; this can be found in Appendix 1 of this SA report. A number of key issues and messages were identified as part of a ‘contextual review’ of key plans, strategies and other evidence. These have been taken into consideration when establishing the key sustainability issues and the appraisal framework for this SA. The most relevant and useful document was the national Planning Policy for Travellers Sites document (first published March 2012; revised August 2015).
- 3.7 Task A2, Analysis of Baseline Information, can be found in Appendix 2. Much of the original data from the original Local Plan Scoping Report is still Relevant. However, a review of some data, including census data and population statistics, has been undertaken to reflect the most up-to-date information available and to provide an up-to-date baseline for this SA and the Traveller Sites DPD. The updated information does not affect the overarching issues or appraisal framework as the trends remain the same.
- 3.8 Task A3 entails identifying the primary sustainability issues facing the Traveller Sites DPD. For the purposes of the SA of the Traveller Sites DPD, this analysis has focused specifically on issues relating to Travellers and their accommodation. A brief summary of these issues are set out in Table 3.1 below. Appendix 3 sets out the general issues related to the wider Local Plan, and looks at how they may be addressed.

Table 3.1 Key Sustainability Issues relating to the Traveller Sites DPD

Topic area	Key issues
Access, Highways & Public Transport	One of the key issues facing the Borough relates to the sustainability of transport; there is a need to improve access to sustainable methods of transport including bus services, rail links, cycle paths & footpaths. Car dependency levels are high and need reducing. Services and facilities such as employment are not always in locations readily accessible by public transport or walking.
Social Inclusion	Whilst the Local Plan seeks to meet housing needs over its 15 year period, there are no allocated Traveller sites in the Borough, thus the requirements of a section of the population are not being addressed (this is the primary reason for preparing the Traveller Sites DPD). Whilst much of the Borough is relatively affluent, there are geographical areas of deprivation and deprivation amongst certain sections of society. Social exclusion occurs from unemployment, low income, high crime rate, inadequate accommodation, and poor health. All of these issues are especially prevalent for Travellers. In addition to accommodation, there is a need to provide services,

Topic area	Key issues
	employment opportunities, and access to health-related facilities for residents of allocated sites.
Access to services and amenities	Access to services and amenities, including open and recreational space, is poor in certain locations outside settlement boundaries, e.g. the Northern Parishes, and is less than satisfactory within parts of some settlements.
Employment	<p>Whilst unemployment levels and the number of benefit claimants is lower than the regional and national average, there are disparities and inequalities between skills, education, health and employment across the Borough.</p> <p>Employment / unemployment levels amongst the travelling community vary; many Travellers are self-employed; few are in 'mainstream' employment.</p>
Education	<p>There is a need to improve the lack of basic skills and address barriers to work as well as linking workless people to vacancies.</p> <p>One key issue is access to good education facilities. For those in bricks and mortar housing, the issue relates primarily to location and quality of schools in the area. For the travelling community, the issue is more about being able to attend an educational establishment on a consistent basis, and to 'settle' at the same establishment rather than changing school regularly as Travellers are 'moved on'.</p>
Protection of ecology, biodiversity and soils	<p>The Borough comprises predominantly Green Belt land, which is required to be protected by national policy. However, Traveller sites may need to be provided in Green Belt if there are no deliverable sites in non-Green Belt areas.</p> <p>The volume of waste going to landfill needs to be reduced. This may link to Traveller accommodation in that providing a settled base for Travellers may enable collection of waste and lead to less likelihood of fly tipping.</p> <p>West Lancashire has roughly one third of the North West's best and most versatile agricultural land. This should be avoided as far as possible when considering potential site locations.</p> <p>Unused brownfield sites would benefit from being remediated and brought back into use; if appropriate these could be considered as potential Traveller sites.</p>
Surface and Waste Water Treatment	<p>West Lancashire has wetlands of international importance as well as other water bodies and watercourses with wildlife and amenity value. There are a number of deep aquifers that supply the horticultural industry. These water resources all require sustainable management and protection, including from foul (waste) water. Traveller sites should be located in such a way that they do not affect this resource.</p> <p>There is a need for water and wastewater supply for existing and planned development, including Traveller sites.</p> <p>West Lancashire has areas of high flood risk particularly in the Banks area and northern parishes, with implications for the location (or otherwise) of development, including Traveller accommodation. Much of the Traveller accommodation need is in the Banks area.</p>

Sustainability Appraisal Framework and Objectives

- 3.9 Task B1: Testing the Core Strategy objectives against the SA Framework, was undertaken in the Local Plan SA Scoping Report. Drawing on the [then] Core Strategy objectives, which became the Local Plan objectives, 18 sustainability objectives were established (Task A4).
- 3.10 These are set out in Table 3.2 below, and cover a full cross section of sustainability issues, including the three tenets of sustainability, namely environmental, social and economic factors. Not all of the 18 Local Plan (or Core Strategy) SA objectives are considered to be relevant to the Traveller Sites DPD.

Table 3.2 West Lancashire Local Plan Sustainability Appraisal Objectives

Sustainability Appraisal Objectives	Environmental	Social	Economic
1. To reduce the disparities in economic performance within the Borough		✓	✓
2. To secure economic inclusion		✓	✓
3. To develop and maintain a healthy labour market		✓	✓
4. To encourage sustainable economic growth	✓	✓	✓
5. To deliver urban renaissance	✓	✓	✓
6. To deliver rural renaissance	✓	✓	✓
7. To develop and market the Borough's image	✓	✓	✓
8. To improve access to basic goods and services	✓		✓
9. To improve access to good quality affordable and resource efficient housing		✓	✓
10. To reduce crime and disorder and the fear of crime		✓	
11. To reduce the need to travel, improve the choice and use of sustainable transport modes	✓	✓	
12. To improve physical and mental health and reduce health inequalities		✓	
13. To protect places, landscapes and buildings of historical, cultural and archaeological value	✓		
14. To restore and protect land and soil quality	✓		
15. To protect and enhance biodiversity	✓		
16. To protect and improve the quality of both inland and coastal waters and protect against flood risk	✓		
17. To protect and improve air, light and noise quality	✓		
18. To ensure the prudent use of natural resources, including the use of renewable energies and the sustainable management of existing resources	✓		

3.10 Each of the 18 Local Plan sustainability objectives was assigned a series of locally distinctive sub-criteria to allow for a more detailed evaluation of whether the objective will be achieved by the DPD being assessed. The full set of sub-criteria is listed in Appendix 5. Table 3.3 below lists only those Objectives and Sub-Criteria considered to be of relevance to the Traveller Sites DPD. These resulting Sub-Criteria provide the framework within which the Traveller Sites DPD SA is being undertaken² (Task A4).

Table 3.3 Locally distinctive sub-criteria for the 18 Sustainability Objectives

SA Objective (high level objective)	Locally / Topic-Distinctive Sub Criteria
1: To reduce the disparities in economic performance within the Borough.	<ul style="list-style-type: none"> • Will the plan / policy provide job opportunities in areas with residents most at need? • Will the plan / policy reduce economic disparities within the Borough? • Will the plan / policy improve the quality of employment opportunities within the Borough?
2: To secure economic inclusion	<ul style="list-style-type: none"> • Will the plan / policy meet the employment needs of all local people? • Will the plan / policy encourage business start-up, especially from under-represented groups? • Will the plan / policy reduce poverty in those areas and communities most affected?
3: To develop and maintain a healthy labour market	<ul style="list-style-type: none"> • Will the plan / policy increase the levels of participation and attainment in education? • Will the plan / policy provide a broad range of jobs and employment opportunities?
4: To encourage sustainable economic growth	(No sub-criteria are considered to be of direct relevance to the Traveller Sites DPD. As such, Objective 4 is not considered to be of relevance.)
5: To deliver urban renaissance	<ul style="list-style-type: none"> • Will the plan / policy improve economic, environmental and social conditions in deprived urban areas and for deprived groups? • Will the plan / policy deliver Sustainable Communities?
6: To deliver rural renaissance	(The sub-criteria are considered to be either of no direct relevance to the Traveller Sites DPD, or else a repeat of sub-criteria elsewhere. As such, Objective 6 is not considered to be necessary as part of the SA framework for the Traveller Sites DPD.)
7: To develop and market the Borough's image	(No sub-criteria are considered to be of direct relevance to the Traveller Sites DPD. As such, Objective 4 is not considered to be of relevance.)
8: To improve access to basic goods and services	<ul style="list-style-type: none"> • Will the plan / policy improve the access to basic goods, promoting the use of those which are locally sourced?

² I.e. the SA Framework used is the same, but its Objectives and Sub-Criteria that are not relevant have been removed.

SA Objective (high level objective)	Locally / Topic-Distinctive Sub Criteria
9: To improve access to good quality, affordable and resource efficient housing	<ul style="list-style-type: none"> • Will the plan / policy provide for an appropriate mix of housing * to meet all needs including affordable? <p>* <i>“Housing” is taken to mean “accommodation”, which can include Traveller accommodation.</i></p>
10: To reduce crime and disorder and the fear of crime	<ul style="list-style-type: none"> • Will the plan / policy support community development? • Will the plan / policy improve relations between all members of the community? • Will the plan / policy reduce levels of crime? • Will the plan / policy reduce the fear of crime? • Will the plan / policy identify and engage with hard to reach groups?
11: To reduce the need to travel, improve the choice and use of sustainable transport modes	<ul style="list-style-type: none"> • Will the plan / policy reduce vehicular traffic and congestion? • Will the plan / policy increase access to and opportunities for walking, cycling and use of public transport?
12: To improve physical and mental health and reduce health inequalities	<ul style="list-style-type: none"> • Will the plan / policy improve physical and mental health? • Will the plan / policy reduce deaths in key vulnerable groups? • Will the plan / policy reduce health inequalities among different groups in the community? • Will the plan / policy reduce isolation for vulnerable groups in the community? • Will the plan / policy promote a better quality of life?
13: To protect places, landscapes and buildings of historical, cultural and archaeological value	<ul style="list-style-type: none"> • Will the plan / policy protect and enhance the character and appearance of the Borough’s landscape strengthening local distinctiveness and sense of place?
14: To restore and protect land and soil quality	<ul style="list-style-type: none"> • Will the plan / policy encourage the development of brownfield land in preference to greenfield? • Will the plan / policy reduce the loss of high quality agricultural land to development? • Will the plan / policy achieve the efficient use of land via appropriate density of development?
15: To protect and enhance biodiversity	<ul style="list-style-type: none"> • Will the plan / policy protect and enhance habitats, species and damaged sites?
16: To protect and improve the quality of inland and coastal waters and protect against flood risk	<ul style="list-style-type: none"> • Will the plan / policy reduce or manage flood risk?
17: To protect and improve air, light and noise quality	<ul style="list-style-type: none"> • Will the plan / policy maintain or, where possible, improve local air quality? • Will the plan / policy reduce noise and light pollution?

SA Objective (high level objective)	Locally / Topic-Distinctive Sub Criteria
18: To ensure the prudent use of natural resources, including the use of renewable energies and the sustainable management of existing resources	<ul style="list-style-type: none"> • Will the plan / policy reduce the amount of waste generated by development? • Will the plan / policy minimise the use of fossil fuels?

4. The Provision for Travellers Sites DPD

The need for a DPD

- 4.1 The West Lancashire Local Plan 2012-2027 was adopted by the Borough Council in October 2013. Earlier versions of this Local Plan (i.e. Preferred Options, January 2012, and Publication, August 2012) contained a policy on Traveller accommodation. This policy, Policy RS4, was a criteria-based policy whose purpose was to direct Traveller development to the most appropriate places in the Borough, and to provide a means by which planning applications or enforcement cases relating to Traveller development could be judged.
- 4.2 At the Local Plan Examination in early 2013, the Local Plan Inspector advised that he could not find Policy RS4 sound, as it did not fulfil the requirement set out in PPTS to allocate specific deliverable sites to provide a five year supply of land to meet Traveller accommodation needs. In order for the West Lancashire Local Plan as a whole to be found sound, the Inspector recommended that Policy RS4 be deleted in its entirety from the Local Plan, and that the Council commit to preparing a separate DPD to allocate sufficient deliverable sites to meet Traveller accommodation needs over the Local Plan period.
- 4.3 To this end, the Council published an updated Local Development Scheme in May 2013 which included a commitment to prepare a Provision for Traveller Sites DPD, and the anticipated timescales for the preparation of this DPD.

Purpose and Content of the Traveller Sites DPD

- 4.4 The objective of the Traveller Sites DPD is to meet, as far as is practically possible, the accommodation needs of Travellers where they arise in West Lancashire, in a way which minimises impact upon the settled community and the environment, and which provides a suitable location for Travellers to reside, for example free from unacceptable risks to health.
- 4.5 The Traveller Sites DPD comprises the following elements:
1. A statement of objectively assessed accommodation needs for Travellers;
 2. A criteria-based policy against which planning applications for Traveller sites can be assessed (these criteria would also be relied upon in enforcement and appeal cases); and
 3. Site-specific allocations for Traveller accommodation.
- 4.6 In terms of the three primary elements of the DPD:
1. West Lancashire Borough Council (WLBC) participated in the Merseyside and West Lancashire Gypsy and Traveller Accommodation Assessment (August 2014), which concluded that the need for Traveller accommodation in West Lancashire, additional to that which already has permission, is as follows:

- 14 pitches³ on permanent Gypsy and Traveller sites by 2018, rising to 22 pitches by 2033;
 - 4 transit pitches; and
 - 1 yard for Travelling Showpeople with at least 1 residential plot.
2. The proposed criteria-based policy is based upon national policy, as set out in PPTS, tailored to West Lancashire’s specific circumstances. The now-cancelled “Designing Gypsy and Traveller Sites: Good Practice Guide” (‘the Good Practice Guide’) was also used to an extent to shape the criteria, although the weight attributed to criteria based solely on this document is limited, given the document has been withdrawn by the government.
 3. Whilst it is the intention of the Council to meet locally-arising Traveller accommodation needs in full, the draft DPD (Options and Preferred Options) set out the difficulties that have been encountered in searching for deliverable or developable sites. (‘Deliverable’ is defined in PPTS as available now, in a suitable location, and achievable with a realistic prospect that the site can be developed within five years; ‘developable’ is defined as in a suitable location for Traveller site development and having a reasonable prospect that the site is available and could be viably developed at the point envisaged). As a result, the draft DPD was not able to propose for allocation sufficient sites to meet the identified Traveller accommodation needs, and instead proposed the allocation of a smaller number of sites.

4.7 The Traveller Sites DPD covers the whole of West Lancashire Borough, as shown in Figure 1 below (West Lancashire is the lighter shaded area containing Burscough, Ormskirk and Skelmersdale):

Figure 1: West Lancashire - geographical context



³ The general term “pitch” refers to an area of land which would accommodate a Traveller household. It is generally accepted that a pitch should have space for a touring and static caravan, as well as for parking and an amenity block. Typically, therefore, one would expect two caravans per pitch.

Preparation of the Traveller Sites DPD

- 4.8 Work on the Traveller Sites DPD commenced in 2013, following the West Lancashire Local Plan examination. Much of the initial work focused on identifying a range of potential sites to meet Traveller accommodation needs. In addition, a site selection policy and a set of criteria against which to assess sites were drafted. During 2013-14, the Council participated in the preparation of the Merseyside and West Lancashire Gypsy and Traveller Accommodation Assessment ('GTAA'), to ascertain Traveller accommodation needs.
- 4.9 An initial version of the options and preferred options for the Traveller Sites DPD was considered by WLBC Cabinet in March 2014. This document included proposals to allocate sites to meet in full the Traveller accommodation needs within this Borough. Based on the current location of the travelling community in West Lancashire, this need would preferentially be met in the North Meols and Scarisbrick areas (permanent Gypsy and Traveller sites), the Skelmersdale / M58 corridor area (transit pitches) and the Burscough area (Travelling Showpeople provision).
- 4.10 Cabinet did not reject the options put forward in the report that sought to address Traveller need in line with the above, but rather delayed consideration until such time as officers had investigated a further option, that is, the identification of a single site along the M58 Corridor to accommodate all identified Traveller need in the Borough.
- 4.11 Following the Cabinet meeting, Council officers considered this alternative option of a single site on the M58 corridor, but concluded that, for a variety of reasons (availability, suitability, achievability), this option should not be pursued. From March 2014 to autumn 2015, work continued on identifying potential sites to accommodate Travellers. More details of the site identification and site selection process is contained in Chapter 5 below.

Consultation on the draft Traveller Sites DPD

- 4.12 The Options and Preferred Options Traveller Sites DPD was subject to public and stakeholder consultation from 3 December 2015 – 29 January 2016. The Council invited comments on all aspects of the document and in particular the proposed policy for assessing planning applications for Traveller development, the proposed criteria for site selection, and the preferred and alternative options for Traveller site provision. Specific questions on these aspects of the document were set out in the draft DPD itself. Consultation was also undertaken on the Interim SA.
- 4.13 A total of 21 representations were received on the draft DPD from a variety of respondents: local residents, Travellers / their agents, and statutory consultees. The comments received included opposition or support for two of the proposed site allocations, and some views on the proposed site selection criteria and policy.
- 4.14 The most significant change in circumstances between preparation of the Options and Preferred Options Traveller Sites DPD and the writing of this SA report is that, following amendments made to the Environment Agency Flood Maps late in 2015, the preferred option site at Sugar Stubbs Lane, Banks now lies in Flood Zone

3, where national planning policy does not allow for permanent Traveller sites to be allocated.

- 4.15 All representations made on the DPD have been considered, and a number of changes are proposed to the document in the light of the representations made, evidence and the findings of the SA. The resulting document is the 'Publication' version of the DPD.
- 4.16 This SA report is essentially an updated version of the Interim SA Report. The appraisal has been updated to reflect minor changes to the proposed policies and sites, and added details to the alternatives (i.e. specific combinations of site options). The findings of this report have fed into the 'Publication version of the Traveller Sites DPD'.
- 4.17 The Publication Traveller Sites DPD will be subject to public consultation (along with this SA report) over summer 2016 before being submitted to the Secretary of State for examination. It is intended that submission to central government will take place during autumn 2016, and it is anticipated that the examination will take place over winter 2016 and spring 2017. If the DPD is found sound at examination, it will be submitted to West Lancashire Borough Council for adoption, the anticipated date being summer 2017.

5. Policy Development, Site Search and Site Selection

Policy GT1

- 5.1 Draft policy GT1 was prepared having regard to national policy as set out in PPTS, local circumstances, the Good Practice Guide and findings of the Interim SA Reports. The version of the policy set out in the Options and Preferred Options Traveller Sites DPD was as follows:

Policy GT1

Assessment of Proposals for Gypsy and Traveller and Travelling Showpeople Sites

Broad Locations

Proposals for permanent or transit Traveller sites or pitches should be located in areas where need exists, as demonstrated by robust evidence.

Site-Specific Criteria

Permanent Sites

Proposed permanent sites for Travellers must not lie within Flood Zone 3.

In order to ensure that sites are fit for purpose and will provide adequate residential amenity, both to members of the travelling community and to members of the settled community, proposed permanent sites for Travellers will be required to meet the following criteria:

- (i) The site does not lie within the Green Belt;
- (ii) The site, on account of its scale and / or location, would not dominate the nearest settled community in such a way that the prospect of peaceful and integrated co-existence between the site and the local settled community would be undermined;
- (iii) The site is sufficiently far from any refuse site, industrial process, high voltage electricity infrastructure, other hazardous place, or any other process, land use or environmental issue (e.g. flyover, motorway), for there to be no unacceptable impact on the health, safety or general well-being of the residents of the site;
- (iv) The site is not subject to any physical constraints or other environmental issues that cannot be mitigated to an acceptable level, and that would impact on the health, safety or general well-being of the residents of the site, or on non-residents;
- (v) The site is accessible by a public highway that can accommodate typical Traveller-related vehicles without compromising highway safety;
- (vi) The site is not in Flood Zone 2;
- (vii) The site is not within, adjacent to, or close to (such that it would adversely affect) any area of land subject to a nature conservation designation;
- (viii) The site is not within, adjacent to, or close to (such that it would adversely affect) any area of land subject to an historic environment or historic landscape designation;
- (ix) The site has mains water, drainage and electricity, or else these services could readily be provided and satisfactory drainage achieved;
- (x) The use of this site as a Traveller site would not place undue pressure on local infrastructure and services;
- (xi) The site is within 1.5 kilometres (15 minutes' walk) of a bus route or other public transport facility, and / or it is possible to access from the site by means other than private motor vehicle the following facilities / services:
 - an appropriate health facility;

- education facilities, in particular a primary school;
- employment opportunities;
- shops;
- other necessary services.

(xii) It is possible to achieve visual and acoustic privacy on the site without any unacceptable visual impact on the site's surroundings;

(xiii) The site can accommodate between 3 and 15 pitches.

Transit Sites

In the case of transit sites, these should meet the above criteria, and, in addition should be accessible to the M58, or to the strategic highway network.

5.2 The full justification to policy GT1, including the reason for the choice of each criterion, is contained in the Options and Preferred Options Traveller Sites DPD (pages 24-26), available on the Council's website:

www.westlancs.gov.uk/Travellers

5.3 During the consultation on the Options and Preferred Options Traveller Sites DPD, a small number of comments were made on the criteria in policy GT1. However, having considered the representations made, it is expected that the criteria will remain essentially the same (albeit with a number of clarifications made in the justification to the policy) as the document moves to Publication stage. As such, it is policy GT1, as set out in the Options and Preferred Options DPD, that is being (re)assessed in this SA, along with reasonable alternatives (Chapter 6). The assessment is essentially an update of that which was presented in the interim SA Report; updated where necessary to reflect understanding of the evidence base and in response to an independent review by AECOM.

The Search for Sites

5.4 In seeking to identify land for consideration as potential Traveller sites, the following sources of site were explored:

- (i) Sites known to the Council on account of their Traveller-related planning history, including sites subject to enforcement action;
- (ii) Sites put forward by landowners (private or public), Travellers, and / or other stakeholders in two 'Call for Sites' exercises held in 2013 and 2015;
- (iii) Direct approaches (via letter) to owners of sites in the Council's Strategic Housing Land Availability Assessment (SHLAA) in 2013 and 2015, asking whether the owners would be willing for their land to be considered as Traveller sites;
- (iv) Engagement with a number of other landowners in areas of Traveller need (including the M58 corridor, as per the March 2014 Cabinet recommendation), to ascertain whether they were willing for any of their land to be considered as a Traveller site;
- (v) Approaches to owners / agents / developers of sites allocated for residential development or safeguarded as 'Plan B' sites in the West Lancashire Local Plan 2012-2027, enquiring as to the possibility of part of any site being set aside for Traveller accommodation;

- (vi) Liaison with the WLBC Regeneration Team to investigate the possibility of any land on industrial estates being considered for Travellers (in particular, transit sites);
- (vii) Discussions with the Lancashire County Council Estates and WLBC Estates Teams to enquire as to the availability and suitability of any Council-owned land being released for Traveller accommodation.
- (viii) Approaches to neighbouring local authorities under the Duty to Co-operate, to enquire whether they have any land or sites that could contribute towards meeting West Lancashire's Traveller accommodation needs.

5.5 Considering the potential sources of candidate sites in the same order as listed above, the search for sites proved relatively unfruitful:

- (i) In 2013, there were nine sites known to the Council that had been the subject of Traveller-related planning activity over the past 5-10 years. (This did not include roadside encampments typically lasting a few days.)

Between 2013 and 2015, no new sites came to the Council's attention via planning activity. In addition, an appeal on one 'known' site in North Meols was dismissed by the Secretary of State. This appeal decision was initially challenged, but the challenge was subsequently withdrawn. A key reason for the dismissal of the appeal was the fact that the site was situated in Flood Zone 3; this effectively rules out from consideration both the appeal site and the neighbouring site, which has essentially the same planning issues;

- (ii) The 2013 Call for Sites exercise yielded four potential sites over and above those in category (i) above. Between 2013 and 2015, three of these four sites ended up being ruled out on account of owners advising that the sites were no longer available. The 2015 Call for Sites exercise yielded just one site; this site was already included in category (i) above;
- (iii) In 2013, owners of four SHLAA sites indicated they were willing for their sites to be put forward as Traveller sites; in 2015, this number reduced to just two (i.e. two owners changed their minds between 2013 and 2015);
- (iv) Engagement with landowners in areas of Traveller need yielded no potential sites;
- (v) Approaches to owners of Local Plan sites yielded no potential sites;
- (vi) The WLBC Regeneration Team advised that there was no suitable and / or available land within employment areas that could be considered as potential Traveller sites;
- (vii) Lancashire County Council advised that they had no available land in West Lancashire for Travellers. Following negotiations and a careful consideration of the land in WLBC ownership, looking at the various current uses of Council-owned sites, the WLBC Estates and Valuation Manager advised that there were no suitable sites in WLBC ownership that could be considered as potential Traveller sites.

(viii) Neighbouring local authorities advised that they had no sites that they considered could contribute towards meeting needs for permanent Traveller accommodation identified in West Lancashire.

- 5.6 The site assembly process yielded 20 distinct sites, as listed in Table 5.1 below. Since work started on the DPD in 2013, a number of the 20 potential candidate sites have had to be ruled out from consideration, mostly on grounds of availability. In several cases, owners of sites who initially expresses a willingness for the site to be considered as a potential Traveller site subsequently informed the Council that the site was no longer available for consideration. Other sites were identified by third parties, but subsequent contact with the owner led to the sites being ruled out. A small number of other sites were ruled out on account of 'show-stopping' constraints.
- 5.7 Thus, despite a rigorous search for sites, and approaches made to many different landowners, the number of potentially available sites for consideration as candidate Traveller sites actually decreased over the 30 month site search period, resulting in just seven sites being considered available at the time of writing the Options and Preferred Options Traveller Sites DPD (November 2015). The seven sites are shaded grey in the table below.
- 5.8 In May 2016, the site at Sugar Stubbs Lane (site 3) is now recorded on updated Environment Agency flood maps as being in Flood Zone 3, and thus is also subject to a 'show-stopping' constraint.

Table 5.1 Potential Candidate Traveller Sites in West Lancashire

Site	Source / Current Status
1. Mosslands Stables, Aveling Drive ('Aveling Drive A'), Banks	Site with planning application pending consideration, although the dismissal of the appeal on the neighbouring site is likely to have implications for this site's delivery.
2. Land west of Mosslands, Aveling Drive ('Aveling Drive B'), Banks	Appeal dismissed by the Secretary of State on grounds of harm to the Green Belt and flood risk effectively rules out this site from consideration, although the Occupant has submitted a legal challenge.
3. Land rear of 'The Poppys' (<i>sic</i>), Sugar Stubbs Lane, Banks	Site with planning permission for one caravan; more recent planning application pending consideration. *Update – now in Flood Zone 3.
4. Land west of Hoole Lane, Banks	SHLAA site; owner initially indicated a willingness for the site to be considered as a Traveller site but has subsequently confirmed that the site is no longer available for consideration as a Traveller site.
5. Land west of Ringtail Road, Burscough	Site submitted in the September 2013 Call for Sites exercise. Owner since confirmed he is not willing for the site to be used to accommodate Travelling Showpeople.
6. Land west of The Quays, Burscough	Established Travelling Showpeople site with planning permission.
7. Land west of Tollgate Road, Burscough	Site suggested by a member of the travelling community. Owner has since confirmed that the site is not available for consideration as a potential Traveller site.

Site	Source / Current Status
8. Pool Hey Lane 'Caravan Park', Scarisbrick	Site with longstanding planning history, also submitted in the Call for Sites exercise.
9. High Brow Farm, Pool Hey Lane, Scarisbrick	Site with previous enforcement action relating to unauthorised occupation by Travellers. Site has recently been sold and is no longer available.
10. Land at 1-3 Southport Road, Kew, Southport	Site with previous issues relating to unauthorised occupation by Travellers. Site has more recently been purchased by a developer with a view to development for housing. Site is not available as a potential Traveller site.
11. Land to the rear of 281 Smithy Lane, Scarisbrick	Site submitted in the Call for Sites exercise. Owner has since confirmed that the site is not available for consideration as a potential Traveller site.
12. Former depot, Mere Brow	Site identified as a possible candidate site by WLBC officers. Owner has confirmed that the western part of the site is not available for consideration as a potential Traveller site. The eastern part of the site has recently been sold and is in use; not considered available as a potential Traveller site.
13. White Moss Road South (A), Skelmersdale	Site brought to the Council's attention by a member of the travelling community. Owners have since informed the Council that the site is not available for consideration as a Traveller site.
14. White Moss Road South (B), Skelmersdale	Site with planning permission granted December 2013 for Traveller-related development (stables). Site submitted as a potential Traveller site in the 2015 Call for Sites exercise.
15. White Moss Road South (C), Skelmersdale	Site identified by WLBC officers, adjacent to above site. Owners have since informed the Council the land is not available for consideration as a potential Traveller site.
16. Blackacre Lane, Ormskirk	Site submitted in Call for Sites.
17. Land south of Butcher's Lane, Aughton	SHLAA site; owner indicated a willingness for the site to be considered as a Traveller site.
18. Land east of Brookfield Lane, Aughton	SHLAA site; owner indicated a willingness for the site to be considered as a Traveller site.
19. Land east of Middlewood Drive, Aughton	SHLAA site; in 2013, the owner indicated a willingness for the site to be considered as a Traveller site. However, in 2015, the owner informed the Council that the land is no longer available for consideration.
20. Bickerstaffe Colliery, Bickerstaffe	Site previously identified by WLBC officers on account of its proximity to M58 Junction 3. Owners have since confirmed the site is not available for consideration as a potential Traveller site.

5.9 To assist the decision makers with the selection of preferred sites, an assessment of the 7 sites shaded above against a comprehensive set of sustainability criteria (which relate to the objectives in the SA Framework) has been carried out for this SA report. The assessment is provided at Appendix 6 to this report. A full assessment of all 20 sites is available in the Council's Site Assembly and Site Assessment Report (June 2015). Maps showing the locations of the sites are provided in Appendix 5.

Choosing 'Preferred Options' for Site Allocation

- 5.10 The section below sets out how sites were 'shortlisted' in the Options and Preferred Options Traveller Sites DPD. The main consideration in choosing sites in the DPD is whether the sites are considered 'deliverable', in line with national policy.
- 5.11 It is important to state that the DPD assesses the **deliverability** of individual sites against a set of criteria, whereas the SA assesses the **sustainability** of individual sites against another set of criteria. In assessing the deliverability of a site, one of the considerations is the site's sustainability in general terms. There is thus a significant amount of overlap between the DPD and the SA in terms of site assessments (including a number of criteria in common), although the two assessments are not the same, and may lead to different conclusions. As explained earlier in this document, the results of SA feed into the DPD; this is an iterative rather than a one-off process.
- 5.12 A set of criteria similar to those used in policy GT1 has been drawn up in the DPD for use in choosing 'preferred options' for site assessment. These criteria are based primarily on national policy, as set out in the National Planning Policy Framework (2012), and Planning Policy for Traveller Sites (2015) (PPTS) documents. The criteria have also been influenced to a lesser extent by the advice contained in the government's now-cancelled Designing Gypsy and Traveller Sites Good Practice Guide (May 2008). Whilst this document no longer has any statutory weight, its general principles and advice are considered to remain of relevance in developing site selection criteria. Where appropriate, the criteria have been tailored to the particular circumstances of West Lancashire.
- 5.13 The criteria, although broadly similar to those used in Policy GT1, have been reordered and grouped into three 'tiers'. 'Tier 1' criteria are essential criteria in that, if they are not met, the site is undeliverable and / or undevelopable. For example, if a site is in Flood Zone 3, national policy proscribes its use for caravan-based accommodation. 'Tier 2' criteria are weighty, and tend to be based on PPTS or Local Plan policies. However, failure to satisfy one or more of these criteria does not necessarily rule out consideration of the site as a potential Traveller site. 'Tier 3' criteria are based on PPTS policy and / or advice in the Good Practice Guide, and can be used to compare the merits of different sites that satisfy Tier 1 and Tier 2 criteria.
- 5.14 The site assessment criteria used are as follows:
- Tier 1**
1. Is the site available for Traveller development?
(Is the site in the hands of Travellers, or in the hands of an owner who has confirmed a willingness to sell the site for Traveller accommodation at a price which enables the viable development of the site?)
 2. Is the site in Flood Zone 3?
 3. Is the site subject to any physical or other constraints to delivery that could not reasonably be overcome and that would rule out its use as a Traveller site? (These may include ransom strips, leases, restrictive covenants, multiple ownerships.)

Tier 2

4. Is the site in the Green Belt? Would the use of the site as a Traveller site lead to material harm to the perceived openness of the Green Belt, or to the purposes of including land within the Green Belt?
5. Would this site, on account of its scale and / or location, dominate the nearest settled community in such a way that it would not promote peaceful and integrated co-existence between the site's occupants and the local settled community?
6. Is the site near to a refuse site (within 200m), un-neighbourly industrial process (200m), electricity pylons (100m), other hazardous place (200m), or any other process or environmental issue? Is the site adjacent to any road flyover or motorway, or any operational railway line? Could satisfactory mitigation realistically be achieved?
7. Is the site subject to any significant physical constraints that would need to be overcome before the site could be used as a Traveller site?
8. Is the site accessible by a public highway of an appropriate standard? Can satisfactory road access be achieved for typical Traveller vehicles?
9. Is the site in Flood Zone 2?
10. Is the site within, adjacent to, or close to (such that it would materially affect) any area of land subject to any nature conservation designation?
11. Is the site within, adjacent to, or close to (such that it would materially affect) any area of land subject to any historic environment or historic landscape designation?
12. Does the site have services (e.g. mains water, sewerage, electricity) or could these be provided reasonably easily and viably? Can satisfactory drainage be achieved?

Tier 3

13. Is the site in an identified area of Traveller need?
 14. Can satisfactory access be achieved onto and within the site for emergency vehicles?
 15. Would the use of the site for Traveller accommodation place undue pressure on local infrastructure or services?
 16. Is the site in a sustainable location? Is the site within 1.5km (15 minutes' walk) of, or is it possible to access by transport modes other than private motor vehicle, the following services:
 - an appropriate health facility; education (in particular a primary school); employment; shops; other necessary services?
 17. Would it be possible, within reason, to achieve visual and acoustic privacy for the site occupants (and neighbours)?
 18. Can the site accommodate between 3 and 15 pitches?
- 5.15 The reasons for the choice of these criteria (similar, but not exactly the same, as the reasons for the choice of the criteria in policy GT1) are set out in the Options and Preferred Options Traveller Sites DPD, available on the Council's website: www.westlancs.gov.uk/Travellers.

5.16 For the seven ‘available’ sites, shaded in Table 8.1 above (i.e. sites 3, 6, 8, 14, 16, 17, 18), the assessment against the criteria has been used to inform the choice of preferred sites. (For completeness, the other 13 sites were also assessed against the criteria, but as these 13 sites are not available for consideration as potential Traveller sites, their assessment against the criteria is to an extent superfluous. The full assessment of all 20 sites against the above criteria is set out in Appendix 1 of the Options and Preferred Options DPD)

5.17 Table 5.2 below, taken from the Options and Preferred Options Traveller Sites DPD (with one update to Site 3), summarises out the Council’s views on the deliverability – suitability and achievability, in addition to availability – of the seven ‘available’ sites:

Table 5.2 Deliverability of Sites 3, 6, 8, 14, 16, 17, 18

Site	Name	Comments on Deliverability / Justification for selection
3	Land at Sugar Stubbs Lane, Banks	<ul style="list-style-type: none"> • Site is in the hands of Travellers, and is already in use as a Traveller site; • Site has a long-established permission for one residential caravan; • According to the latest Environment Agency flood maps, the site lies within Flood Zone 3; • Site is close enough to A565 and public transport connections but sufficiently separated from existing built-up areas so as to have a limited impact on the settled population; • Site is sufficiently separated from environmental constraints so as to have a limited impact on (or not to be impacted by) the local environment; • Much of the site is reasonably well screened, especially from the A565, by evergreen hedging. Release of this site from the Green Belt would have a more limited effect than sites 16,17,18 because of the reduced visual impact.
6	Land west of The Quays, Burscough	<ul style="list-style-type: none"> • Site has permission as a Travelling Showpeople site, and its use for Travelling Showpeople accommodation is long-established; • It should be noted that this site does not contribute towards meeting the outstanding need for Travelling Showpeople accommodation in the Borough – the need is over and above this site, and this site’s allocation represents the formalisation of an existing permitted use.
8	Pool Hey Caravan Park, Pool Hey Lane, Scarisbrick	<ul style="list-style-type: none"> • Site is in the hands of Travellers, and has been in use as a Traveller site for over 20 years; • As such, the occupants of the site have long-established ties to the area; • Site is close enough to A570 and public transport connections but sufficiently separated from existing built-up areas so as to have a limited impact on the settled population; • Site is sufficiently separated from environmental constraints so as to have a limited impact on (or not to be impacted by) the local environment; • Whilst in the Green Belt, the site is well screened by established hedging, lessening its visual impact; • Site is close to a level crossing, but the Council has no record of any incidents at the level crossing resulting from the use of the site for Traveller accommodation. Network Rail have indicated that they do not object to the site’s being made permanent, providing there is no increase in usage or the type and volume of usage at the site.

Site	Name	Comments on Deliverability / Justification for selection
14	White Moss Road South (B), Skelmersdale	<ul style="list-style-type: none"> • Submitted by its owners as a potential Traveller site; • Question marks over deliverability – owners are willing to make the site available for Travellers, but do not want to run the site as a transit Traveller site themselves; • Site lies within the Green Belt; • Site sandwiched between Whitemoss hazardous waste landfill site and M58 motorway, thus considered to have potential for a transit site only; • Close to three underground oil and high pressure gas pipelines, all of which are Major Hazardous Installations with buffer zones in which the Health and Safety Executive is opposed to the siting of caravans.
16	Blackacre Lane, Ormskirk	<ul style="list-style-type: none"> • Site owned by Travellers; used for grazing horses, rather than for accommodation; • Open, slightly elevated, Green Belt land with little ‘screening vegetation’; as a result, use of this site for Travellers would be likely to have significant visual impact and cause harm to the perceived openness of the Green Belt; • Use of this site as a Traveller site would be likely to have a negative effect on the nearby settled community (200-300m away); • Poor road access; • Site is not in an area of Traveller accommodation need; • Site is reasonably sustainable in terms of access to facilities.
17	Butcher’s Lane, Aughton	<ul style="list-style-type: none"> • Owner has expressed willingness for the land to be used for Travellers but is not actively promoting the site as such; • Site lies partly in Flood Zone 3, partly in Flood Zone 2; • Green Belt site with little screening vegetation to Butcher’s Lane and to adjacent properties; • Site is situated on a rural lane with residential properties directly adjacent on both sides, meaning that its use as a Traveller site would be likely to be a significant impact on the local settled community; • Not in an area of identified Traveller accommodation need; • Unsustainable location in the sense that it is remote from services and public transport.
18	Land east of Brookfield Lane, Aughton	<ul style="list-style-type: none"> • Owner has expressed willingness for the land to be used for Travellers but is not actively promoting the site as such; • Open Green Belt site; it is unlikely to be feasible to achieve adequate screening of the site, especially from the adjacent railway line (on an embankment) and thus the use of the site for Travellers is likely to have significant visual impact; • Large site with some road frontage, mostly set back from the road; highly visible from the Ormskirk – Liverpool railway; • Brookfield Lane is a minor, rural road; • Site comprises a significant area of Grade 1 agricultural land; • Public footpath runs through site; • Not in an area of identified Traveller accommodation need; • Unsustainable location, remote from services and public transport.

5.17 As a result of the above, just three sites of the original list of 20 (subsequently reduced to 7) potential candidate sites were proposed as ‘preferred options’ for allocation in the Options and Preferred Option Traveller Sites DPD.

- 5.18 Sites 14, 16, 17, and 18 above may be considered as ‘reasonable alternatives’ to the three “Preferred Options” chosen (as all other sites were unavailable and / or in Flood Zone 3). As set out above, sites 14, 16, 17 and 18 are not considered deliverable.
- 5.19 The Options and Preferred Options Traveller Sites DPD sets out the ‘preferred sites’ as follows:

Permanent Gypsy and Traveller Accommodation

The draft GTAA states a need of 14 pitches by 2018, rising to 22 by 2033 in the Banks / Scarisbrick / Skelmersdale area. The preferred sites to contribute towards meeting this need are:

- (i) Site 3: Sugar Stubbs Lane, Banks; 3 pitches
- (ii) Site 8: Pool Hey Caravan Park, Scarisbrick; 5 pitches

Transit Site

The draft GTAA states a need of 4 pitches on one site in the Skelmersdale area or the M58 corridor. Due to site availability / suitability / achievability constraints, it has not been possible to identify a deliverable candidate transit site.

Travelling Showpeople Site

In terms of sites for Travelling Showpeople and their equipment, a need has been identified in the Burscough area for a Travelling Showpeople yard with at least one residential plot.

Site 6: Land west of The Quays, Burscough, is proposed as a Travelling Showpeople site. However, this is simply a formalisation of an existing consented use; Travelling Showpeople needs, as set out in the GTAA, are over and above the consented use of Land west of The Quays.

Once again, due to site availability / suitability / achievability constraints, it has not been possible to identify a candidate Travelling Showpeople site in the Burscough area. There are no reasonable alternatives for provision of a Travelling Showpeople site.

- 5.20 As such, the Traveller Sites DPD does not actually meet identified needs, owing to a lack of deliverable candidate sites. The situation has been exacerbated with the reclassification of Site 3 within Flood Zone 3.

6. Reasonable Alternatives and Significant Effects

Development of Reasonable Alternatives

- 6.1 The formulation and testing of reasonable alternatives is a key requirement of the SEA process, allowing for the consideration of different approaches by stakeholder groups and stimulating debate about the key issues, ideas, and ways of going forward.
- 6.2 In line with the requirements of national and European SEA guidance, this chapter looks at reasonable alternatives for proposed policy GT1 and for the proposed Traveller site allocations. The proposed policy, proposed sites and the alternative policies and sites have been assessed against the relevant sustainability objectives in Chapters 7 and 8 below. This identified the effects of the different reasonable alternatives, and aided the decision-making process about the preferred approaches.

Policy GT1

- 6.3 Two alternative policies to policy GT1, which are considered reasonable, are as follows:
- (i) An amended version of Policy GT1 (labelled “GT1a”) that is similar to Policy GT1, is broadly consistent with national policy, but which places less emphasis on impacts on the character of the area / landscape, and has less stringent locational criteria in terms of allowable distance from facilities and public transport routes. The rationale behind this ‘reasonable alternative’ is that the need for Traveller accommodation, and the importance of the human rights of Travellers (in particular the ‘rights of the child’) are such that they are given greater weight than locational environmental sustainability and landscape considerations. In addition, one of the representations on the Options and Preferred Options DPD expressed the opinion that locational criteria (in terms of distance to public transport facilities) should be relaxed for Traveller sites, and that landscape impact can be mitigated over time by planting; this alternative takes up those recommendations by relaxing the policy with regard to those two matters;
 - (ii) Having no policy in place by which to assess planning applications for Traveller accommodation. The basis for this ‘reasonable alternative’ is that relevant national and local plan policy are able to be relied upon, rather than a locally-specific policy. Essentially, this is the ‘projected baseline position’ (i.e. what would happen anyway in the absence of the DPD).
- 6.4 Policy GT1(a) is set out overleaf, with the differences from Policy GT1 shown as “~~strike through text~~ (deletions) and underlined text (additions)”:

Policy GT1(a) [Alternative]

Assessment of Proposals for Gypsy and Traveller and Travelling Showpeople Sites

Broad Locations

Proposals for permanent or transit Traveller sites or pitches should be located in areas where need exists, as demonstrated by robust evidence.

Site-Specific Criteria

Permanent Sites

Proposed permanent sites for Travellers must not lie within Flood Zone 3.

In order to ensure that sites are fit for purpose and will provide adequate residential amenity, both to members of the travelling community and to members of the settled community, proposed permanent sites for Travellers will be required to meet the following criteria:

- ~~(i) The site does not lie within the Green Belt;~~
- (i) The site, on account of its scale and / or location, would not dominate the nearest settled community in such a way that the prospect of peaceful and integrated co-existence between the site and the local settled community would be undermined;
- (ii) The site is sufficiently far from any refuse site, industrial process, high voltage electricity infrastructure, other hazardous place, or any other process, land use or environmental issue (e.g. flyover, motorway), for there to be no unacceptable impact on the health, safety or general well-being of the residents of the site;
- (iii) The site is not subject to any physical constraints or other environmental issues that cannot be mitigated to an acceptable level, and that would impact on the health, safety or general well-being of the residents of the site, or on non-residents;
- (iv) The site is accessible by a public highway that can accommodate typical Traveller-related vehicles without compromising highway safety;
- (v) The site is not in Flood Zone 2;
- (vi) The site is not within, adjacent to, or close to (such that it would adversely affect) any area of land subject to a nature conservation designation;
- ~~(vii) The site is not within, adjacent to, or close to (such that it would adversely affect) any area of land subject to an historic environment or historic landscape designation;~~
- (vii) The site has mains water, drainage and electricity, or else these services could readily be provided and satisfactory drainage achieved;
- (viii) The use of this site as a Traveller site would not place undue pressure on local infrastructure and services;
- (ix) The site is within ~~1.5~~ 3 kilometres (~~15~~ 30 minutes' walk) of a bus route or other public transport facility, ~~and / or it is possible to access from the site by means other than private motor vehicle~~ the following facilities / services:
 - ~~– an appropriate health facility;~~
 - ~~– education facilities, in particular a primary school;~~
 - ~~– employment opportunities;~~
 - ~~– shops;~~
 - ~~– other necessary services.~~
- ~~(x) It is possible to achieve visual and acoustic privacy on the site without any unacceptable visual impact on the site's surroundings;~~
- (x) The site can accommodate between 3 and 15 pitches.

Transit Sites

In the case of transit sites, these should meet the above criteria, and, in addition should be accessible to the M58, or to the strategic highway network.

Alternative Site Allocations

- 6.5 In addition to the allocation of preferred sites, Chapter 6 of the Options and Preferred Options Traveller Sites DPD set out five broader alternatives for Traveller site provision, summarised as follows:
- Alternative 1: Increase planned provision for Traveller accommodation, in order to offer choice to Travellers seeking accommodation;
 - Alternative 2: Increase planned provision for Traveller accommodation, in order to offer help meet neighbouring authorities' needs for Traveller accommodation;
 - Alternative 3: Reduce planned provision for Traveller accommodation below the levels set out in the draft GTAA, in anticipation of neighbouring local authorities offering to meet needs in West Lancashire;
 - Alternative 4: Allocate fewer sites, or no sites at all, for Traveller provision in West Lancashire, and rely instead on planning applications for sites in suitable locations that meet the criteria set out in policy GT1;
 - Alternative 5: Set out a different distribution of proposed Traveller sites, either different sites in the same general locations, or sites in different locations (to provide the same amount of accommodation as in the preferred options).
- 6.6 The Interim SA (October 2015), rather than assessing the preferred sites against five different alternative approaches, chose three alternatives: a merger of Alternatives 1 and 2 (allocating a greater number of sites), a merger of Alternatives 3 and 4 (allocating a smaller number of sites), Alternative 5, and the preferred sites. Thus four scenarios were tested: more sites, fewer sites, the proposed sites, different sites.
- 6.7 This SA is taking a similar approach to the above, but is looking at specific, rather than general, distributions of sites. Given there are five 'available' sites free of show-stopping constraints (Table 5.2 above), of which two are proposed for allocation⁴, it makes sense to consider the three other 'available' sites as forming the reasonable alternatives.
- 6.8 As such, the alternative distributions of sites to be appraised in this SA are as follows:
- (i) The proposed sites for allocation (Sites 6 and 8)
 - (ii) The proposed sites, plus any combination of sites 16, 17 and 18, the other 'available' sites. Given the size sites 16 and 18, these could make a significant contribution towards meeting the Traveller accommodation needs, although this would most likely involve having different families / groups of Travellers sharing sites⁵, as well as part of one site being a transit site.

⁴ As explained in Chapter 5, Site 3, initially proposed as a preferred option for allocation in the Options and Preferred Options DPD, has had to be made 'non-preferred' on account of it being reclassified as being within Flood Zone 3.

⁵ The Traveller accommodation need in West Lancashire comprises four distinct groups of Gypsies, two groups of Travelling Showpeople, in addition to the need for a transit site.

- (iii) Sites 16, 17 and 18, or a combination of these sites, instead of the proposed sites. Once again, given the size of these three sites, this alternative could possibly accommodate all needs, but would require sites to be shared between different groups and / or types of Travellers, and would require transit provision on part of a site.
 - (iv) Allocate no sites, but instead rely on 'windfall' planning applications, assessed against relevant policy. (No reliance can be placed on neighbouring authorities meeting needs, given all authorities neighbouring West Lancashire have indicated they have no capacity, sites and / or willingness to contribute towards meeting this Borough's needs.)
- 6.9 Thus the four alternative approaches being assessed in this SA may be summarised as the proposed sites, more sites, different sites and fewer (i.e. no) sites.
- 6.10 Given it has not been possible to find a potential deliverable transit site, there are no reasonable alternatives for provision of a transit site. Similarly, given it has not been possible to find a second potential Travelling Showpeople site to meet the existing needs, there are no reasonable alternatives for provision of a Travelling Showpeople site.

Significance of Effects

- 6.11 The SA framework tests the economic, environmental and social 'performance' of each option and the significance of the effects. In this case what constitutes a significant effect is influenced by the extent to which it affects the wider community, the land, and strategic infrastructure. The effects of the proposed sites on the existing social, economic and environmental characteristics are guided by Schedule 1 of the SEA Directive and this can differ on each Sustainability Appraisal.
- 6.12 For the Traveller Sites DPD, the effects of the proposed policy and / or the proposed site allocations have the potential to be very significant insofar as they concern the travelling community in West Lancashire, in particular whichever family or group may end up on an allocated site (or otherwise). The effects of the location of sites (or unauthorised encampments, if insufficient sites are allocated) may be very significant for those living nearby. However, Travellers make up a very small percentage of the overall population of the Borough, and thus the effects mentioned above are not likely to be significant when considered in the context of the population as a whole. The assessment carried out in chapters 7 and 8 has attempted to reflect this "twofold approach", but in most cases has considered the effect on the Borough / population as a whole.

Mitigation and enhancement

- 6.13 When considering the possible effects of a policy, or of a particular distribution of sites, it is also necessary to bear in mind the possibility of mitigation. For example, a new Traveller site may have a certain visual impact, but over time, with appropriate screening landscaping, the impact can be lessened significantly. In some cases, enhancements could be made, resulting in overall improvements.
- 6.14 The assessment in chapters 7 and 8 bears in mind the possibility and likely effects of mitigation where relevant; this is reflected in the comments in tables 7.1 and 8.1.

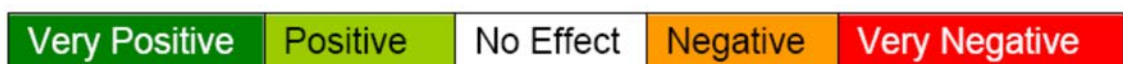
C. Appraisal

C.1 As highlighted in Chapter 6, there are two sets of ‘alternatives’ in this SA of the emerging Traveller Sites DPD:

- Firstly, there are three alternative approaches towards a policy against which proposals for Traveller accommodation can be assessed:
 - Policy GT1
 - Policy GT1a
 - No policy (reliance instead on national or applicable Local Plan policies)
- Secondly, there are four alternative approaches towards selecting and allocating specific sites for Traveller accommodation:
 - Sites 6 and 8
 - Sites 6 and 8, and a combination of sites 16, 17, 18
 - A combination of sites 16, 17, 18
 - No sites

C.2 This SA report seeks to assess the effects that each alternative policy and distribution of sites would be likely to have, compared with the baseline position, against the social, economic and environmental objectives (and their sub-criteria) of the SA Framework that are considered to be of relevance to Travellers (as set out in Chapter 2). It does not draw any specific conclusions as to which approach should be followed, but it has helped inform the choice of policy and proposed sites set out in the emerging Traveller Sites DPD (i.e. the SA has been taken into account in preparing the DPD) by identifying the effects of different options and alternatives.

C.3 The Appraisal has sought to highlight the positive and negative effects of each scenario (also taking into account the possibility of mitigation) by assigning a ‘score’. Scores have been recorded using the following colours:



C.4 To aid reading of this document when printed in black and white, table cells shaded with the above colours also have a code at the beginning of the text:

- (VP) – Very Positive
- (P) – Positive
- (N) – Negative
- (VN) – Very Negative
- Non-shaded cells are “No Effect”.

C.4 The SA framework tests the economic, environmental and social ‘performance’ of each option and the significance of the effects.

C.5 It is important to note that the scores given to each option do not necessarily represent significant effects. Rather, they have been used to allow a degree of comparison between the different options (none of which may have significant

effects overall given the focused nature of the DPD). Where significant effects are predicted, these are **highlighted in bold and underlined** in the text.

- C.5 At this stage it is not possible to accurately and fully determine all of the effects for each option, as they could differ depending upon the type and nature of the Traveller accommodation and how it is implemented. Therefore when considering the type, location and quantity of development, the assessment has generally assumed that sites will typically be 'permanent' (i.e. non-transit) Traveller sites owned by their occupants, unless transit sites or roadside encampments are explicitly referred to. The assessment of the preferred options and alternatives is displayed in Tables 7.1 and 8.1 respectively.

7. Appraisal of Policy GT1 of the Emerging Traveller Sites DPD and Alternative Policies

- 7.1 Table 7.1, on the following pages, shows the likely effects of Policy GT1, GT1(a) and the absence of any policy on the baseline position relating to the Local Plan Sustainability Objectives.
- 7.2 As stated in Chapter 3 above, not all of the 18 Local Plan sustainability objectives (and their locally distinctive sub-criteria) are of direct relevance to the issue of Traveller accommodation provision. The analysis below concentrates on those objectives and sub-criteria of most relevance to Travellers (see Table 3.3 for the list of the specific Objectives).
- 7.3 Table 7.2 compares the likely effects of the proposed locations for Traveller sites with the three alternatives, as set out in chapter 6 of the draft Traveller Sites DPD: more sites, different sites, and no sites.

Table 7.1 Assessment of the likely effects of Policies GT1 and GT1(a), and no policy

Objective	Policy GT1	Alternative Policy GT1a	No policy
1. To reduce the disparities in economic performance within the Borough	No effect on the baseline position. Provision of Traveller sites is not likely to lead to the creation of job opportunities or economic growth.	No effect on the baseline position. Provision of Traveller sites is not likely to lead to the creation of job opportunities or economic growth.	No effect on the baseline position.
2. To secure economic inclusion	This policy may help to reduce economic exclusion for a minority group.	This policy may help to reduce economic exclusion for a minority group.	No effect on the baseline position
3. To develop and maintain a healthy labour market	(P) Sites are to be located within 1.5 km of a public transport facility and easy accessible to educational facilities particularly a primary school. This should have a positive effect compared to the baseline position with residents living / working / educated in the Borough. Given the numbers of Travellers involved, and the fact they could be driven to school if further from facilities, the effect is unlikely to be significant overall, including on Travellers themselves.	(N) Sites can be located 3 km from a public transport facility and do not need to be easily accessible to other facilities, meaning it may be difficult for Travellers to access education. This could have a negative effect compared to the baseline by affecting the population educated to GCSE standard and the distance required to travel to education. However, children could be driven to school, so not a significant effect.	(N) If sites are not assessed against the distance from educational facilities there will be fewer measures in place to increase levels of education attainment. This could have a negative effect compared to the baseline by potentially affecting the population educated to GCSE standard and the distance required to travel to access education. However, as for GT1(a), the effect should not be significant overall.
5. To deliver urban renaissance	(P) The policy seeks to address the accommodation needs of the Gypsy & Traveller and Travelling Showpeople community, improving economic, environmental and / or social conditions for a potentially deprived group. Effect likely to be significant for Travellers but not for the wider community.	(P) The policy seeks to address the accommodation needs of the Gypsy & Traveller and Travelling Showpeople community, improving economic, environmental and / or social conditions for a potentially deprived group. Effect likely to be significant for Travellers but not for the wider community.	Without a local criteria-based policy it may be more difficult to address the needs of the travelling community, potentially a deprived group. However, assessment of applications would defer to PPTS, which seeks to benefit Travellers in this respect. Neutral effects predicted.
9. To improve access to good quality, affordable and resource efficient housing	(P) The policy criteria allow for sites to be allocated for Gypsy and Traveller and Travelling Show People accommodation, therefore helping to meet a specific need identified within the evidence base. Effects will be significant for Travellers, but in terms of the population as a whole, unlikely to be significant.	(P) The policy criteria allow for sites to be allocated for Traveller accommodation, therefore helping to meet a specific local need. The criteria are less stringent than GT1 and thus the potential to secure sites may be increased compared to GT1. Significant positive effect for Travellers but not for overall population.	Absence of a criteria-based policy will not assist in providing an appropriate mix of accommodation to meet the needs of the Borough, although PPTS would apply, in which accommodation needs are an issue to be considered with any planning application. No change with respect to the baseline position.
10. To reduce crime and disorder and the fear of crime	The criteria for assessing sites seek to promote peaceful co-existence and integration between the site and the local settled community. The baseline	Same likely effects as for Policy GT1.	Without a criteria-based policy, PPTS would apply. Paragraph25 refers to ‘not dominating’ the nearest settled community, although it

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Objective	Policy GT1	Alternative Policy GT1a	No policy
	<p>position involves there being a number of unauthorised sites, although there is no police evidence of crime associated with these sites. It is hard to measure fear of crime - unfortunately, many residents associate Travellers with crime and this perception is hard to address.</p> <p>Policy GT1 should result in minimal (positive) effects compared with the baseline position.</p>		<p>provides less strong protection than policy GT1 or GT1(a).</p> <p>The effect compared with the baseline position should not be significant; it would be expected to be neutral at best.</p>
<p>11. To reduce the need to travel, improve the choice and use of sustainable transport modes</p> <p>Page 196</p>	<p>(P) The sub-criteria for this Objective relate to reducing traffic and congestion, and access to public transport and cycling.</p> <p>Given site location criteria (proximity to public transport, adequate highways and access), Policy GT1 should have a positive effect in this respect compared with the baseline.</p> <p>Effects are not likely to be significant, either on Travellers or the wider population.</p>	<p>Policy GT1a criteria are less stringent than for GT1. Sites only need to be located within 3 km of a bus route or other transport facility, which could result in greater private vehicle use. Conversely, sites must be accessible by a public highway and in the case of transit sites; these are to be accessible to the M58, or to the strategic highway network. Compared with the baseline, the overall effects are likely to be negative or possibly neutral; not significant.</p>	<p>Having no local policy would mean PPTS is relied upon. Paragraph 25 very strictly limits new Traveller site development in open countryside away from existing settlements, although does not set a distance. Effect on the baseline position is likely to be similar to the effect of Policy GT1(a).</p>
<p>12. To improve physical and mental health and reduce inequalities</p>	<p>(P) Sites are to be located with easy access to an appropriate health facility. Providing a permanent base for Travellers should have a significant positive effect on their health and well-being. Given the low proportion of Travellers in the population as a whole, the effects are not likely to be significant overall.</p>	<p>(P) Whilst sites only need to be located within 3 km of a health facility, Travellers have access to private motorised transport. Providing a permanent base for Travellers should have a significant positive effect on their health and well-being. Given the low proportion of Travellers in the population as a whole, the effects are not likely to be significant overall.</p>	<p>With no policy in place, defer to PPTS. Paragraph 26 requires local authorities to attach weight to promoting opportunities for healthy lifestyles; overall effect likely to be insignificant.</p>
<p>13. To protect places, landscapes and buildings of historical, cultural and archaeological value</p>	<p>(P) The policy states that the scale and location of development should not be located in, adjacent to, or close to any areas of land subject to an historic environment, historic landscape or nature conservation designation. Therefore the policy adheres to protecting and enhancing the character and appearance of the Borough's landscape. There should be a modest improvement relative to the baseline position, but not a significant effect.</p>	<p>Policy GT1(a) has no criterion preventing development near to landscapes and buildings of historic, etc. value. However, this is covered by other Local Plan and national policies, so overall there should be minimal effect on the baseline.</p>	<p>Even if no criteria-based policy specific to Travellers were in place against which to assess the sites, this topic is covered by other Local Plan and national policies, so overall there should be no effect on the baseline.</p>

Objective	Policy GT1	Alternative Policy GT1a	No policy
14. To restore and protect land and soil quality	Policy GT1 does not refer to protecting greenfield land nor does it provide any reference towards promoting brownfield over greenfield. However, these matters are generally covered by the Local Plan and NPPF / PPTS. No effect on the baseline	The policy does not refer to protecting greenfield land nor does it provide any reference towards promoting brownfield over greenfield. However, these matters are generally covered by the Local Plan and NPPF / PPTS. No effect on the baseline	If there were no policy, relevant Local Plan and NPPF policy would instead be used. These should give some protection to land and soil quality. No effect on the baseline
15. To protect and enhance biodiversity	The criteria-based policy states that sites are not to be located in, close to or adjacent to nature conservation designations. Therefore there should be no net effect on the baseline position.	The site criteria policy states that sites are not to be located in, close to or adjacent to nature conservation designations. Therefore there should be no net effect on the baseline position.	(N) If no criteria-based policy were in place, reliance would be made on Local Plan policy; this should cover biodiversity, but would offer less protection than policy GT1. Unauthorised sites may adversely affect biodiversity more than planned sites. Possible negative effect on the baseline position, but unlikely to be significant.
16. To protect and improve the quality of both inland coastal waters and protect against flood risk	Policy GT1 specifically requires that the allocated sites are not located within an area at risk of flooding and that satisfactory drainage be achievable. No net effect.	Policy GT1(a) specifically requires that the allocated sites are not located within an area at risk of flooding and that satisfactory drainage be achievable. No net effect.	Without a criteria based policy, reliance would be had on PPTs and the NPPF, which would offer protection against flood risk. No net effect.
17. To protect and improve air, light and noise quality	Policy GT1 sets criteria stating that sites must be able to achieve visual and acoustic privacy on the site without any unacceptable visual effect on the sites' surroundings. There should be no negative change compared with the baseline position.	Policy GT1a has no criterion relating to visual and acoustic privacy and minimisation of visual impact. This could facilitate acoustic privacy (as there would be less control over the style, etc, of fencing) but at the expense of visual amenity. Local Plan policy (GN3) would offer some protection. Therefore, overall effect is likely to be neutral compared with the baseline.	Having no policy could potentially cause harm through an increase in light and noise pollution, although Local Plan policy and PPTS 26(d) would offer some protection. Overall, no significant effect likely.
18. To ensure the prudent use of natural resources, including the use of renewable energies and the sustainable management of existing resources	No net effect on the baseline position.	No net effect on the baseline position.	No net effect on the baseline position.

8. Appraisal of Proposed and Alternative Traveller Sites

- 8.1 Table 8.1 compares the likely effects of the proposed locations for Traveller sites with the three alternatives, as set out in chapter 6 above:
- (i) The proposed sites for allocation (Sites 6 and 8);
 - (ii) The proposed sites, plus sites 16, 17 and 18, the other 'available' sites;
 - (iii) Sites 16, 17 and 18 instead of the proposed sites;
 - (iv) Allocate no sites, but instead rely on 'windfall' planning applications, assessed against relevant policy.
- 8.2 As stated in Chapter 3 above, not all of the 18 Local Plan sustainability objectives (and their locally distinctive sub-criteria) are of direct relevance to the issue of Traveller accommodation provision. The analysis below concentrates on those objectives and sub-criteria of most relevance to Travellers (see Table 3.3 for the list of the specific Objectives).

Table 8.1 Appraisal of the Effects of Preferred and Alternative Options on the 18 Sustainability Objectives

Objective	(i) Provision of sites 6 and 8	(ii) Provision of a combination of sites 16-18 in addition to sites 6 & 8	(iii) Provision of a combination of sites 16-18 instead of sites 6 & 8	(iv) Provision of no sites – reliance on ‘windfall’ applications
1. To reduce the disparities in economic performance within the Borough	The Traveller sites DPD is concerned with providing accommodation for Travellers in the most appropriate locations. This Objective is concerned with providing job opportunities / investment, and thus the effect of allocating the preferred sites on this Objective should be minimal. There should be no effect on the baseline position.	The allocation of additional sites (combination of sites 16-18) will have a minimal / neutral effect on meeting the employment needs of the Borough. Many Travellers are self-employed and the transit site is not a permanent residence so would not assist in reducing economic disparities within the Borough. There should be no effect on the baseline position.	The allocation of a combination of sites 16-18 instead of 6 and 8 should have a minimal / neutral effect on meeting the employment needs of the Borough compared with the baseline position.	Allocation of no sites should not result in there being any significant effects in terms of this Objective, compared with the baseline position
Page 199 2. To secure economic inclusion	The preferred sites have been selected with the intention of providing accommodation within easy reach of employment. The preferred sites would have a small positive effect in terms of providing physical accessibility to jobs, although this is likely to be insignificant given many Travellers are self-employed.	The allocation of the additional sites should not have any effect on meeting the employment needs of the settled community. Two of the additional sites are remote from employment, so their allocation will have no significant positive effect compared with the baseline in terms of meeting the employment needs of their eventual residents. Many Travellers are self-employed.	The allocation of the alternative sites should not have any effect on meeting the employment needs of the local community compared with the baseline for similar reasons to (ii).	Allocation of no sites will, obviously, do nothing to achieve this Objective. However, compared to the baseline, there should be no significant effect.
3. To develop and maintain a healthy labour market	The most relevant sub-criterion of this Objective relates to levels of participation in education. The proposed site 8 has good access to education; site 6 is less good, but has been in place for over 20 years. Overall, the effect is judged to be positive, but not significant, compared to the baseline.	(P) Allocating site 16 should help increase levels of participation in education. Sites 17 and 18 are more remote. Overall, the effect on the baseline will be more positive than that of (i), but given the low numbers of children involved, it is not likely to be significant overall (although significant for the Travellers in question).	Allocating site 16 should help increase levels of participation in education. Sites 17 and 18 are more remote. Overall, the effect on the baseline will be more positive than that of (i), but less than that of (ii), given the “loss” of sites 6 and 8. Given the low numbers of children involved, unlikely to be significant for Travellers / the Borough.	Allocating no sites will be likely to have a negative effect compared with the baseline, but this should not be significant (assuming the current unauthorised sites remain in situ).

Objective	(i) Provision of sites 6 and 8	(ii) Provision of a combination of sites 16-18 in addition to sites 6 & 8	(iii) Provision of a combination of sites 16-18 instead of sites 6 & 8	(iv) Provision of no sites – reliance on ‘windfall’ applications
5. To deliver urban renaissance	The most relevant sub-criterion for this Objective relates to conditions for deprived groups (which can include Travellers). Allocation of sites 6 and 8 should have a positive, albeit not overall significant (given it is not ‘urban’), effect compared to the baseline.	The effect of adding sites 16-18 will be positive compared to the baseline, but not materially better than the effect of (i) on urban renaissance, and thus not significant.	The effect of substituting sites 16-18 should be positive compared to the baseline, but not so positive as the effects of (i) and (ii), as [urban] Site 8 is not included in this alternative. Overall effect not significant.	Allocation of no sites is likely to have a negative effect on deprived groups although this will be small and not significant given the small numbers involved and their more likely rural distribution.
9. To improve access to good quality, affordable and resource efficient housing	(P) The most pertinent sub-criterion for this Objective refers to an appropriate mix of housing to meet all needs, including those of Travellers. The provision of suitable accommodation to meet Traveller needs will have a significant positive effect on this group of people compared to the baseline position.	(VP) The allocation of a greater number of Traveller sites will further assist in meeting the accommodation needs of this group of people. Significant positive effect for a greater number of people, although small for the overall population.	(P) Providing the same amount of accommodation, albeit in different locations, should have a similar significant positive effect to (i).	The allocation of no sites will have no effect compared with the baseline position in terms of providing accommodation for this group of people.
10. To reduce crime and disorder and the fear of crime	Sub-criteria relate to community development, relations between sections of the community, crime and fear of crime. These issues are emotive and are likely to be a hindrance in securing the allocation of sites in the first place, even though the local evidence base does not link crime with current Travellers in the Borough. However, the allocation of appropriate good quality sites should help facilitate positive effects in terms of this Objective. As these outcomes are not guaranteed, this category has been assigned a “no effect” score rather than “likely positive” score compared with the baseline.	The same reasoning as for (i) applies, even with a combination of the extra three sites.	The same reasoning as for (i) applies. It can sometimes be the case that different groups of Travellers do not enjoy living together ‘cheek by jowl’, and this may have the potential to lead to disorder or increased fear of crime amongst the occupants of shared sites. This is potentially a negative impact associated with this alternative distribution of sites. However, this is not proven, so this cell is marked as ‘no effect’ rather than ‘negative effect’.	(N) Having no site allocations could result in needs not being met, leading to a greater likelihood of unauthorised encampments, which tend to reinforce negative public perceptions of Travellers, and provide little motivation on the part of Travellers to integrate with the local settled community. Negative effect compared with the baseline position, significant at a local level , but unlikely to be significant overall.

Objective	(i) Provision of sites 6 and 8	(ii) Provision of a combination of sites 16-18 in addition to sites 6 & 8	(iii) Provision of a combination of sites 16-18 instead of sites 6 & 8	(iv) Provision of no sites – reliance on ‘windfall’ applications
<p>11. To reduce the need to travel, improve the choice and use of sustainable transport modes</p>	<p>The most relevant sub-criteria relate to increased walking, cycling and public transport use. The preferred sites have been chosen taking into account, <i>inter alia</i>, their proximity to services and public transport, but in practice it is recognised that Travellers tend to have and use private motorised transport.</p> <p>The overall effect, therefore, is likely to be positive but not significant compared with the baseline position.</p>	<p>More site allocations could have both a negative and positive effect on the use of sustainable transport modes. If more sites were located in sustainable areas this would have a greater positive effect. However, if more rural unsustainable sites were allocated this would have less of a positive effect.</p> <p>Overall, given one site is sustainable, and two are more remote, the effect on the baseline position will be similar to that of (i).</p>	<p>As for (ii), site 16 is more sustainable, but sites 17 and 18 are more remote. Effect of this alternative on the baseline likely to be similar to that of (i) and (ii).</p>	<p>If no sites were allocated, there would likely be more unauthorised encampments, and these could be in less sustainable locations (although they may not be). Uncertain effect on baseline position assumed because of uncertainty over locations.</p>
<p>12. To improve physical and mental health and reduce inequalities</p>	<p>(P) Sub-criteria refer to improving physical and mental health, vulnerable groups, health inequalities and isolation. By providing suitable sites for Traveller accommodation, the preferred options can contribute towards a significant positive effect on these issues for Travellers.</p> <p>Ease of access to health facilities is one of the criteria used in site assessment. Site 6 has very good access; site 8 less good, although reasonable.</p> <p>Overall, it is anticipated there would be a positive effect compared with the baseline position, significant for the Travellers in question, but not significant for the overall population.</p>	<p>(P) Additional site allocations should result in a similar, or greater positive effect on the baseline compared with the preferred options for sites. However, positive impacts may be lessened if the remote sites are chosen (sites 17 / 18).</p>	<p>(P) Providing enough sites to meet Traveller accommodation needs should help address this Objective. However, sites 17 and 18 are more remote from health facilities, whilst site 16 is better than site 8. Effect of (iii) compared with the baseline likely to be similar to that of (i) and (ii) and not significant.</p>	<p>(N) Having no site allocations is likely to result in the accommodation needs of some Travellers not being met, which could lead to unauthorised encampments and / or constant “moving on”, allowing less access to health facilities and a lower quality of life for some.</p> <p>(Moving on refers to unauthorised transit sites, that are closed down through enforcement action)</p> <p>Given numbers, effects not likely to be significant at Borough level; but could have a significant negative effect on those groups affected.</p>

Objective	(i) Provision of sites 6 and 8	(ii) Provision of a combination of sites 16-18 in addition to sites 6 & 8	(iii) Provision of a combination of sites 16-18 instead of sites 6 & 8	(iv) Provision of no sites – reliance on ‘windfall’ applications
<p>13. To protect places, landscapes and buildings of historical, cultural and archaeological value</p> <p>Page 202</p>	<p>(N) One preferred Traveller site is in a rural location; one is urban. The rural site has well established screening to mitigate its visual impact on the landscape; its allocation should not result in any net effect compared to the baseline position. The urban site is not next to any buildings of historical value, although is adjacent to the Leeds Liverpool Canal. Its appearance has a negative impact on a small stretch of canal, but as the site is already in existence, there is no net negative effect compared to the baseline.</p>	<p>(N) Allocating sites 16-18 would lead to greater effect on landscapes and / or countryside, especially in the case of site 18. However it may be possible to mitigate the effects for some sites via screening planting. Effect could be judged to be “negative” or “very negative” compared with the baseline, depending on extent of the site used, and mitigation.</p>	<p>(N) Given the size and location of sites 16-18, these are likely to have a slightly more negative effect on the landscape , especially in the case of Site 18, although once again, these sites can be appropriately screened to mitigate their effect. Unlikely to be significant effect.</p>	<p>(N) Whilst allocation of no sites will lead to less cumulative effect on the landscape, this will result in an increased likelihood of unauthorised encampments. Such encampments may have a much more negative effect on the countryside. Conversely, occupants of longer-term unauthorised sites may sometimes screen their sites, in which case the effect could be “negative” rather than “very negative”. Significant negative effects predicted locally although the precise nature / extent / location is uncertain.</p>
<p>14. To restore and protect land and soil quality</p>	<p>The relevant sub-criteria refer to brownfield land, agricultural land, and density. The preferred sites which are already in use, so no effect compared with the baseline position.</p>	<p>(N) Use of sites 16-18 will result in a greater loss of greenfield land, and could potentially lead to loss of more significant amounts of agricultural land. Depending on the extent of development on these sites, effects could be significant, but reduced to being non-significant with appropriate mitigation (landscaping to screen the sites).</p>	<p>(N) Use of sites 16-18 will result in a greater loss of greenfield land, and could potentially lead to loss of more significant amounts of agricultural land. Depending on the extent of development on these sites, effects could be significant, but reduced to being non-significant with appropriate mitigation (landscaping to screen the sites).</p>	<p>(N) Whilst allocation of no sites will lead to less effect, it could also result in more unauthorised encampments in more “harmful” locations, with a greater overall “net” negative effect than for the preferred option depending upon their location. Whether this is “negative” or “very negative” (and significant) depends on the locations of any unauthorised encampments.; thus uncertain effects.</p>
<p>15. To protect and enhance biodiversity</p>	<p>The preferred sites have been selected using, <i>inter alia</i>, a criterion seeking to avoid negative effects on nature conservation sites. The sites chosen will not enhance biodiversity, but should not have any significant negative effect on biodiversity in the</p>	<p>(N) Addition of a combination of sites 16-18 would potentially increase the likelihood of some effect upon habitats and species, depending on the site(s) used and their biodiversity. Mitigation measures such as buffer zones or</p>	<p>(N) Substitution of sites 16-18 would potentially increase the likelihood of some effect upon habitats and species, through a cumulative effect, mitigation measures would need to be implemented to deal with any loss. Overall it is likely there would</p>	<p>(N) Having no allocated sites would reduce the effect upon habitat and species within the borough, but would most likely result in a greater number of unauthorised developments, potentially in locations affecting nature conservation sites.</p>

Objective	(i) Provision of sites 6 and 8	(ii) Provision of a combination of sites 16-18 in addition to sites 6 & 8	(iii) Provision of a combination of sites 16-18 instead of sites 6 & 8	(iv) Provision of no sites – reliance on ‘windfall’ applications
	<p>baseline evidence.</p> <p>A number of the preferred sites are already in Traveller use at present. No overall effect upon the baseline position.</p>	<p>compensatory planting / habitats would need to be implemented to deal with any loss. Overall it is likely there would be a minor negative effect compared with the baseline position. Not significant as sites 16-18 are not designated nature sites nor show obvious special biodiversity value.</p>	<p>be a minor (not significant) negative effect compared with the baseline position.</p>	
<p>16. To protect and improve the quality of both inland coastal waters and protect against flood risk</p>	<p>The preferred sites avoid Flood Zone 3, in accordance with national policy. Any allocated sites will need to satisfy the Exceptions Test, where applicable. Allocating the preferred sites will not have a positive effect on flood risk, but neither should it have any significant negative effect. Thus overall, no net effect on the baseline position.</p>	<p>Sites 16-18 are not in areas of flood risk (apart from part of site 18, which could be avoided).</p>	<p>Sites 16-18 are not in areas of flood risk (apart from part of site 18, which could be avoided).</p>	<p>(N) Allocating no sites could result in unauthorised encampments, which may be in flood risk areas. Two current unauthorised sites are in Flood Zone 3. The extent and significance of negative effects depends on the occurrence and location of any unauthorised encampments.</p>
<p>17. To protect and improve air, light and noise quality.</p>	<p>The preferred sites should have no significant effect on air quality and noise / light pollution, provided suitable measures be put in place on allocated sites to provide suitable acoustic and visual screening. There is no indication of any likely effect upon the baseline position.</p>	<p>Sites 16-18 could have more effect in terms of light pollution given their open rural locations, although this could be mitigated. There should be no material effect on air quality compared to the baseline.</p>	<p>Sites 16-18 could have more effect in terms of light pollution given their open rural locations, although this could be mitigated. There should be no material effect on air quality compared to the baseline.</p>	<p>Fewer allocated sites would potentially have a lesser effect upon noise and air quality. However the effect would be dependent upon the location of sites the sustainability of their locations. Unauthorised encampments also generate vehicle movements. There is no indication of any material effect compared with the baseline position.</p>

Objective	(i) Provision of sites 6 and 8	(ii) Provision of a combination of sites 16-18 in addition to sites 6 & 8	(iii) Provision of a combination of sites 16-18 instead of sites 6 & 8	(iv) Provision of no sites – reliance on ‘windfall’ applications
18. To ensure the prudent use of natural resources, including the use of renewable energies and the sustainable management of existing resources	Providing accommodation to meet Traveller needs will have implications for use of resources, but these effects are not likely to be significant given the relatively small Traveller accommodation requirements in West Lancashire, compared with, say bricks and mortar housing requirements. There is no evidence of a likely material effect upon the baseline position.	More sites will inevitably produce a higher demand on the use of resources; however policies within the Local Plan ensure that renewable energies and sustainable design/ construction will be implemented. These sites would accommodate a need that also is required to be met under (i). There is no evidence of a likely material effect compared with the baseline position.	Use of undeveloped sites 16-18 may produce a higher demand on the use of resources; however policies within the Local Plan ensure that renewable energies and sustainable design/ construction will be implemented. These sites would accommodate a need that also is required to be met under (i). There is no evidence of a likely material effect compared with the baseline position.	Allocating no sites will in theory produce a lower demand on the use of resources, but the probable associated unauthorised encampments that would result would also have implications in terms of resources, and waste. Possible negative effect compared to the baseline position, but not significant.

D. Application

- D.1 This section draws conclusions from the appraisal of the proposed Traveller sites policy (GT1) against alternative policies, and of the proposed Traveller site allocations against alternative sites / distributions of sites.
- D.2 The final chapter of the SA considers monitoring and how the effects of the Traveller sites policy and Traveller site allocations may be measured in the future.

9. Conclusions

- 9.1 This Sustainability Appraisal report represents a fulfilment of the Stages A – C of the Sustainability Appraisal process for the Traveller Sites.
- 9.2 An assessment has been made of the Traveller Sites DPD's proposed policy to assess planning applications for Traveller sites (policy GT1) against the baseline position with regard to the most relevant Sustainability Objectives of the West Lancashire Local Plan. For comparison purposes, two reasonable alternatives to policy GT1 were assessed: an alternative, less stringent policy (in terms of Green Belt, impact on landscape, and proximity of sites to public transport facilities), and a scenario where there would be no policy in place, with reliance placed on national and Local Plan policies.
- 9.3 It is concluded that the proposed Policy GT1 would be likely to have the most beneficial effects overall compared with the baseline position, its criteria seeking to minimise negative effects on matters linked with the 18 sustainability objectives of the Local Plan insofar as they relate to the provision of accommodation for Travellers. The alternative, less stringent, policy, and the scenario where there is no specific local policy, could have a slightly more negative effect overall in terms of sustainability. On balance, across the range of sustainability factors, Policy GT1 is more beneficial.
- 9.4 In the same way, an assessment was made of the preferred options for Traveller site allocation against the 18 Local Plan Sustainability Objectives, and this was compared with three reasonable alternative approaches of providing additional sites, providing fewer sites, and providing sites of the same capacity but in different geographical locations from the preferred sites.
- 9.5 In the light of an assessment of the deliverability (availability, suitability and achievability) of potential candidate sites, the proposed Traveller sites for allocation are:
- Site 6 – Land west of The Quays, Burscough. Travelling Showpeople accommodation; 10 pitches;
 - Site 8 – Pool Hey Caravan Park, Pool Hey Lane – Permanent Gypsy and Traveller accommodation; 5 pitches.

- 9.6 Table 8.1 indicates that the effects of allocating the proposed sites, in terms of sustainability (environmental, social, and economic), are similar to the effects associated with allocating more sites (i.e. adding the three 'available but not suitable' sites - sites 16-18: Blackacre Lane, Ormskirk; Brookfield Lane, Aughton; and Butchers Lane, Aughton), or different sites (sites 16-18 instead of the proposed sites).
- 9.7 However, given the many possible scenarios associated with these alternatives, as well as the fact that there are, or may be, unauthorised sites (either as part of the baseline situation, or as a consequence of insufficient sites being allocated to meet needs), it is very difficult to come to a robust conclusion regarding the relative sustainability of the alternative options.
- 9.8 The provision of additional sites (alternative (ii)) is preferable in terms of social sustainability because providing more sites would better meet accommodation needs. However, it is likely to lead to greater negative effects in terms of environmental sustainability, such as loss of land. Alternative (iii) has similar positive effects to alternative (i), but there a greater likelihood of negative effects as a result of two of the sites being in more remote locations, away from services and public transport facilities.
- 9.9 All four scenarios include elements of negative effects; this is because the allocation of sites for Travellers will result in consequences such as the loss of agricultural or horticultural land, and the use of private motorised transport.
- 9.10 As explained earlier in the report, it is important to note that the emerging DPD takes into account the sustainability of sites (and will take into account this SA), but the national planning policy requirement is that allocated sites be deliverable – not just suitable (sustainably located), but available and achievable, so alongside sustainability, availability and achievability also influence the final choice of sites.
- 9.11 The results of this Sustainability Appraisal have fed into the Traveller Sites DPD: Publication document. This report will be consulted upon, alongside the Publication DPD. Comments received through the consultation process will be taken into account when preparing the final (Submission) DPD.

10. Monitoring

- 10.1 It is necessary to monitor the effects on sustainability of the proposed Traveller sites policy and allocations, in particular any scenarios where significant effects have been identified as being likely. By monitoring specific indicators, it is possible to evaluate how well the policy is performing, and / or the impact of the DPD in question on different sustainability matters, although it is recognised that there may be a range of factors, several not related to Travellers, that can influence different indicators being monitored.
- 10.2 Where possible, monitoring measures should draw on existing monitoring, in order to avoid duplication and unnecessary effort.
- 10.3 With regard to the Traveller Sites DPD, the following monitoring measures are proposed:
- Need for Traveller accommodation provision (to be measured through GTAA / housing needs updates; these are likely to be less than annually);
 - No. Traveller pitches (authorised and unauthorised) (annual);
 - No. roadside Traveller encampments per annum (if possible, distinction should be made between the same group moving around, and different groups);
 - Planning permissions for Traveller pitches / yards – including refusals of permission and appeals (annual);
 - Amount of agricultural land lost to development (in particular Traveller-related development) (annual).

APPENDIX 1: REVIEW OF RELEVANT PLANS AND PROGRAMMES

Strategy/Plan/Programme	Key Objectives relevant to Provision for Traveller Sites DPD	Key targets and indicators relevant to Traveller Sites DPD	Implications for Provision for Traveller Sites DPD	Implications for Sustainability Appraisal
INTERNATIONAL				
Johannesburg Declaration on Sustainable Development	<ul style="list-style-type: none"> • Commitment to building a humane equitable global community for all. • Renewable energy and efficiency • Sustainable construction. • Reducing impacts on biodiversity. 	<ul style="list-style-type: none"> • Greater resource energy efficiency. • Renewable energy. • Increase energy efficiency. 	<ul style="list-style-type: none"> • The Travellers policy /sites should seek to encourage energy efficiency and renewables. 	<ul style="list-style-type: none"> • The SA should provide objectives relating to the environment, natural resources and renewable energy.
Kyoto Protocol (1997)	<ul style="list-style-type: none"> • To prevent greenhouses gases and climate change. 	<ul style="list-style-type: none"> • Reduce emission levels 	<ul style="list-style-type: none"> • Encourage renewable energy 	<ul style="list-style-type: none"> • The SA should provide objectives relating to the environment and use of natural resources and renewable energy.
Paris Climate Change Agreement (COP21)	<ul style="list-style-type: none"> • To limit global warming to well below 2°C. • The agreement is due to enter into force in 2020. 	<ul style="list-style-type: none"> • Emissions to peak soon and reduce rapidly thereafter 	<ul style="list-style-type: none"> • Seek to deal with the impacts of climate change 	<ul style="list-style-type: none"> • Consider mitigation / dealing with climate change impacts e.g. flooding
European Spatial Development Perspective	<ul style="list-style-type: none"> • Economic/Social cohesion. • Conservation of natural and cultural heritage. 	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • Consider the Directive within the SA.
Directive 2001/42/EC on the assessment of the effects of certain plans on the environment	<ul style="list-style-type: none"> • Protection of the environment. 	<ul style="list-style-type: none"> • Must apply to plans after 21/07/2006. 	<ul style="list-style-type: none"> • Develop a Policy and ensure allocated sites take account of Directives requirements 	<ul style="list-style-type: none"> • Requirements of the Directive must be met within the SA.
EU Air Quality Framework Directive 1996/62/EC and 1999/30/EC, 2000/3/EC	<ul style="list-style-type: none"> • Maintain good air quality and improve where possible. 	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • Develop a Policy and ensure allocated sites take account of the requirements of the Directive. 	<ul style="list-style-type: none"> • The SA should include objectives to consider air quality.
EU Water Framework Directive 2000/60/EC	<ul style="list-style-type: none"> • Prevent deterioration of aquatic water systems. • Promote sustainable water use. • Reduce underground pollution • Mitigate effects of flooding and droughts. 	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • Develop a Policy and ensure allocated sites take account of the Directive's requirements. 	<ul style="list-style-type: none"> • The SA should include objectives to consider water quality.

Strategy/Plan/Programme	Key Objectives relevant to Provision for Traveller Sites DPD	Key targets and indicators relevant to Traveller Sites DPD	Implications for Provision for Traveller Sites DPD	Implications for Sustainability Appraisal
Drinking Water Directive	<ul style="list-style-type: none"> Quality of drinking water 	<ul style="list-style-type: none"> Standards are legally binding 	<ul style="list-style-type: none"> Develop a Policy and ensure allocated sites take account of the requirements of the Directive. 	<ul style="list-style-type: none"> The SA should include objectives to consider water quality.
Bern Convention on the Conservation of European Wildlife and Natural Habitats (1979)	<ul style="list-style-type: none"> To ensure conservation of wild flora and fauna species and habitats. Special attention should be given to endangered and vulnerable species, included endangered and vulnerable migratory species. <p>There are three main aims:</p> <ol style="list-style-type: none"> 1. Conserve wild flora, fauna and Natural Habitats. 2. To promote co-operation between states. 3. To give particular attention to vulnerable/endangered species. 	<ul style="list-style-type: none"> No targets identified 	<ul style="list-style-type: none"> Develop a Policy and ensure that allocated sites take account of the requirements of the Directive. 	<ul style="list-style-type: none"> The SA should consider the natural environment, biodiversity issues and the protection of endangered species.
EU Directive on the Conservation of Wild Birds 79/409/EEC	<ul style="list-style-type: none"> Identification of endangered species for which Member States are required to designate Special Protection Areas. 	<ul style="list-style-type: none"> Creation of protected areas; Upkeep and Management; Re-establishment of destroyed biotopes. 	<ul style="list-style-type: none"> Develop a Policy and ensure allocated sites take account of the requirements of the Directive. 	<ul style="list-style-type: none"> The SA should consider the protection of endangered species.
EU Directive on the Conservation of Natural Habitats and Wild Flora and Fauna 92/43/EEC	<ul style="list-style-type: none"> To conserve natural habitats; Identification of areas of conservation and maintain landscape features; Protection of Species. The consideration of Appropriate Assessments. 	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> Develop a Policy and ensure allocated sites take account of the requirements of the Directive 	<ul style="list-style-type: none"> The SA should consider the protection of landscape benefit for ecological issues.
RAMSAR Convention on Wetlands of International Importance (1971)	<ul style="list-style-type: none"> The conventions mission statement is 'the conservation and wise use of all wetlands through local, regional and national actions and international co-operation, as a contribution to sustainable development throughout the world'. 	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> Develop a Policy and ensure allocated sites take account of the requirements of the Directive. 	<ul style="list-style-type: none"> The SA should consider the protection of identified European sites of nature conservation significance.

Strategy/Plan/Programme	Key Objectives relevant to Provision for Traveller Sites DPD	Key targets and indicators relevant to Traveller Sites DPD	Implications for Provision for Traveller Sites DPD	Implications for Sustainability Appraisal
EU Framework Waste Directive 75/442/EEC (as amended)	<ul style="list-style-type: none"> • Seeks to prevent and reduce the production of waste and its impacts; • Where necessary waste should be disposed of with creating environmental problems. 	<ul style="list-style-type: none"> • Promoting of the development of clean technologies to process waste; • Promote re-cycling and re-use 	<ul style="list-style-type: none"> • Develop policies which take account of Directive's requirements and consider recycling and treatment of waste 	<ul style="list-style-type: none"> • The SA should include the minimisation of waste as an objective.
Aarhus Convention (1998)	<ul style="list-style-type: none"> • Contribute to the protection of the right of every person and future generations to live in an environment adequate to his / her health and well-being by: <ol style="list-style-type: none"> 1. Access to Information; 2. Public Participation in Decision Making; 3. Access to Justice. 	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • Ensure public are consulted at relevant stages. 	<ul style="list-style-type: none"> • Ensure the public are consulted at the relevant stages.
NATIONAL				
NPPF	<ul style="list-style-type: none"> • An economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land is available to support growth and innovation; and by identifying /coordinating development requirements, including infrastructure; • A social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet needs; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and • An environmental role – contributing to protecting and enhancing our natural / built / historic environment; and helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy. 	<ul style="list-style-type: none"> • Making it easier for jobs to be created in cities, towns and villages; • Moving from a net loss of biodiversity to achieving net gains for nature;6 • Replacing poor design with better design; • Improving the conditions in which people live, work, travel and take leisure; and • Widening the choice of high quality homes. 	<ul style="list-style-type: none"> • To develop the Policy ensuring that allocates sites take account of the NPPF. 	<ul style="list-style-type: none"> • Ensure that the Policy and site allocations are economically, socially and environmentally sustainable.

Strategy/Plan/Programme	Key Objectives relevant to Provision for Traveller Sites DPD	Key targets and indicators relevant to Traveller Sites DPD	Implications for Provision for Traveller Sites DPD	Implications for Sustainability Appraisal
NPPF – Planning policy for Traveller Sites August 2015	<ul style="list-style-type: none"> • Fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community. 	<ul style="list-style-type: none"> • LPAs assess need for the purpose of planning • LPAs work collaboratively, develop strategies to meet need via identification of land for sites • Protect Green Belt land from inappropriate development • Reduce no. of unauthorised developments/ encampments 	<ul style="list-style-type: none"> • The Policy and site allocations should take into account the key objectives of the Planning Policy for Traveller Site document. 	<ul style="list-style-type: none"> • The SA should consider, where appropriate, the need for objectives relating to social cohesion.
NPPG - Ensuring effective enforcement	<ul style="list-style-type: none"> • Enforcement of unauthorised camps 	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • The Policy and site allocations should take into account the key objectives of PPTS. 	
SUB REGIONAL				
Lancashire Minerals and Waste Local Plan	<ul style="list-style-type: none"> • To resist minerals or waste developments where they could cause unacceptable impact on people and the environment; • To minimise the adverse impact of minerals or waste developments and seek where appropriate environmental and social benefits; • To safeguard minerals resources for the future; • Increased emphasis on waste minimisation, re-use and recycling whilst ensuring that adequate provision is made for waste treatment / disposal; • To encourage the use of secondary materials; • To minimise the adverse impacts from the transport of minerals and waste; and • Facilitate installations needed to minimise waste disposal. 	<ul style="list-style-type: none"> • A variety of targets and indicators are referred to relating to a minerals production, waste minimisation and recycling relates. 	<ul style="list-style-type: none"> • The Policy and site allocations should take into account the key objectives of the Minerals and Waste Local Plan where relevant. 	<ul style="list-style-type: none"> • The SA should consider, where appropriate, the need for objectives relating to minerals and waste.

Strategy/Plan/Programme	Key Objectives relevant to Provision for Traveller Sites DPD	Key targets and indicators relevant to Traveller Sites DPD	Implications for Provision for Traveller Sites DPD	Implications for Sustainability Appraisal
A landscape strategy for Lancashire – Landscape Character Assessment (2000)	<ul style="list-style-type: none"> • To outline how the landscape of Lancashire has evolved in terms of physical forces and human influences; • To classify the landscapes in district landscape types identifying key characteristics and sensitivities and providing principles to guide landscape change; • To describe the current appearance of the landscape, classifying it into district zones of homogenous character, summarising the key features of each landscape character area; • To describe the principal urban landscape types across the County, highlighting their historical development. 	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • To incorporate landscape protection into the Policy and site allocations. 	<ul style="list-style-type: none"> • To include protection of landscapes in the Policy and site allocations.
West Lancashire Transport Masterplan	<ul style="list-style-type: none"> • Reduce road casualties; • Improve access to jobs and services; • Improve air quality; • Improve the condition of transport infrastructure; • Reduce delays on journeys; • Increase journeys by bus and rail; and • Increase active travel. 	<ul style="list-style-type: none"> • The Plan includes a wide range of targets and indicators relating to areas such as traffic growth, air quality and public transport use, cycling and walking rates, congestion and accessibility. 	<ul style="list-style-type: none"> • Develop the Policy and site allocations in relation to improving the accessibility to services, encouraging the provision and use of public transport and cycling and walking. 	<ul style="list-style-type: none"> • Include sustainability objectives in relation to improving traffic issues.
LOCAL				
West Lancs Local Plan 2012-2027	<ul style="list-style-type: none"> • Stronger and safer communities • Education, training and the economy • Health • Natural Environment • Housing • Services and Accessibility • Location of development and built environment • Climate Change • Provision of Gypsy and Traveller sites (Policy RS4) 	<ul style="list-style-type: none"> • The Plan includes a wide range of targets and indicators. 	<ul style="list-style-type: none"> • Develop the Policy and identification of the site allocations to address the relevant objectives of the Local Plan. 	<ul style="list-style-type: none"> • To include objectives in the Policy and site allocations.

Strategy/Plan/Programme	Key Objectives relevant to Provision for Traveller Sites DPD	Key targets and indicators relevant to Traveller Sites DPD	Implications for Provision for Traveller Sites DPD	Implications for Sustainability Appraisal
West Lancashire District Council Statement of Community Involvement <i>(Note – this is being replaced by a new SCI in June 2016)</i>	<ul style="list-style-type: none"> • Describes the various stages in document preparation when the Council will involve the community, the different groups to be contacted at each stage and for each type of document, and the different ways in which groups will be involved at each stage. • Explains how the Council will provide feedback on any comments received. • Provides a list of organisations and community groups that the Council will consult, both formally and informally. 	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • The consultation must comply with the SCI. 	<ul style="list-style-type: none"> • Ensure the consultation on the SA in undertaken in accordance with the SCI.
Housing Needs and Demand Survey (Nov 2010)	<ul style="list-style-type: none"> • Provide accurate and robust information about the housing need requirements • Help support the Council's strategic housing role; • Identify key priorities to creating a balanced housing market in the District, particularly addressing issues of affordability; • Provide an assessment of housing markets in the District; • Assess the specific housing needs of ethnic minorities, older people and key workers in the District; • Provide projections on future housing need. 	<ul style="list-style-type: none"> • 20% elderly provision and 35% affordable housing provision. 	<ul style="list-style-type: none"> • The DPD must address the issues of the Housing Needs Survey. 	<ul style="list-style-type: none"> • SA Framework should include for the development of affordable and elderly housing.
West Lancashire Open Space Strategy	<ul style="list-style-type: none"> • To prioritise strategic sites for enhancement; development of open space and non-sports pitch facilities. • Provide quality targets and management targets for general open space and individual typologies. • Provide information that can be used within the LDF process and supplementary planning documents. • Protect sites, which increase nature conservation and biodiversity, from over use. 	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • The DPD must consider open space. 	<ul style="list-style-type: none"> • SA should take account of open space in the DPD.

APPENDIX 2: COLLECTION OF RELEVANT ECONOMIC, SOCIAL AND ENVIRONMENTAL BASELINE DATA

The indicators are West Lancashire Performance indicators

Indicator - 1. Encourage sustainable economic growth and performance. *(SEA topics: Population, material assets)*

Indicator	Data Source	Data recent at	West Lancs	North West	England	Comments	Expected baseline without the plan
All Economically Active	NOMIS	April 2014 – March 2015	(52500) 75.4%	74.7%	77.4%		Unknown. Employment trends are difficult to predict.
% claiming JSA	NOMIS	August 2015	1.0%	1.5%	1.7%		Unknown.

Indicator – 2. Secure Economic Inclusion *(SEA topics: Population, human health)*

Indicator	Data Source	Data recent	West Lancs	North West	England	Comments	Expected baseline without the plan
All Economically Active	2011 Census	2011	81,601	5,184,216	3,881,374	As census or NOMIS data above	Unknown

Indicator – 3. To deliver Urban Renaissance *(SEA topics: Material assets, human health, landscape)*

Indicator	Data Source	Data recent	West Lancs	North West	England	Comments	Expected baseline without the plan
Number of dwellings.	2011 census (KS401EW)	2011	47,973	3,143,898	22,976,066		Increase in dwellings to meet housing targets in the Local Plan.
Deficiency of public open space	Playing pitch strategy	2004	Football: minor oversupply of adult pitches; significant shortfall of junior pitches; undersupply of mini pitches. Large undersupply of junior rugby union pitches. Small undersupply of adult rugby league pitches.			Current review underway due to be published 2015	New development is likely to contribute to new open space.

Alternatively, there are figures for number of households, where numbers vary to above – see AMR 2015 page 54

Indicator – 4. To deliver Rural Renaissance (SEA topics: Human health, Material Assets)

Indicator	Data Source	Data recent	West Lancs	North West	England	Comment	Expected baseline without the plan
% of new residential completions/ permissions within 1km of 5 basic services	WLBC	2015	65%	-	-	No figures available for overall population. Figures available for % of new residential completions / permissions based on 5 services in 1km. See AMR 2015 page 59	Unknown exact level but if no plan in place the Travelling community would possibly decrease this figure
Proportion of new housing granted consent and completed within 400m of an existing / proposed bus stop	WLBC (AMR 2015)	2015	91% completions	-	-		Unknown exact level but if no plan in place the Travelling community would possibly decrease this figure

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Indicator - 5. To protect and improve the quality of inland and coastal waters, and manage flood risk (SEA Topics: Water)

Indicator	Data Source	Data recent	West Lancs	North West	England	Comment	Expected baseline without the plan
Number of Planning Permissions permitted against Environment Agency Advice	2013 AMR Environment Agency	2013	0			This data is no longer published by the EA	No change anticipated

Indicator – 6. To reduce the need to travel and improve the choice and use of sustainable transport modes. (SEA Topics: Climatic factors, Air)

Indicator	Data Source	Data recent	West Lancs	North West	England	Comment	Expected baseline without the plan
Proportion of new housing granted consent and completed within 400m of an existing / proposed bus stop	WLBC	2014/15	91% completions			Permissions based on 5 services in 1km. See AMR 2015 page 59	Unknown however without the plan unauthorised development and encampments may not meet this requirement

Indicator	Data Source	Data recent	West Lancs	North West	England	Comment	Expected baseline without the plan
Average distance (km) travelled to a fixed place of work.						Question not asked in 2011 census.	Unknown
Length of Public Footpaths within the District	LCC GIS	2015	383km				No change expected
Length of cycle ways within the District	LCC GIS	2015	190km				No change expected
Number of people travelling to work within the borough	ONS Neighbourhood Statistics (2011 Census)	2011	40%			40% of Boroughs workplace population commutes IN to the Borough	This figure would possibly increase although it is unknown by how much

Indicator – 7. To minimise the requirement for energy, promote efficient energy use and increase the proportion of energy from renewable sources
(SEA Topics: Climatic Factors)

Indicator	Data Source	Data relevant	West Lancs	North West	England	Comments	Expected baseline without the plan
Daily domestic use of the water supply.	Audit commission	2004	148 Litres		154.14 Litres	No data.	Usage could decrease in line with improvements to water efficiency as the building regulations are strengthened. It is unclear whether other factors would affect usage though.
Average annual consumption of gas in Kwh.	Audit commission	2004	22971	20828	20496 (GB)	No data	Usage could decrease in line with improvements to energy efficiency as the building regulations are strengthened. It is unclear whether other factors would affect usage though.
Average Annual Consumption of electricity in Kwh.	Audit commission	2004	4919	4393	4628 (GB)	No data	Usage could decrease in line with improvements to energy efficiency as the building regulations are strengthened It is unclear whether other factors would affect usage though.

Indicator – 8. To protect, enhance and manage West Lancashire’s rich and diverse culture and built environment and archaeological assets. (SEA Topics: Cultural heritage)

Indicator	Data Source	Data relevant	West Lancs	North West	England	Comments	Expected baseline without the plan
Number of Conservation Areas	Council Heritage List	2015	28				No change anticipated
Listed Buildings	English Heritage	2015	600				No effect
Building of Local Importance	Council Heritage List	2015	120			Under review to be published 2015	No effect

Indicator – 9. To protect and restore land and soil (SEA Topics: Soil, cultural heritage)

Indicator	Data Source	Data relevant	West Lancs	North West	England	Comments	Expected baseline without the plan
Proportion of land stock that is neglected, underused or derelict.	AMR 2012	2012	29	680	4080	We don't report this any longer. Relates to NLUD. NLUD data is maintained for WLBC use but HCA no longer request it. Also figures here are a total not a proportion	If no plan is in place loss of prime agricultural land could be compromised through unauthorised development / encampments

Indicator – 10. To protect and enhance biodiversity and sites of geological importance (SEA Topics: Biodiversity, Fauna, Flora, Landscape)

Indicator	Data Source	Data relevant	West Lancs	North West	England	Comments	Expected baseline without the plan
Number of RAMSAR sites within the District.	West Lancs AMR	2015	2			No change	No change anticipated.
Number of SSSIs within the District.	West Lancs AMR	2015	6			No change	No change anticipated.
Number of TPOs	West Lancs AMR	2015	575				No change to net amount of TPOs expected.
Green Flag Awards	West Lancs AMR	2015	2				No change anticipated.
Biological Heritage sites			5,111			Unknown. Assume no change.	No change anticipated.

Indicator – 11. To improve health and well-being and reduce health inequalities. (SEA Topics: Human Health)

Indicator	Data Source	Data relevant	West Lancs	North West	England	Comments	Expected baseline without the plan
Life expectancy males	ONS	2011-2013	79		79.4		This would remain unchanged for the overall population.
Life expectancy Female	ONS	2011-2013	82.5		83.1		This would remain unchanged for the overall population.

Indicator – 12. To protect and improve air, light and noise quality (SEA Topics: Air, Human Health)

Indicator	Data Source	Data relevant	West Lancs	North West	England	Comments	Expected baseline without the plan
Numbers of Air Quality Management Zones	West Lancs	2009	1			Moor Street Ormskirk.	No effect anticipated.
% of moderate / higher pollutant days	West Lancs					Not recorded by WLBC	No effect anticipated.

Indicator – 13. To improve access to and the provision of basic goods, services and amenities. (SEA Topics, Material Assets)

Indicator	Data Source	Data relevant	West Lancs	North West	England	Comments	Expected baseline without the plan
Amount of new residential development (completions) within 30 minutes public transport time of essential basic services (GP, Hospital, Primary, Secondary, Retail, Employment)	West Lancs		65%			No longer analysed by LCC. Software unavailable to WLBC.	Unknown, however it would be expected that the figure would decrease if the plan was not implemented as there would be no control over where development was located

Indicator – 14. To develop strong and vibrant communities and reduce the fear of crime. (SEA Topics, Population, Human Health)

Indicator	Data Source	Data relevant	West Lancs	North West	England	Comments	Expected baseline without the plan
Recorded Crime	AMR 2015	2013/14				No overall figure.	No effect
						No longer recorded in serious acquisitive crime stats	
Robbery	AMR 2015	2013/14	66	-	-		No effect
Domestic burglary	AMR 2015	2013/14	295				No effect
Vehicle offences	AMR 2015	2013/14	604				No effect

National crime stats for serious acquisitive crime change regularly – descriptions can vary from year to year. Full list available in AMR 2015 page 24.

Indicator – 15. To improve access to a range of good quality affordable and resource efficient homes. (SEA Topics: Material assets, population)

Indicator	Data Source	Data relevant	West Lancs	North West	England	Comments	Expected baseline without the plan
Number of affordable housing units granted permission	AMR 2015	2014/15	17 (2%)				No effect
Proportion of dwellings completed on brownfield sites / conversions sites	AMR 2015	2014/15	57%				Proportion of dwellings on brownfield land likely to decrease as major greenfield sites are developed.
Proportion of completed permitted on brownfield sites	AMR 2015	2014/15	43%				Unknown this could increase or decrease depending upon location of applications

APPENDIX 3: IDENTIFYING SUSTAINABILITY ISSUES

Topic area	Description of the Issue	Relationship with other issues / plans; other relevant bodies	How can the issue be addressed?
Access, Highways & Public Transport	<p>One of the main issues facing the Borough is improving access to sustainable methods of transport including bus, rail links and cycle & footpaths. This also extends to improving the availability and frequency of bus and rail services. Although sites are assessed against this criteria it is important in any case to reduce car dependency levels.</p> <p>There is the need to improve the diversity and availability of employment in West Lancashire in accessible locations or with improved public transport links to enable residents of the Borough to find employment within West Lancashire, thereby reducing the necessity to commute elsewhere.</p>	<p>The Borough Council and Lancashire County Council and other key transport providers must work in partnership, ensuring a sustainable public transport network functions to its full potential, as well as looking at the issue of congestion where it arises.</p>	<p>Assessing the sites against criteria and liaising with public transport infrastructure providers regarding the transport network.</p>
Social Inclusion Page 220	<p>The Borough is required to deliver a yearly requirement of homes over the plan period 2012-2027 to meet the needs of the population. In addition there is a need to provide (or ensure the continuation of) services, employment opportunities, as well as access to health related facilities.</p> <p>Social exclusion occurs from unemployment, low income, high crime rate, poor housing and poor health.</p>	<p>Engagement with health providers and providers of other key services to establish what requirements are needed.</p>	<p>Liaise with health and service providers to establish the required need and either provide facilities onsite or within town centres and other accessible locations.</p>
Access to services and amenities	<p>Access to services and amenities needs to be improved in-between settlements, and in rural and more remote areas.</p> <p>There are various deficiencies in open space throughout the Borough.</p>	<p>Links to public transport issues (above). Liaison with service providers, and with Leisure / providers of Green Infrastructure to establish what provision, if any is required.</p>	<p>Work with public transport and other transport providers. Provide appropriate green infrastructure through planning obligations.</p>
Employment	<p>There are different levels of disparities and inequalities between skills, education, health & employment across the Borough that need to be reduced, in particular in Skelmersdale.</p> <p>Unemployment levels and the number of benefit claimants need to be reduced, although there are already lower than the regional and national average.</p> <p>Reducing commuting out of the Borough, and increasing the number of those commuting inwards for work will benefit West Lancashire's economy.</p>	<p>Links with business representative (Chamber of Commerce, etc.) and major employers, also providers of education (including higher / further education).</p>	<p>Look at improving skills /opportunities for work e.g. via placements. Tackle barriers to work e.g. by linking workless people to vacancies. Seek to attract new business to the area; retain / enhance existing businesses.</p>

Topic area	Description of the Issue	Relationship with other issues / plans; other relevant bodies	How can the issue be addressed?
Education	<p>There are different levels of educational attainment across the Borough, often linked to deprivation.</p> <p>There is a need to improve the lack of basic skills and barriers to work.</p> <p>Education provision may need to be subsidised if additional recourses are required dependent upon the location of the site allocations.</p>	<p>Liaison with Lancashire County Council to establish the need for additional primary /secondary school places. Liaison with providers of higher / further education.</p>	<p>Liaise with providers to establish the required need and provide a facility within the town centre, through a planning obligation.</p>
Ecology, biodiversity and soils	<p>There is a need to:</p> <ul style="list-style-type: none"> - Protect best and most versatile agricultural & horticultural land for food production and to promote agricultural / horticultural businesses within the Borough. - Reduce the amount of vacant land and unused brownfield sites by promoting their regeneration. - Simultaneously review and protect Green Belt land. - Reduce the volume of waste going to landfill. - “Future proof” the Borough against climate change. 	<p>Liaison with Lancashire County Council and RSPB / Natural England will identify areas to be protected; these could be doubled up as areas of public open space. Habitat Regulations Assessment (HRA) to identify species on the site and any mitigation/provision for ecology on the site.</p>	<p>Avoid prime agricultural land when considering locations for future development; Promote development of brownfield land using any incentives available.</p>
Water	<p>There is a need to sustainably manage and use water resources.</p> <p>Ensure all households, businesses, agriculture and environments have enough water available.</p> <p>Support and protect as many watercourses, wetlands and groundwater & surface water sources as possible whilst maintaining financial viability.</p> <p>Respond to the impacts of climate change on water resources such as water quantity and quality, changes to water tables and demands from the public.</p> <p>Respond to the impacts of climate change on water resources such as water quantity and quality, changes to water tables and demands from the public.</p>	<p>The Council, along with Lancashire County Council and the Environment Agency will be required to work together to ensure new development and the existing area is protected. United Utilities are a key partner; liaison necessary to establish what additional infrastructure will be required.</p>	<p>Ensure more water efficient designs are incorporated into developments and new buildings.</p> <p>Promote the use of Sustainable Drainage Systems.</p> <p>Reduce flood risk through location management of development into areas of the lowest risk and supporting flood defences</p>

APPENDIX 4

Locally Distinctive Sub-Criteria for the Local Plan Sustainability Objectives

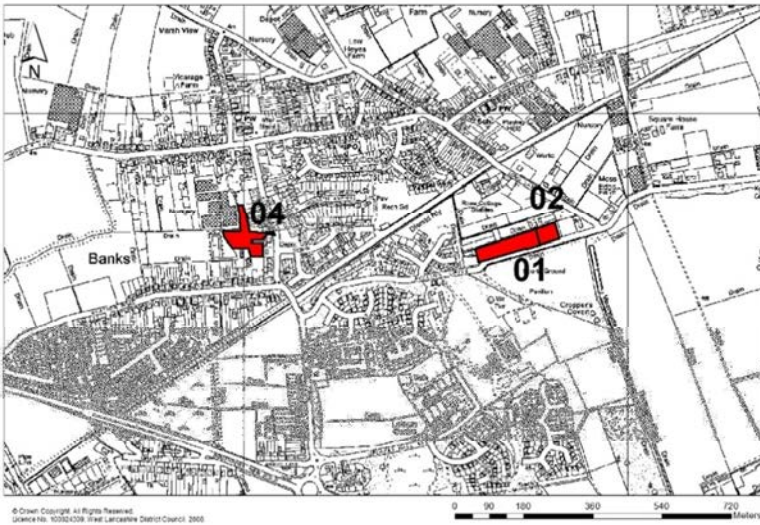
SA Objective (high level objective)	Locally Distinctive Sub Criteria
Objective 1: To reduce the disparities in economic performance within the Borough.	<ul style="list-style-type: none"> • Will the plan / policy provide job opportunities in areas with residents most at need? • Will the plan / policy reduce economic disparities within the Borough? • Will the plan / policy maximise local benefit from investment? • Will the plan / policy meet local needs for employment? • Will the plan / policy improve the quality of employment opportunities within the Borough?
Objective 2: To secure economic inclusion	<ul style="list-style-type: none"> • Will the plan / policy meet the employment needs of all local people? • Will the plan / policy encourage business start-up, especially from under-represented groups? • Will the plan / policy improve physical accessibility to jobs through the location of employment sites and / or public transport links being close to areas of high unemployment? • Will the plan / policy reduce poverty in those areas and communities most affected?
Objective 3: To develop and maintain a healthy labour market	<ul style="list-style-type: none"> • Will the plan / policy address the skills gap and enable skills progression? • Will the plan / policy provide higher skilled jobs? • Will the plan / policy increase the levels of participation and attainment in education? • Will the plan / policy provide a broad range of jobs and employment opportunities?
Objective 4: To encourage sustainable economic growth	<ul style="list-style-type: none"> • Will the plan / policy help to diversify the Borough's economy? • Will the plan / policy promote growth in the key sectors of the Borough's economy? • Will the plan / policy attract new businesses to the Borough? • Will the plan / policy help develop the Borough's knowledge base? • Will the plan / policy improve the range of sustainable employment sites?
Objective 5: To deliver urban renaissance	<ul style="list-style-type: none"> • Will the plan / policy improve economic, environmental and social conditions in deprived urban areas and for deprived groups? • Will the plan / policy improve the quality of the built and historic environment? • Will the plan / policy improve the quantity and quality of open space? • Will the plan / policy improve the vitality and viability of Town Centres? • Will the plan / policy deliver Sustainable Communities? • Will the plan / policy deliver regeneration to urban areas and Market Towns
Objective 6: To deliver rural renaissance	<ul style="list-style-type: none"> • Will the plan / policy support sustainable rural diversification? • Will the plan / policy to encourage and support the growth of sustainable rural businesses? • Will the plan / policy promote the economic growth of market towns? • Will the plan / policy retain or promote access to and provision of services?

SA Objective (high level objective)	Locally Distinctive Sub Criteria
Objective 7: To develop and market the Borough's image	<ul style="list-style-type: none"> • Will the plan / policy support the preservation and/or enhancement of high quality built, natural and historic environments within the Borough? • Will the plan / policy promote the Borough as a destination for short and long term visitors, for residents and investors? • Will the plan / policy promote the use of locally produced goods and materials? • Will the plan / policy increase the economic benefit derived from the Borough's natural environment?
Objective 8: To improve access to basic goods and services	<ul style="list-style-type: none"> • Will the plan / policy improve the access, range and quality of cultural, recreational and leisure facilities including natural green spaces? • Will the plan / policy improve the access, range and quality of essential services and amenities? • Will the plan / policy improve the access to basic goods, promoting the use of those which are locally sourced?
Objective 9: To improve access to good quality, affordable and resource efficient housing	<ul style="list-style-type: none"> • Will the plan / policy provide for an appropriate mix of housing to meet all needs including affordable? • Will the plan / policy reduce the number of unfit empty homes? • Will the plan / policy support the development and operation of resource efficient housing?
Objective 10: To reduce crime and disorder and the fear of crime	<ul style="list-style-type: none"> • Will the plan / policy support community development? • Will the plan / policy improve relations between all members of the community? • Will the plan / policy reduce levels of crime? • Will the plan / policy reduce the fear of crime? • Will the plan / policy identify and engage with hard to reach groups?
Objective 11: To reduce the need to travel, improve the choice and use of sustainable transport modes	<ul style="list-style-type: none"> • Will the plan / policy reduce vehicular traffic and congestion? • Will the plan / policy increase access to and opportunities for walking, cycling and use of public transport? • Will the plan / policy reduce freight movement? • Will the plan / policy improve access to and encourage the use of ICT? • Will the plan / policy improve the efficiency of the transport network?
Objective 12: To improve physical and mental health and reduce health inequalities	<ul style="list-style-type: none"> • Will the plan / policy improve physical and mental health? • Will the plan / policy reduce deaths in key vulnerable groups? • Will the plan / policy promote healthier lifestyles? • Will the plan / policy reduce health inequalities among different groups in the community? • Will the plan / policy reduce isolation for vulnerable groups in the community? • Will the plan / policy promote a better quality of life? • Will the plan / policy reduce poverty in those areas and communities most affected?

SA Objective (high level objective)	Locally Distinctive Sub Criteria
<p>Objective 13: To protect places, landscapes and buildings of historical, cultural and archaeological value</p>	<ul style="list-style-type: none"> • Will the plan / policy protect and enhance the character and appearance of the Borough's landscape strengthening local distinctiveness and sense of place? • Will the plan / policy improve access to buildings of historic and cultural value? • Will the plan / policy protect and enhance the accessibility of the landscape across the Borough? • Will the plan / policy protect Scheduled Ancient Monuments?
<p>Objective 14: To restore and protect land and soil quality</p>	<ul style="list-style-type: none"> • Will the plan / policy reduce the amount of derelict, contaminated, degraded and vacant / underused land? • Will the plan / policy encourage the development of brownfield land in preference to Greenfield? • Will the plan / policy reduce the loss of high quality Agricultural land to development? • Will the plan / policy maintain and enhance soil quality? • Will the plan / policy achieve the efficient use of land via appropriate density of development?
<p>Objective 15: To protect and enhance biodiversity</p>	<ul style="list-style-type: none"> • Will the plan / policy protect and enhance the biodiversity of the Borough? • Will the plan / policy protect and enhance habitats, species and damaged sites? • Will the plan / policy provide opportunities for new habitat creation? • Will the plan / policy protect and extend habitat connectivity and landscape permeability, suitable for species migration?
<p>Objective 16: To protect and improve the quality of both inland and coastal waters and protect against flood risk</p>	<ul style="list-style-type: none"> • Will the plan / policy reduce or manage flood risk? • Will the plan / policy maintain and enhance ground water quality? • Will the plan / policy improve the quality of coastal waters? • Will the plan / policy improve the quality of rivers and inland waters?
<p>Objective 17: To protect and improve air, light and noise quality</p>	<ul style="list-style-type: none"> • Will the plan / policy maintain or, where possible, improve local air quality? • Will the plan / policy reduce noise and light pollution?
<p>Objective 18: To ensure the prudent use of natural resources, including the use of renewable energies and the sustainable management of existing resources</p>	<ul style="list-style-type: none"> • Will the plan / policy minimise demand for raw materials? • Will the plan / policy support the repair and re-use of existing buildings? • Will the plan / policy reduce the amount of waste generated by development? • Will the plan / policy promote the use of recycled, reclaimed and secondary materials? • Will the plan / policy promote the use of locally sourced materials? • Will the plan / policy minimise the need for energy? • Will the plan / policy maximise the production / proportion of renewable energy? • Will the plan / policy increase energy efficiency (e.g. energy efficiency in buildings, transport modes, etc.) • Will the plan / policy minimise the use of fossil fuels?

APPENDIX 5 Locations of Potential Candidate Traveller Sites

Note: The Key to the sites (site name / number) is provided at the end of this Appendix
Sites in Banks village



Sites East of Banks Village

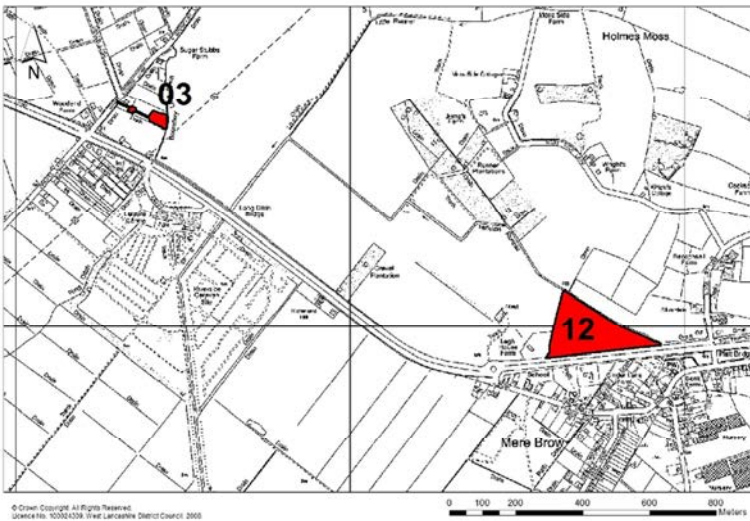
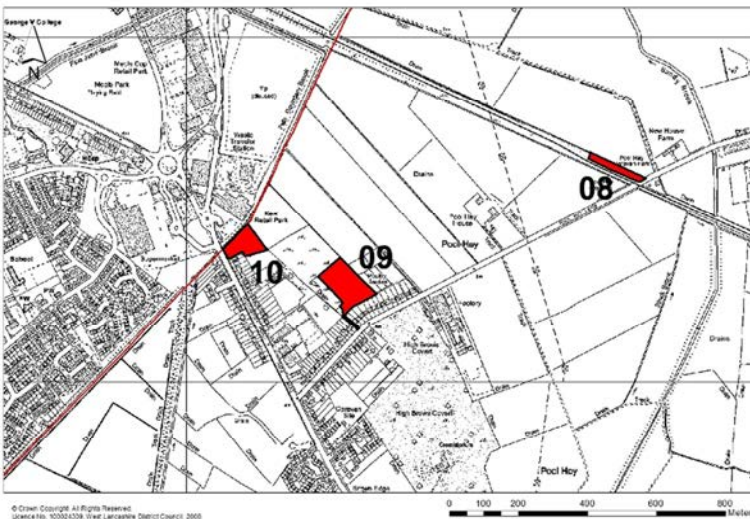
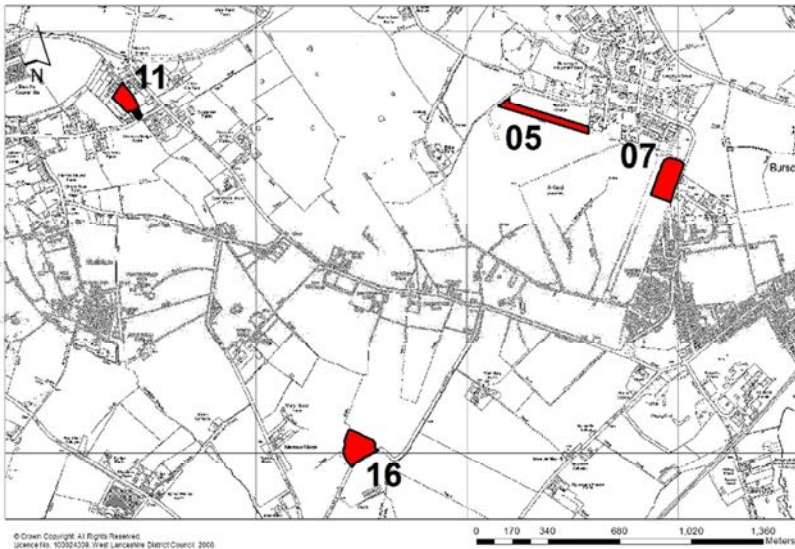


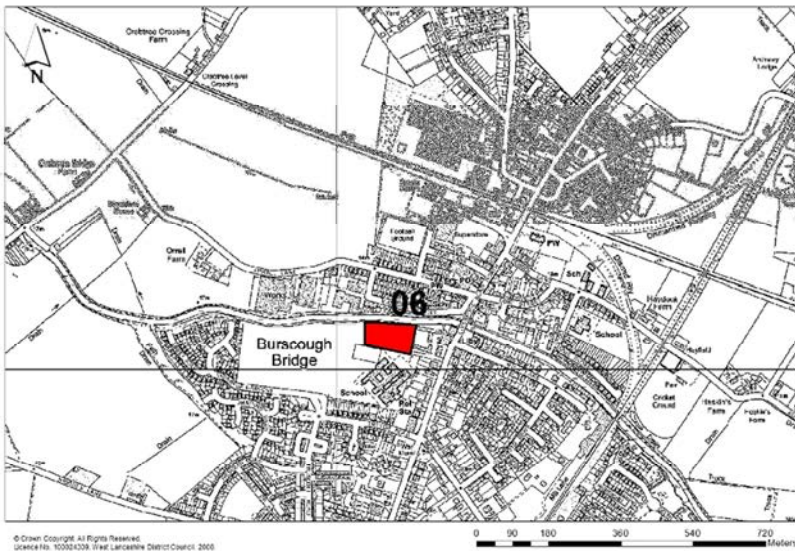
Figure 5.5 Sites in Kew / West Scarisbrick



Sites in East Scarisbrick / West Burscough



Site in Burscough



Sites in Skelmersdale / Bickerstaffe

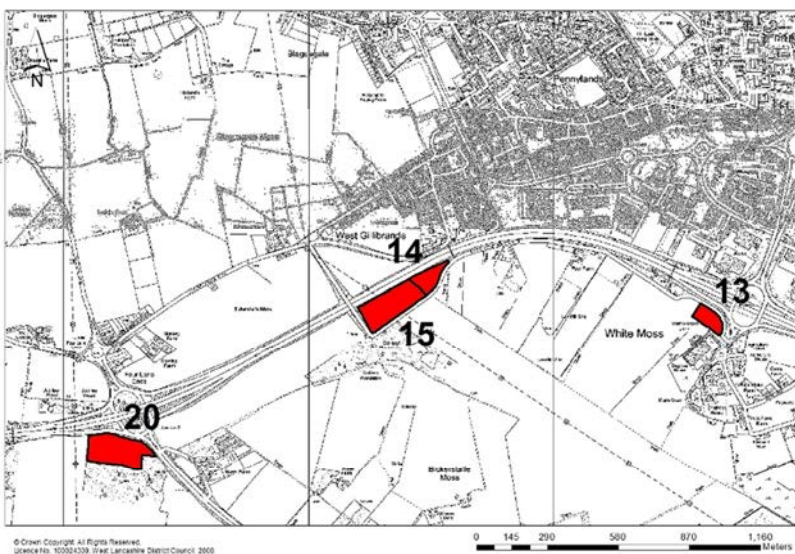
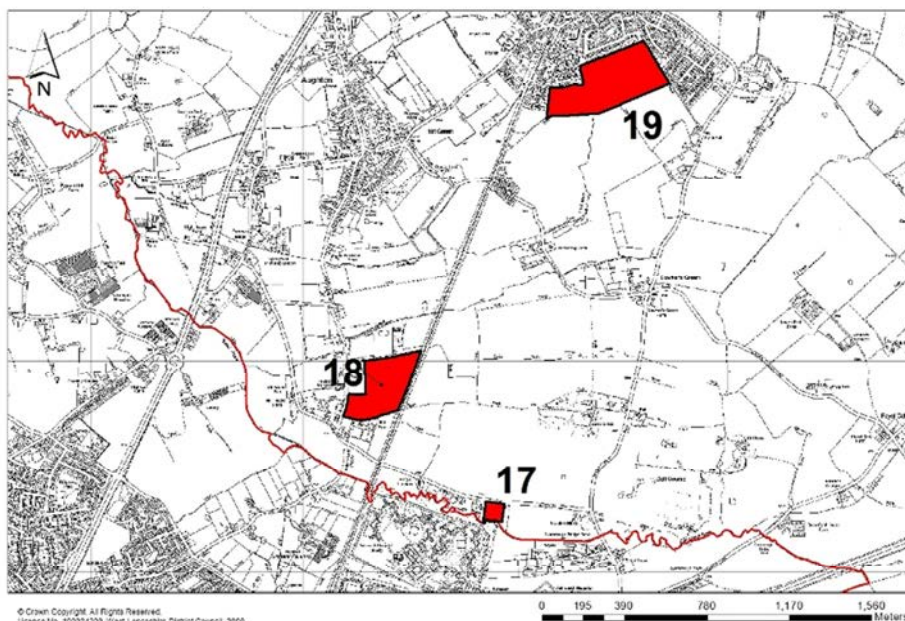


Figure 5.9 Sites in Aughton



Key to Sites

1. Mosslands Stables, Aveling Drive, Banks
2. Land west of Mosslands, Aveling Drive, Banks
3. Land rear of 'The Poppys', Sugar Stubbs Lane, Banks
4. Land west of Hoole Lane, Banks
5. Land west of Ringtail Road, Burscough
6. Land west of The Quays, Burscough
7. Land west of Tollgate Road, Burscough
8. Pool Hey Caravan Park, Pool Hey Lane, Scarisbrick
9. High Brow Farm, Pool Hey Lane, Scarisbrick
10. Land at 1-3 Southport Road, Kew, Southport
11. Land to the rear of 281 Smithy Lane, Scarisbrick
12. Former depot, Mere Brow
13. White Moss Road South (A), Skelmersdale
14. White Moss Road South (B), Skelmersdale
15. White Moss Road South (C), Skelmersdale
16. Blackacre Lane, Ormskirk
17. Land south of Butcher's Lane, Aughton
18. Land east of Brookfield Lane, Aughton
19. Land east of Middlewood Drive, Aughton
20. Bickerstaffe Colliery, Bickerstaffe.

APPENDIX 6: SITE ASSESSMENTS (SUSTAINABILITY CRITERIA)

Assessments of the 20 Potential Candidate Traveller Sites against a set of Sustainability Criteria used in the Local Plan Sustainability Appraisal

Q	Site Name	3. Sugar Stubbs Lane, Banks	6. Land west of the Quays, Burscough	8. Pool Hey Caravan Park, Scarisbrick	14. White Moss Road South (B), Skelmersdale
1	Other site references / SHLAA site reference?	No	SHLAA BU.19	No	No
2	Site Address	Land at Sugar Stubbs Stables, Sugar Stubbs Lane, Banks	Land west of the Quays, Burscough	Pool Hey Caravan Park, Pool Hey Lane, Scarisbrick	White Moss Road South (B), Skelmersdale
3	Post Code	PR9	L40	L40	WN8
4	OS Grid Ref - E	340405	344132	337243	346489
5	OS Grid Ref - North	419629	412084	415623	405299
6	Site Area (ha)	0.27	0.83	0.33	0.92
7	Description of Site	Site is currently occupied by hardstanding, a few caravans, and storage of vehicles.	Site is adjacent the Leeds Liverpool Canal and located in the centre of Burscough, to the rear of residential properties. Site is opposite Priory High School. The site is currently an authorised Travelling Showpeople site. WLBC are unaware of any issues between the site occupants and the local settled community.	Site is a narrow strip of land adjacent the railway line and beside a level crossing. The site contains hardstanding and some buildings, including a park home.	Site is in the hands of Travellers. Land is Green Belt / agricultural land which is unkempt. Deposits of hardcore and concrete appear to have been dumped on the site.
8	Description of Surrounding Area	Site is adjacent to residential property 'The Willows' (to the north of the site) and in proximity to other residential properties. The south and eastern parts of the site are farmed agricultural land.	Site is located in the centre of Burscough, adjacent the Leeds Liverpool canal and to the rear of residential properties and opposite a high school.	Site is adjacent to Southport - Manchester railway line, and beside a level crossing. These should not have any greater impact on residents of the site than on other existing residential uses in the locality close to the railway line. Surrounding areas on Green Belt, farmed agricultural land.	Site is adjacent to the M58 (North) and White Moss Road South (south). To the east of the site lies Green Belt and agricultural land. A (hazardous) waste site is nearby. There is one residential property approximately 300m along White Moss Road South; residential properties on White Moss Road are closer as the crow flies, and whilst separated by the M58, there is a footbridge close to the site.
9	Brief Site History	Site formerly had a dwelling; pp granted to replace it with a caravan in 1993; site has been occupied by a varying number of caravans since.	Current, authorised use as Travelling Showpeople site.	Site has in use as a Traveller site for almost 20 years. Permission for one 'park home' tied to an individual; this permission has now expired. Current use unauthorised but long-established.	Site owned by Travellers 2013, but has since changed. Submitted as a potential Traveller site in 2015 Call for Sites.
10	Relevant planning history	2004/0880, 2013/1305/LDC - Cert of Lawfulness for stationing of 5 caravans and equestrian use. Refused as LDC cannot relate to a proposed use.	1997/0536 - erection of Dutch barn for storage of fairground vans /equipment and layout of hardstanding.	1999/0106, 1993/0238, 1996/0596 - siting of 6 permanent caravans (Refused), 1999/0755, 2004/0551 - siting of 5 residential caravans for 1 Gypsy family (refused)	Application 2013/1040 for use of site for keeping horses granted December 2013 but not implemented.
	Land Ownership Details	Owned by Travellers	Owned by Travelling Showpeople	Owned by Travellers	Private
12	Source of Site Suggestion	Existing site - part consented (one pitch)	Authorised site, owned by Travelling Showpeople	Call for Sites; existing site	Planning application for Traveller-related development.
13	Date of Appraisal	16/12/2013 (updated 09/2015)	16/12/2013 (updated 09/2015)	16/12/2013 (updated 09/2015)	16/12/2013 (updated 09/2015)
	Deliverability Issues				
14	Are there any issues of land ownership that could prevent development on the site being delivered?	In the hands of Travellers.	No. Site owned by Travelling Showpeople and in authorised use.	No.	Site in the hands of Travellers.
15	Is the site potentially available for development?	Yes. Land currently in hands of Travellers, and in use as Traveller site	Yes. Although availability limited to a particular group or family.	Yes.	Yes
16	Does the planning history of the site caution against its allocation?	No - site already has permission for one caravan.	Land has planning permission.	Site is within the Green Belt. Previous applications for siting of multiple Gypsy caravans have been refused.	Recent application for stables approved Dec 2013.
17	Potential land use conflicts with nearby sites that could prevent development?	Overhead electricity cables less than 100m from back of site; main road within 150m of site. However, neither are considered to imply an unacceptable impact on site residents (holiday caravans and residential properties nearby are closer to the A565 / pylons).	Site involves storage and manoeuvring of large vehicles, although it has operated adjacent to flatted development for a number of years. Site is subject to an open space designation and is adjacent to the Leeds Liverpool Canal (wildlife corridor designation), but site is already authorised as a Travelling Showpeople site.	Site is adjacent to railway line. These should not have any greater impact on site residents than on other existing residential uses close to the railway line. Site has existed over 20 years without issues relating to nearby level crossing. Officers unaware of any significant issues arising from the site's use as a Traveller site. Site is physically separate (field / road) from the nearest residential properties.	Site is Green Belt. Site is also in close proximity to a landfill (hazardous waste) and adjacent to the M58. High pressure gas pipelines running to the west of the site are considered Major Hazardous Installations by HSE, which rule out caravan development on a substantial proportion of the site.

Q	Site Name	3. Sugar Stubbs Lane, Banks	6. Land west of the Quays, Burscough	8. Pool Hey Caravan Park, Scarisbrick	14. White Moss Road South (B), Skelmersdale
18	Is the site directly accessible from the highway network or could it reasonably become so?	Sugar Stubbs Lane is unclassified and narrow, although it is wide enough for two vehicles to pass. It is necessary to use approximately 120m of Sugar Stubbs Lane to access the site from the A565. Site has separate gated access from adjacent dwelling.	Site is close to A59 but accessed via a narrow road between the site and the A59. Nevertheless, the site has functioned as a Travelling Showpeople site for several years using the existing access.	This lane has accommodated typical Traveller traffic for 20 years, although access to the site along Pool Hey Lane requires using a narrow stretch of road and thus is not an ideal access road to a Traveller site. However, it appears to have functioned as such since 1994 without significant issues.	White Moss Road South is generally narrow and the surface is of sub-optimal quality. However, a significant stretch of the road is used by landfill HGVs.
19	Any known land contamination or remediation issues?	None known	None known	None known	None known.
20	Any known ground instability?	None known	None known	None known	None known.
21	Can adequate provision be made to supply all major utilities?	Given the proximity of other houses, it is expected that these services are available or could readily be made available.	Yes. Site currently in use.	Yes. Site in use already.	The site does not currently have these utilities / drainage given its separation from other built development. It is unclear how easy it would be to provide mains water / electricity / drainage.
22	Is the site within Functional Floodplain (Flood Zone 3b)?	Site is within Flood Zone 3.	No	No.	No.
23	Is the site within the Green Belt?	Yes. Green Belt site, approximately 600m from Banks settlement boundary.	No	Yes.	Yes
24	Would development of the site affect any flight paths?	Site is within the consultation zone for Blackpool Airport Plan C and St Anne's Radar Technical Site	Site is within the consultation zone for Blackpool Airport Plan C and St Anne's Radar Technical Site	Site is within the consultation zone for Blackpool Airport Plan C and St Anne's Radar Technical Site	Site is within the consultation zone for Blackpool Airport Plan C and St Anne's Radar Technical Site
25	Is there interest in site for development?	Site is in hands of Travellers and in use as a Traveller site.	Yes. Site currently in authorised use.	Site is in hands of Travellers and in use as a Traveller site.	Site submitted by owners in Call for Sites, but no evidence of it being marketed / sold for Traveller development.
Biodiversity					
26	Within 5km of and / or likely to impact on internationally designated sites?	Site within 5km of Ribble Estuary, but would be deemed unlikely to impact on environmental sites.	Yes, however is unlikely to impact on biodiversity sites.	No	No
27	Within 1km of and / or likely to impact on a SSSI?	No.	No	No	No
28	Within 100m of designated local nature conservation sites?	No.	Site is adjacent to the wildlife corridor (canal), but is an already authorised site.	Yes, but the use of this site as a Traveller site should not have any detrimental impact.	No
29	Protected species and / or habitats?	None known.	No	No	No
30	Within 100m of woodlands, or trees with Tree Preservation Orders?	No	Yes	No	Yes
31	Effects on the sustainability of biodiversity, locally & wider over time? Temporary or permanent?	Site would be unlikely to have an impact on local, or international, biodiversity.	Site would be unlikely to have an impact on local, or international, biodiversity.	Site would be unlikely to have a significant impact on local, or international, biodiversity.	Development of site may have an impact on biodiversity given the proximity of the M58 wildlife corridor. This impact is likely to be minor.
Water and Land Resources					
32	Is the site subject to any known stability issues?	No	None known	None known	None known, although land may be undermined.
33	Geological or geomorphological importance?	No	No	No	No
34	Does the site have any adverse gradients on it?	No	No	No	No
35	Best and most versatile agricultural land (grades 1, 2 and 3a)?	Grade 1, although site is predominantly hardstanding, rather than farmed land.	No, urban land.	Site falls within Grade 1 designation, although site is not used for farming.	Yes. Grade 1, although not farmed
36	Active mineral working site?	No	No	No	No
37	Contaminated or derelict land?	No contaminated land known. Site currently in use, so not classed as derelict land.	No	No	No.
38	Previously developed land (brownfield)?	Some buildings and hardstanding exist on the site but it is likely they are classed as non brownfield.	Site is developed and in use.	Part; site in use as an (unauthorised) caravan park	No.
39	Effects on the sustainability of land resources locally / wider over time? Temporary or permanent?	Site is on Grade 1 agricultural land although site is not in active use for farming, containing hardstanding and buildings. Site would be unlikely to have a detrimental effect on land resources.	Allocation of site would not create any detrimental effects on land resources.	Allocation of site would not create any detrimental effects on land resources.	Loss of Grade 1 agricultural land and potential harm to the wildlife corridor.

Q	Site Name	3. Sugar Stubbs Lane, Banks	6. Land west of the Quays, Burscough	8. Pool Hey Caravan Park, Scarisbrick	14. White Moss Road South (B), Skelmersdale
40	Within or adjacent to a Principal Aquifer or Source Protection Zone 1 or 2?	Secondary B	Principal	Secondary B	Secondary A
41	Effects on the sustainability of water quality and resources locally / wider over time? Temporary or permanent?	Site would be unlikely to detrimentally affect water quality and resources, given that utilities are presumed available on the site already. As with any development, consideration would need to be given to managing waste water / surface water on the site.	Site would be unlikely to detrimentally affect water quality and resources.	Site would be unlikely to detrimentally affect water quality and resources, given that utilities are presumed available on the site already. As with any development, consideration would need to be given to managing waste water / surface water on the site.	Site would be unlikely to detrimentally affect water quality and resources. As with any development, consideration would need to be given to managing waste water / surface water on the site.
Climatic factors and flooding					
42	Is the site within Zones 2 or 3 of the floodplain?	Yes. Site is within Flood Zone 3.	No	No	No
43	Effects on the sustainability of climatic factors and flooding locally / wider over time? Temporary or permanent?	Site would be located in an area of flood risk and would need to meet Exceptions Test.	Site would be unlikely to have detrimental impacts on climate and flooding.	Site would be unlikely to have detrimental impacts on climate and flooding.	Site would be unlikely to have detrimental impacts on climate and flooding.
Heritage and Landscape					
44	Within or within 5km of and / or likely to impact on an AONB or Heritage Coast?	No	No	No	No
45	Within or within 1km of any area designated for its local landscape importance or is it likely to have adverse impacts on the landscape?	No historic environment, landscape or nature conservation designation applies to site; historic landscape of local importance starts 100m to east of site.	No historic environment, landscape or nature conservation designation in vicinity of site.	Site lies within an Area of Landscape History of County Importance, and is directly adjacent to the Martin Mere Mosslands Biological Heritage Site.	No - No historic environment, landscape or nature conservation designation in vicinity of site, apart from M58 'wildlife corridor'.
46	Is the site in the Green Belt? If so, would development on this site cause harm to the objectives of Green Belt designation?	Yes. Site use would fall outside the objectives of Green Belt designation.	No	Yes	Yes. Development would have visual impact as well as affecting openness.
47	Within 250m of a site or building with a nationally recognized heritage designation?	No	Yes	No	No
48	Effects on the sustainability of heritage and landscape locally and in the wider Borough and sub-region over time? Temporary / permanent?	Site would be unlikely to have impacts on heritage but will impact on the openness of the Green Belt. Site can be seen from surrounding area.	Site is already authorised and so would be unlikely to have impacts on heritage and landscape. Any issues could be mitigated through screening.	The site is largely screened on the south western side by the railway, and on the north eastern side by hedging; the front is screened by substantial wooden gates. Any issues could be mitigated through further screening.	Site has no immediate neighbours. Site is reasonably screened (provided existing trees, etc. are retained), and the adjacent motorway already has significant visual and acoustic impact, so the impact of the site should be limited and can be mitigated.
Social equality and community services					
49	Will development of the site harm any nearby sensitive community receptors, existing or proposed (e.g. schools, hospitals and public / outdoor recreation uses)?	Development of site for Traveller accommodation would likely be small scale and could be supported by community facilities. If the site is kept small, it should not dominate the settled community.	Site is less than 100m from Burscough Centre and its facilities, approx. 200m from bus stops and 500m from Burscough Bridge Station. Site is within walking distance of most services and facilities. WLBC is unaware of any evidence that the existing site is harming and nearby sensitive community receptors.	The Council is unaware of this site's occupation over recent years harming any nearby sensitive community receptors.	No. Site is detached from main residential areas of settled communities. It is not considered that development of the site should harm any nearby sensitive community receptors, existing or proposed (e.g. schools, hospitals and public / outdoor recreation uses).
50	How close [how many minutes walk at 5km/h average walking speed] is this site to a public transport facility (bus stop / station on regular route)? (Please note that this walking time is taken into account in the questions below referring to X minutes public transport journey from various facilities.)	500m / 700m (6 minutes / 8 minutes walk) from bus stops on A565 (depending on direction of travel)	230m (3 minutes walk) from bus stops; 500m (6 minutes walk from Burscough Bridge Station).	Site is 1.2km (15 minutes walk) from bus stops on A570.	650m / 750m (8 / 9 minutes walk) from bus stops; journey involves crossing M58 motorway via a footbridge.
51	Is the site within 30 minutes public transport journey of a Primary School?	Yes - at Banks	Yes	Yes (Kew)	Yes
52	Is the site within 40 minutes public transport journey of a Secondary School?	Yes - at Southport / Tarleton	Yes	Yes (Kew)	Yes

Q	Site Name	3. Sugar Stubbs Lane, Banks	6. Land west of the Quays, Burscough	8. Pool Hey Caravan Park, Scarisbrick	14. White Moss Road South (B), Skelmersdale
53	Is the site within 60 minutes public transport journey of a Further Education Institution?	Yes - at Southport	Yes	Yes	Yes
54	Is the site within 60 minutes public transport journey of a Hospital?	Yes - at Southport	Yes - at Ormskirk (although would involve a walk or a second bus journey from Ormskirk Centre)	Yes	Yes (change required, or a longer walk to 375 / 385 / 395 route)
55	Is the site within 30 minutes public transport journey of a GP Practice?	Yes - at Banks	Yes	GP practice at Ormskirk may be reachable in 30 minutes, depending on traffic. New GP practice being developed at Kew, which is comfortably within 30 minute public transport travel time.	Yes
56	Is the site within 30 minutes public transport journey of a Major Centre?	Yes - Southport	Yes	Yes	Yes
57	Is the site within 10 minutes walk (800m) of a district or local centre?	No	Yes	No	No
58	Is the site within 15 minutes walk (1200m) of a Public Open Space of at least 5ha in size?	Yes	No	No	Yes (Blaguegate)
59	Is the site within 10 minutes walk (800m) of a natural green space (e.g. Local Nature Reserve) of at least 2ha in size?	No	No	No	No
60	Is the site within 40 minutes public transport journey of a Leisure / Recreation / Sports Facility?	Yes - Leisure Centre, Banks	Yes - Leisure Centre, Burscough	Yes - facilities in Ormskirk / Southport	Site is a short public transport journey from Skelmersdale Town Centre, where leisure facilities are planned, and to Blaguegate Lane football pitches.
61	What could the effects of development on this site be on the sustainability of community health and equality, leisure and education locally and wider over time ; temporary / permanent effects?	Site is not easily accessible to local services and amenities. Would be unlikely to put too much pressure on them.	Site is located in the centre of Burscough and so within good accessible distance of services and facilities.	Site has poor accessibility to community and social facilities, particularly if accessed by foot. There is no evidence of this longstanding site having any significant effect on the sustainability of community health, etc.	Site is away from "typical residential" infrastructure and services. Given the site's size, its development should not have any significant effect on the sustainability of community health, etc.
	Local economy and employment				
62	Is the site within 250m of any sensitive commercial receptors, existing or proposed (e.g. sensitive business uses and tourist / visitor attractions)?	No	No	No	No
63	Effects on the sustainability of the local economy and employment locally / Borough / sub-region over time? Temporary / permanent?	Effects likely to be negligible. (Travellers are often self-employed, and thus unlikely either to utilise employment sites nearby, or to offer employment on their site to local residents.)	Effects likely to be negligible. (Travellers are often self-employed, and thus unlikely either to utilise employment sites nearby, or to offer employment on their site to local residents.)	Effects likely to be negligible. (Travellers are often self-employed, and thus unlikely either to utilise employment sites nearby, or to offer employment on their site to local residents.)	Effects likely to be negligible. (Travellers are often self-employed, and thus unlikely either to utilise employment sites nearby, or to offer employment on their site to local residents.)
	Housing				
64	Is the site within 250m of residential dwellings (including individual houses)?	Yes. Some residential dwellings (individual houses) located within the rural area. not within an urban settlement.	Yes. Residential properties lie immediately east of the site.	Some existing residential properties are within 250m of the site.	There is just one residential property approximately 300m along White Moss Road South; residential properties on White Moss Road are closer as the crow flies; whilst separated by the M58, there is a footbridge close to the site.
65	Effects on the sustainability of housing provision locally / Borough / sub-region over time? Temporary / permanent?	Effects of the development of this site on the sustainability of housing provision locally are likely to be negligible	Effects of the development of this site on the sustainability of housing provision locally are likely to be negligible	Effects of the development of this site on the sustainability of housing provision locally are likely to be negligible	Effects of the development of this site on the sustainability of housing provision locally are likely to be negligible
	Transportation and air quality				
66	In or adjacent to an existing Air Quality Management Area?	No	No	No.	No
67	Are there any sensitive receptors nearby (e.g. residential, community facilities) that may be impacted by dust, fumes and emissions caused by the development and end-use of the site?	No	No. Residential and community facilities are nearby, as well as a school. However site is already in use and so further impacts would be unlikely.	No. Site is already in use (although unauthorised) so few impacts would be expected.	No, although the site may be impacted by noise and fumes from the M58, and is close to a hazardous waste site.

Q	Site Name	3. Sugar Stubbs Lane, Banks	6. Land west of the Quays, Burscough	8. Pool Hey Caravan Park, Scarisbrick	14. White Moss Road South (B), Skelmersdale
68	Effects on the sustainability of air quality locally and in the wider Borough and sub-region over time? Temporary / permanent?	Site would be unlikely to have a significant detrimental effect on air quality	Site would be unlikely to have a significant detrimental effect on air quality	Site would be unlikely to have a significant detrimental effect on air quality	None, although the site may be impacted by noise and fumes from the M58, and the waste site.
69	How suitable is the road network to accommodate expected levels of traffic to and from the site?	Sugar Stubbs Lane is unclassified and narrow, although it appears wide enough for two vehicles to pass. It is necessary to use approximately 120m of Sugar Stubbs Lane to access the site from the A565. Site has separate gated access from adjacent dwelling. Access for emergency vehicles possible (given the site entrance is set back up to 10m from Sugar Stubbs Lane), although not ideal.	WLBC is unaware of any evidence that the existing site is placing undue pressure on local infrastructure, services and roads. Site is close to A59 but accessed via a narrow road between the site and the A59. The site has functioned as a Travelling Showpeople site for several years using the existing access.	This lane has accommodated typical Traveller traffic for a number of years, but Pool Hey Lane includes a narrow stretch of road with a passing place and is not an ideal access road to a Traveller site.	White Moss Road South between the site and M58 junction 4 is narrow and of sub-optimal quality. However, a significant stretch of the road is used by landfill HGVs. Access to the motorway and elsewhere could be taken in the other direction (towards junction 3). The road is relatively quiet; it should thus be able to accommodate typical Traveller vehicles.
70	Would traffic from the site onto Primary Road Network cause adverse impacts on amenity of sensitive receptors on the route (residential, schools etc.)?	Unlikely due to the location of the site away from such amenities; just two residential properties at the junction of Sugar Stubbs Lane and A565, but the impact of Traveller traffic on these properties will be minor compared with A565 traffic.	No; site already in use as a Traveller site.	This lane has accommodated typical Traveller traffic for a number of years. No evidence of unacceptable impact of traffic from site on the amenity of sensitive receptors.	Traffic would pass a small number of residential properties on the way to the M58, but the increase in traffic levels over the traffic that already uses White Moss Road South should not be significant.
71	Is the site within 800m of an existing or proposed Cycle Route?	Yes	Yes	Yes	No
72	Is the site within 800m of a bus stop for a high frequency bus service?	Yes. Site is approximately 500m / 700m from nearest bus stop (depending on bus direction).	Yes	No	Site is 650m / 750m from bus stops on Liverpool Road (using the footbridge over the M58).
73	Is the site within 1200m of a Rail Station?	No	Yes	No	No
74	Does the site have public footpaths, rights of way or any other type of footpath on it or near to it?	Yes	No	No	Yes
75	What could the effects of development on this site be on the sustainability of transportation locally / wider over time; temporary / permanent effects?	Site within walking distance of bus services but few other facilities. Small site should not generate significant traffic.	Site already in existence and in a sustainable location.	This lane has accommodated typical Traveller traffic for a number of years, but Pool Hey Lane includes a narrow stretch of road with a passing place and is not an ideal access road to a Traveller site.	Site relatively unsustainable in location, although bus services can be reached on foot using footbridge over M58.
Cumulative Impacts					
76	Will locating a new development on this site, including in conjunction with other existing and proposed development in the vicinity, have an adverse impact on the perceived environmental quality or character of the area?	Development of the site would have an impact on the openness of the Green Belt. As the site already exists, although unauthorised, this impact can already be seen. As with any Traveller site, its allocation or development will be likely to have an impact on the perceived environmental quality or character of the area.	Longstanding authorised site.	Longstanding site, although unauthorised. As with any Traveller site, its allocation will be likely to have an impact on the perceived environmental quality or character of the area	Site is reasonably screened (provided existing trees, etc. are retained), and the adjacent motorway already has significant visual and acoustic impact, so the visual impact of the site should be limited. However, as with any Traveller site, its allocation or development will be likely to have an impact on the perceived environmental quality or character of the area.
77	Will locating a new development on this site, including in conjunction with other existing and proposed development in the vicinity, be likely to inhibit or to promote social cohesion or inclusion in nearby communities?	This is a small site sufficiently far from any settled community to avoid issues of the site dominating the community.	Longstanding site, already used and authorised as a Travelling Showpeople site. WLBC is unaware of any issues between the site occupants and the local settled community.	Generally well screened site over 700m from the nearest residential area (although there are two properties close to the site). Site has been occupied by Travellers since the 1990s and the Council has no evidence of issues between the occupants of the site and the local settled community.	Site is physically separate from the nearest settled communities.
78	Will locating a new development on this site, including in conjunction with other existing and proposed development in the vicinity, be likely to inhibit or to promote the economic potential of the area?	The overall impact of this site being allocated as a Traveller site is unlikely to have any significant impact on the economic potential of the area.	The overall impact of this site being allocated as a Traveller site is unlikely to have any significant impact on the economic potential of the area.	The overall impact of this site being allocated as a Traveller site is unlikely to have any significant impact on the economic potential of the area.	The overall impact of this site being allocated as a Traveller site is unlikely to have any significant impact on the economic potential of the area.

Q	Site Name	16. Blackacre Lane, Ormskirk	17. Land south of Butchers Lane, Aughton	18. Land east of Brookfield Lane, Aughton
1	Other site references / SHLAA site reference?	No	SHLAA OA.053	SHLAA OA.054
2	Site Address	Land at Blackacre Lane, Ormskirk	Land south of Butchers Lane, Aughton	Land east of Brookfield Lane, Aughton
3	Post Code			
4	OS Grid Ref - E	341478	339897	339373
5	OS Grid Ref - North	410031	403288	403881
6	Site Area (ha)	1.68	0.76	6.74
7	Description of Site	Site is currently open Green Belt, enclosed by a small fence, hedgerows and trees. Site contains a number of trees.	Site is an open field, in Green Belt, that is located in between two residential properties. Butchers Lane runs along the northern perimeter of the site. To the south of the site is a small wooded area.	Site is agricultural land, in Green Belt. Site is located between Brookfield Lane (to the west) and the railway line (to the east). In addition, the site contains natural boundaries of trees and hedgerows.
8	Description of Surrounding Area	Surrounding area is mainly Green Belt and agricultural land. There are a small number of residential properties nearby. The settlement of Ormskirk lies to the south.	The west of the site is a linear development of residential properties, with an additional residential property to the eastern side of the site. Further east, and to the North of the site is open Green Belt land used for agriculture. Ashworth Security Prison lies due south of the site, beyond the wooded area. A small watercourse lies to the south of the site also.	Scattered residential properties are located in proximity to the site (to the North, west and south). Railway line / embankment lies to the east of the site.
9	Brief Site History	-	-	-
10	Relevant planning history	2013/0068/COU - retention of change of use from agricultural land to use of land for keeping of horses, and retention of stable block and portable horse shelters	None	None
11	Land Ownership Details	Owned by Travellers	Private	Private
12	Source of Site Suggestion	Site suggested in Call for Sites 2013	Owner	Owner
13	Date of Appraisal	16/12/2013 (updated 09/2015)	16/12/2013 (updated 09/2015)	16/12/2013 (updated 09/2015)
Deliverability Issues				
14	Are there any issues of land ownership that could prevent development on the site being delivered?	Owned by Travellers	No. Site is not in the hands of Travellers but the owner has expressed willingness for the site to be considered as a Traveller site.	No. Site is not in the hands of Travellers but the owner has expressed willingness for the site to be considered as a Traveller site.
15	Is the site potentially available for development?	Yes	Owner has expressed a willingness for the site to be considered.	Owner has expressed a willingness for the site to be considered.
16	Does the planning history of the site caution against its allocation?	No. Planning permission for change of use for keeping horses has been granted.	No planning history.	No planning history
17	Potential land use conflicts with nearby sites that could prevent development?	Site is physically separate from the built-up area of Ormskirk, although relatively close by (350m to the nearest housing). Provided the site were not large-scale, it should not dominate the settled community. Former sewage works nearby, but this use ceased several years ago and not considered to have any significant impact on the site.	Site is in a rural area but lies between a collection of residential properties in a linear development. Surrounding landscape is open Green Belt and agricultural land. Site is within 100m of Ashworth Hospital.	Site is in a rural area and in close proximity to existing residential properties. Site and the surrounding landscape is open Green Belt and agricultural land. Site is within 100m of railway embankment; this is not considered a constraint in terms of impact upon the residents of the site but the site is highly visible from the railway.

Q	Site Name	16. Blackacre Lane, Ormskirk	17. Land south of Butchers Lane, Aughton	18. Land east of Brookfield Lane, Aughton
18	Is the site directly accessible from the highway network or could it reasonably become so?	Blackacre Lane is a narrow lane (not much wider than single track) and not suitable for the larger vehicles typically associated with Travellers. Site lies on a bend on the lane, although at present has two gated accesses.	Site can be directly accessed from Butchers Lane. Whilst Butchers Lane is unclassified, it is wide enough to accommodate typical Traveller vehicles. The site is large enough for adequate access to be achieved.	Brookfield Lane is narrow and not ideal for typical Traveller vehicles.
19	Any known land contamination or remediation issues?	None known	None known	None known
20	Any known ground instability?	None known	None known	None known
21	Can adequate provision be made to supply all major utilities?	Site does not currently appear to have these services. It is unclear whether they could easily be provided, but it is noted that the site is within 400m of the urban area of Ormskirk with its services / utilities.	Site does not currently have these services, but it is assumed that they can be provided given residential properties either side of the site.	Site does not currently have these services; there are some residential properties nearby, so it is assumed that services can be provided, although it is unclear how easy it would be to provide them.
22	Is the site within Functional Floodplain (Flood Zone 3b)?	No	Rear of site (about 15% of site) is within Flood Zone 2, by virtue of the adjacent watercourse.	No
23	Is the site within the Green Belt?	Yes	Yes	Yes
24	Would development of the site affect any flight paths?	Site is within the consultation zone for Blackpool Airport Plan C and St Anne's Radar Technical Site	Site is within the consultation zone for Blackpool Airport Plan C and St Anne's Radar Technical Site	Site is within the consultation zone for Blackpool Airport Plan C and St Anne's Radar Technical Site
25	Is there interest in site for development?	Yes	Owner has expressed a willingness for the site to be developed for Travellers but no evidence of any actual interest in the site being purchased for possible Traveller use.	Owner has expressed a willingness for the site to be developed for Travellers but no evidence of any actual interest in the site being purchased for possible Traveller use.
Biodiversity				
26	Within 5km of and / or likely to impact on internationally designated sites?	No	No	No
27	Within 1km of and / or likely to impact on a SSSI?	No	No	No
28	Within 100m of designated local nature conservation sites?	No	No	No
29	Protected species and / or habitats?	No	No	No
30	Within 100m of woodlands, or trees with Tree Preservation Orders?	No	No	No
31	Effects on the sustainability of biodiversity, locally & wider over time? Temporary or permanent?	Site would be unlikely to have a significant impact on local, or international, biodiversity.	Site would be unlikely to have a significant impact on local, or international, biodiversity.	Site appears to be active farmland, and likely to support some biodiversity.
Water and Land Resources				
32	Is the site subject to any known stability issues?	None known	None known	None known
33	Geological or geomorphological importance?	No	No	No
34	Does the site have any adverse gradients on it?	No; short gentle slope towards road.	No - rear of site slopes gently towards a watercourse	No
35	Best and most versatile agricultural land (grades 1, 2 and 3a)?	Yes, Grade 1	Yes, Grade 1	Yes, Grade 1
36	Active mineral working site?	No	No	No
37	Contaminated or derelict land?	No	No	No
38	Previously developed land (brownfield)?	No	No	No
39	Effects on the sustainability of land resources locally / wider over time? Temporary or permanent?	Site is on Grade 1 agricultural land although site is not in active use for farming. Site would be unlikely to have a detrimental effect on land resources. Site is on the line of the proposed Ormskirk Bypass. Site subject to a financial "clawback" clause which could impact upon deliverability.	Site is on Grade 1 agricultural land although site is not in active use for farming. Site would be unlikely to have a detrimental effect on land resources.	Site is on Grade 1 agricultural land and actively farmed. Use of site would have an impact on land resources.

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Q	Site Name	16. Blackacre Lane, Ormskirk	17. Land south of Butchers Lane, Aughton	18. Land east of Brookfield Lane, Aughton
40	Within or adjacent to a Principal Aquifer or Source Protection Zone 1 or 2?	Principal	Principal	Principal
41	Effects on the sustainability of water quality and resources locally / wider over time? Temporary or permanent?	Site would be unlikely to detrimentally affect water quality and resources. As with any development, consideration would need to be given to managing waste water / surface water on the site.	Site would be unlikely to detrimentally affect water quality and resources. As with any development, consideration would need to be given to managing waste water / surface water on the site.	Site would be unlikely to detrimentally affect water quality and resources. As with any development, consideration would need to be given to managing waste water / surface water on the site.
Climatic factors and flooding				
42	Is the site within Zones 2 or 3 of the floodplain?	No	Rear of site (about 15% of site) is within Flood Zone 2, by virtue of the adjacent watercourse.	No
43	Effects on the sustainability of climatic factors and flooding locally / wider over time? Temporary or permanent?	Site would be unlikely to have detrimental impacts on climate and flooding.	Site would be unlikely to have detrimental impacts on climate and flooding.	Site would be unlikely to have detrimental impacts on climate and flooding.
Heritage and Landscape				
44	Within or within 5km of and / or likely to impact on an AONB or Heritage Coast?	No	No	No
45	Within or within 1km of any area designated for its local landscape importance or is it likely to have adverse impacts on the landscape?	No historic environment, landscape or nature conservation designation in vicinity of site. Site is a metre or so higher than Blackacre Lane; there is no natural screening between the site and Blackacre Lane at present.	No historic environment, landscape or nature conservation designation in vicinity of site.	No historic environment, landscape or nature conservation designation in vicinity of site.
46	Is the site in the Green Belt? If so, would development on this site cause harm to the objectives of Green Belt designation?	Yes. Development would have visual impact as well as affecting openness.	Yes. Development would have visual impact as well as affecting openness.	Yes. Development would have visual impact as well as affecting openness.
47	Within 250m of a site or building with a nationally recognized heritage designation?	No	No	No
48	Effects on the sustainability of heritage and landscape locally and in the wider Borough and sub-region over time? Temporary / permanent?	Site would be unlikely to have impacts on heritage. The site's development would impact on the open countryside. Screening may help mitigate the visual impact of the site should development occur. There is no natural screening between the site and Blackacre Lane at present.	Site would be unlikely to have impacts on heritage. Screening may help mitigate the visual impact of the site should development occur. Site is located in a gap between residential properties.	Site is within open countryside. Whilst it is screened to an extent by existing trees / hedging, to achieve visual and acoustic privacy for the whole site would mean visual impact on this Green Belt area. The visual impact of the site from the adjacent railway embankment would be very difficult to mitigate in the short-medium term.
Social equality and community services				
49	Will development of the site harm any nearby sensitive community receptors, existing or proposed (e.g. schools, hospitals and public / outdoor recreation uses)?	Provided the site were not large-scale, it should not dominate the settled community. It is not considered that development of the site should harm any nearby sensitive community receptors, existing or proposed (e.g. schools, hospitals and public / outdoor recreation uses).	It is not considered that development of the site should harm any nearby sensitive community receptors, existing or proposed (e.g. schools, hospitals and public / outdoor recreation uses).	It is not considered that development of the site should harm any nearby sensitive community receptors, existing or proposed (e.g. schools, hospitals and public / outdoor recreation uses).
50	How close [how many minutes walk at 5km/h average walking speed] is this site to a public transport facility (bus stop / station on regular route)? (Please note that this walking time is taken into account in the questions below referring to X minutes public transport journey from various facilities.)	600 - 650m (7-8 minutes walk) from bus stops on Grimshaw Lane.	1.8km (22 minutes walk) from bus stop on Springfield Road, Aughton.	1km (12 minutes walk) from bus stop on Springfield Road, Aughton
51	Is the site within 30 minutes public transport journey of a Primary School?	Yes	No	Yes
52	Is the site within 40 minutes public transport journey of a Secondary School?	Yes	Yes	Yes

Q	Site Name	16. Blackacre Lane, Ormskirk	17. Land south of Butchers Lane, Aughton	18. Land east of Brookfield Lane, Aughton
53	Is the site within 60 minutes public transport journey of a Further Education Institution?	Yes	Yes	Yes
54	Is the site within 60 minutes public transport journey of a Hospital?	Yes	Yes	Yes
55	Is the site within 30 minutes public transport journey of a GP Practice?	Yes	Yes	Yes
56	Is the site within 30 minutes public transport journey of a Major Centre?	Yes	No	Yes
57	Is the site within 10 minutes walk (800m) of a district or local centre?	No	No	No
58	Is the site within 15 minutes walk (1200m) of a Public Open Space of at least 5ha in size?	No	No	No
59	Is the site within 10 minutes walk (800m) of a natural green space (e.g. Local Nature Reserve) of at least 2ha in size?	No	No	No
60	Is the site within 40 minutes public transport journey of a Leisure / Recreation / Sports Facility?	Yes - facilities in Ormskirk	Coronation Park / Park Pool probably reachable in 18 minutes public transport ride time from Springfield Road bus stop (22 minutes walk away).	Yes
61	What could the effects of development on this site be on the sustainability of community health and equality, leisure and education locally and wider over time ; temporary / permanent effects?	Site should not place undue pressure on community services.	Site is not in a sustainable location from which to access community services.	Site is not in a sustainable location from which to access community services.
Local economy and employment				
62	Is the site within 250m of any sensitive commercial receptors, existing or proposed (e.g. sensitive business uses and tourist / visitor attractions)?	No	No	No
63	Effects on the sustainability of the local economy and employment locally / Borough / sub-region over time? Temporary / permanent?	Effects likely to be negligible. (Travellers are often self-employed, and thus unlikely either to utilise employment sites nearby, or to offer employment on their site to local residents.)	Effects likely to be negligible. (Travellers are often self-employed, and thus unlikely either to utilise employment sites nearby, or to offer employment on their site to local residents.)	Effects likely to be negligible. (Travellers are often self-employed, and thus unlikely either to utilise employment sites nearby, or to offer employment on their site to local residents.)
Housing				
64	Is the site within 250m of residential dwellings (including individual houses)?	Site is physically separate from the built-up area of Ormskirk, although relatively close by (350m to the nearest housing).	Yes	Yes
65	Effects on the sustainability of housing provision locally / Borough / sub-region over time? Temporary / permanent?	Effects of the development of this site on the sustainability of housing provision locally are likely to be negligible	Effects of the development of this site on the sustainability of housing provision locally are likely to be negligible	Effects of the development of this site on the sustainability of housing provision locally are likely to be negligible
Transportation and air quality				
66	In or adjacent to an existing Air Quality Management Area?	No	No	No
67	Are there any sensitive receptors nearby (e.g. residential, community facilities) that may be impacted by dust, fumes and emissions caused by the development and end-use of the site?	No	No	No

Q	Site Name	16. Blackacre Lane, Ormskirk	17. Land south of Butchers Lane, Aughton	18. Land east of Brookfield Lane, Aughton
68	Effects on the sustainability of air quality locally and in the wider Borough and sub-region over time? Temporary / permanent?	Site would be unlikely to have a significant detrimental effect on air quality	Site would be unlikely to have a significant detrimental effect on air quality	Site would be unlikely to have a significant detrimental effect on air quality
69	How suitable is the road network to accommodate expected levels of traffic to and from the site?	Blackacre Lane is a narrow lane (not much wider than single track) and probably unsuitable for the larger vehicles typically associated with Travellers. Access from Ormskirk (A570 via Heskin Lane, or A59 via Grimshaw Lane) would be easier than access from Burscough (A59 / B5242 Pippin Street) as this would entail less distance along Blackacre Lane.	Whilst Butchers Lane is unclassified, it is wide enough to accommodate typical Traveller vehicles and should have capacity to cope with traffic associated with this site, were it to be allocated.	Brookfield Lane is narrow and not ideal for typical Traveller vehicles.
70	Would traffic from the site onto Primary Road Network cause adverse impacts on amenity of sensitive receptors on the route (residential, schools etc.)?	Traffic would pass residential properties on the way to the primary road network, but the increase in traffic levels for the overwhelming majority of these properties, over what already uses the local roads (Grimshaw Lane, etc.), should not be significant.	No; site would be small, and traffic generated by it would be unlikely to cause any significant adverse impact.	Possibly: Brookfield Lane is narrow and not suitable for typical Traveller vehicles.
71	Is the site within 800m of an existing or proposed Cycle Route?	Yes	Yes	Yes
72	Is the site within 800m of a bus stop for a high frequency bus service?	Site is 600-650m from nearest bus stops.	No. Site lies on a school bus route, but is over 1km from any "public" bus stop.	A "custom bus stop" exists adjacent to the site, but the nearest "mainstream" service to Ormskirk is over 1km from the site. Few local accessible services.
73	Is the site within 1200m of a Rail Station?	No	No	No
74	Does the site have public footpaths, rights of way or any other type of footpath on it or near to it?	Yes	No	Yes on the site
75	What could the effects of development on this site be on the sustainability of transportation locally wider over time; temporary / permanent effects?	Road access to the site is not suitable for larger vehicles. Green Belt site, but within easy walking distance of public transport facilities; reasonably close to Ormskirk and its facilities.	Relatively unsustainable location, although access by road is reasonable.	Relatively unsustainable location.
Cumulative Impacts				
76	Will locating a new development on this site, including in conjunction with other existing and proposed development in the vicinity, have an adverse impact on the perceived environmental quality or character of the area?	As with any Traveller site, its allocation or development will be likely to have an impact on the perceived environmental quality or character of the area.	As with any Traveller site, its allocation or development will be likely to have an impact on the perceived environmental quality or character of the area.	Yes. Would affect the openness of the Green Belt. Site is within open countryside. As with any Traveller site, its allocation or development will be likely to have an impact on the perceived environmental quality or character of the area.
77	Will locating a new development on this site, including in conjunction with other existing and proposed development in the vicinity, be likely to inhibit or to promote social cohesion or inclusion in nearby communities?	Site is physically separate from the built-up area of Ormskirk, although relatively close by (350m to the nearest housing). Provided the site were not large-scale, it should not dominate the settled community.	Site's proximity to residential properties is likely to lead to difficulties in ensuring peaceful co-existence between the settled and travelling community.	Site is physically separate from the nearest settled communities. Site's location near a number of residential properties may lead to difficulties in ensuring peaceful co-existence between the settled and travelling community.
78	Will locating a new development on this site, including in conjunction with other existing and proposed development in the vicinity, be likely to inhibit or to promote the economic potential of the area?	The overall impact of this site being allocated as a Traveller site is unlikely to have any significant impact on the economic potential of the area.	The overall impact of this site being allocated as a Traveller site is unlikely to have any significant impact on the economic potential of the area.	The overall impact of this site being allocated as a Traveller site is unlikely to have any significant impact on the economic potential of the area.

Provision for Traveller Sites Development Plan Document – Publication

Habitat Regulations
Assessment

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Rev No	Comments	Checked by	Approved by	Date
03	Final	GD	JR	11/05/16

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The methodology adopted and the sources of information used by AECOM in providing its services are outlined in this Report. The work described in this Report was undertaken during May 2016 and is based on the conditions encountered and the information available during the said period of time. The scope of this Report and the services are accordingly factually limited by these circumstances.

Where assessments of works or costs identified in this Report are made, such assessments are based upon the information available at the time and where appropriate are subject to further investigations or information which may become available.

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Unless otherwise stated in this Report, the assessments made assume that the sites and facilities will continue to be used for their current purpose without significant changes.

Where field investigations are carried out, these have been restricted to a level of detail required to meet the stated objectives of the services. The results of any measurements taken may vary spatially or with time and further confirmatory measurements should be made after any significant delay in issuing this Report.

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1 Introduction

AECOM was appointed by West Lancashire Borough Council (“the Council”) in 2014 to assist in undertaking a Habitats Regulations Assessment (HRA) of the potential effects of the Provision for Traveller Sites Development Plan Document – Options and Preferred Options on the Natura 2000 network and Ramsar sites. Following that work AECOM has now (May 2016) been commissioned by the Council to update that assessment for the publication version plan. In summary, the only material change from an HRA perspective is that one of the development sites considered in the previous HRA (Site 3: Sugar Stubbs Lane, Banks) has now been deleted.

The Habitats Directive applies the precautionary principle to Natura 2000 sites (Special Areas of Conservation, SACs, and Special Protection Areas, SPAs; as a matter of UK Government policy, Ramsar sites¹ are given equivalent status). For the purposes of this Habitats Regulations Assessment (HRA) candidate SACs, proposed SPAs and proposed Ramsar sites are all treated as fully designated sites. The need for HRA (also often referred to as Appropriate Assessment or AA) is set out within Article 6 of the EC Habitats Directive 1992, and interpreted into British law by the Conservation of Habitats and Species Regulations 2010 (**Box 1**). The ultimate aim of the Directive is to “*maintain or restore, at favourable conservation status, natural habitats and species of wild fauna and flora of Community interest*” (Habitats Directive, Article 2(2)). This aim relates to habitats and species, not the European sites themselves, although the sites have a significant role in delivering favourable conservation status.

Box 1. The legislative basis for Appropriate Assessment

Habitats Directive 1992

“Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives.”

Article 6 (3)

Conservation of Habitats and Species Regulations 2010

“A competent authority, before deciding to ... give any consent for a plan or project which is likely to have a significant effect on a European site ... shall make an appropriate assessment of the implications for the site in view of that sites conservation objectives ... The authority shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site”.

Chapter 2 of this report explains the process by which the HRA has been carried out. Chapter 3 explores the relevant pathways of impact resulting from the selection of traveller sites. Chapter 4 provides the results of the screening of the two sites contained within the DPD. The conclusion of the HRA is then summarised in Chapter 5.

¹ Wetlands of International Importance designated under the Ramsar Convention 1979

2 Methodology

2.1 Introduction

This section sets out our approach and methodology for undertaking the HRA.

2.2 A Proportionate Assessment

Project-related HRA often requires bespoke survey work and novel data generation in order to accurately determine the significance of effects. In other words, to look beyond the risk of an effect to a justified prediction of the actual likely effect and to the development of avoidance or mitigation measures.

However, the draft CLG guidance² makes it clear that when implementing HRA of land-use plans, the AA should be undertaken at a level of detail that is appropriate and proportional to the level of detail provided within the plan itself: *“The comprehensiveness of the [Appropriate] assessment work undertaken should be proportionate to the geographical scope of the option and the nature and extent of any effects identified. An AA need not be done in any more detail, or using more resources, than is useful for its purpose. It would be inappropriate and impracticable to assess the effects [of a strategic land use plan] in the degree of detail that would normally be required for the Environmental Impact Assessment (EIA) of a project.”*

In other words, there is a tacit acceptance that appropriate assessment can be tiered and that all impacts are not necessarily appropriate for consideration to the same degree of detail at all tiers.

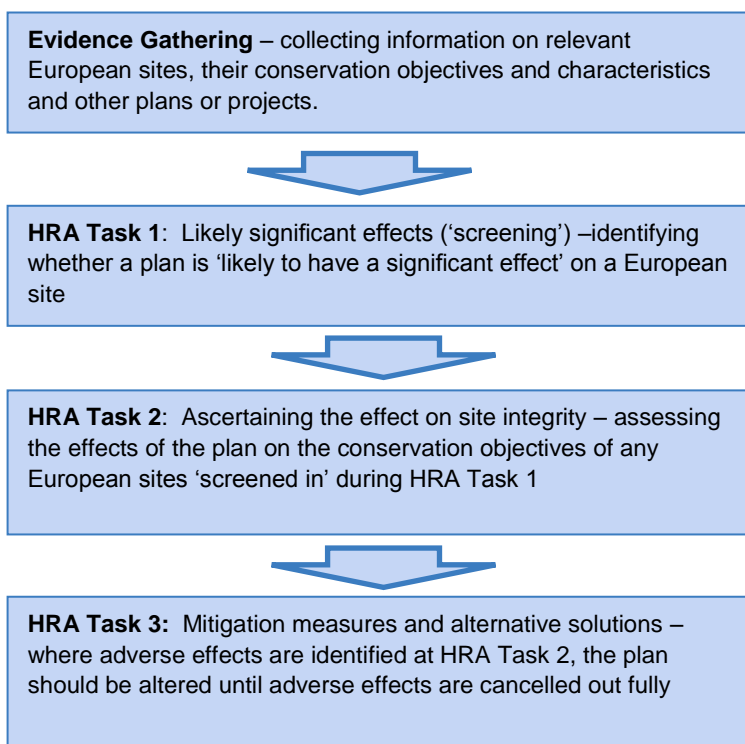
2.3 The Process of HRA

The HRA is likely to be carried out in the continuing absence of formal central Government guidance. CLG released a consultation paper on AA of Plans in 2006³. As yet, no further formal guidance has emerged from CLG. However, Natural England has produced its own informal internal guidance and Countryside Council for Wales has produced guidance for Welsh authorities which has been produced to supplement Technical Advice Note 5: Nature Conservation and Planning (2009). Although there is no requirement for an HRA to follow either guidance, both have been referred to in producing this final version of the HRA.

Figure 1 below outlines the stages of HRA according to current draft CLG guidance (which, since it is Central Government and West Lancashire Borough is an English authority has been considered to take precedence over other sources of guidance). The stages are essentially iterative, being revisited as necessary in response to more detailed information, recommendations and any relevant changes to the plan until no likely significant effects remain.

² CLG (2006) Planning for the Protection of European Sites, Consultation Paper

³ Ibid

Figure 1: Four-Stage Approach to Habitats Regulations Assessment

In practice, we and other practitioners have discovered that this broad outline requires some amendment in order to feed into a developing land use plan such as a DPD. The following process has been adopted for carrying out the subsequent stages of the HRA.

2.4 Task One: Likely Significant Effect Test (Screening)

The first stage of any Habitats Regulations Assessment is a Likely Significant Effect (LSE) test - essentially a high level risk assessment to decide whether the full subsequent stage known as Appropriate Assessment is required. The essential question is: *“Is the Plan, either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon European sites?”*

In evaluating significance, AECOM has relied on our professional judgement as well as stakeholder consultation. The level of detail concerning developments that will be permitted under land use plans is rarely sufficient to make a detailed quantification of effects. Therefore, we have again taken a precautionary approach (in the absence of more precise data) assuming as the default position that if an adverse effect cannot be confidently ruled out, avoidance or mitigation measures must be provided. This is in line with CLG guidance that the level of detail of the assessment, whilst meeting the relevant requirements of the Habitats Regulations, should be 'appropriate' to the level of plan or project that it addresses.

Task One: determination of likely significant effects is the purpose of this document.

2.5 Physical scope of the HRA

The physical scope of the HRA is dictated to a large extent by the potential pathways for impact that exist. In determining the potential pathways of impact associated with the three traveller sites,

it is important to understand that a traveller sites DPD is not aimed at increasing the population of the area, but is rather concerned with ensuring that there are sufficient legal pitches available for traveller needs. As such, there is no basis to assume that the provision of the three preferred sites identified in this DPD would lead to an increase in the population of West Lancashire.

If an increase in the population can be discounted then the principal pathways of impact are associated with whether any of the actual preferred sites would be likely to lead to any disturbance effects on sensitive European sites through proximity, or loss of important supporting habitat outside the boundaries of the European sites. This pathway is discussed further in Chapter 3.

Based on the potential pathways identified above, the physical scope of the HRA is as shown in Table 1.

Table 1: Physical scope of the HRA

European site	Reason for inclusion
Martin Mere SPA/Ramsar site	Located 1.7km from the preferred traveller sites at its closest point.
Ribble and Alt Estuaries SPA/Ramsar site and Sefton Coast SAC	Located 2km from the preferred traveller sites at its closest point.

Further details regarding the interest features and vulnerabilities of the European sites included within the scope of the HRA are given below. All baseline data relating to these European Sites presented in subsequent Chapters of this report is taken from Joint Nature Conservancy Council websites (JNCC) unless otherwise stated.

2.6 The 'in combination' scope

It is a requirement of the Regulations that the impacts and effects of any land use plan being assessed are not considered in isolation but in combination with other plans and projects that may also be affecting the European site(s) in question. In practice, 'in combination assessment' is of greatest importance when the DPD would otherwise be screened out because the individual contribution is inconsequential. It is neither practical nor necessary to assess the 'in combination' effects of the DPD within the context of all other plans and projects within the locality. The principal other plans and projects that we are considering are:

- Housing figures identified for West Lancashire as a whole, and housing figures for neighbouring authorities, along with policies relating to employment provision and any significant infrastructure.
- HRA of the West Lancashire Local Plan, and any HRAs for Local Plans of surrounding authorities.
- RSPB and Lancashire Wildlife Trust (July 2008) Wind Turbines, Sensitive Bird Populations and Peat Soils: A Spatial Planning Guide for on-shore wind farm developments in Lancashire, Cheshire, Greater Manchester and Merseyside;
- United Utilities Final Draft Water Resource Management Plan 2015-2040;
- West Lancashire Borough Council Open Space Study (2012);

- Lancashire County Council Local Transport Plan 3 (2011-2021); and
- Environment Agency North West River Basin Management Plan.

It should be noted that, while the broad potential impacts of these other projects and plans will be considered, we do not propose carrying out full HRA on each of these plans.

3 Pathways of Impact

3.1 Introduction

In carrying out an HRA it is important to avoid confining oneself to effectively arbitrary boundaries (such as Local Authority boundaries) but to use an understanding of the various ways in which land use plans can impact on European sites to follow the pathways along which development can be connected with European sites, in some cases many kilometres distant. Briefly defined, pathways are routes by which a change in activity associated with a development can lead to an effect upon a European site. It is also important to bear in mind CLG guidance which states that the AA should be '*proportionate to the geographical scope of the [plan policy]*' and that '*an AA need not be done in any more detail, or using more resources, than is useful for its purpose*' (CLG, 2006, p.6⁴).

The following indirect pathways of impact were considered relevant to the Habitats Regulations Assessment of the Travellers DPD.

3.2 Disturbance

The proximity of new development sites to European sites designated for sensitive species (such as over-wintering birds) can result in noise and visual disturbance.

Human activity can affect birds either directly (e.g. through causing them to flee) or indirectly (e.g. through damaging their habitat or rendering it less usable through, for example, light pollution). The most obvious direct effect is that of immediate mortality such as death by shooting, but human activity can also lead to behavioural changes (e.g. alterations in feeding behaviour, avoidance of certain areas *etc.*) and physiological changes (e.g. an increase in heart rate) that, although less noticeable, may ultimately result in major population-level effects by altering the balance between immigration/birth and emigration/death⁵.

The degree of impact that varying levels of noise will have on different species of bird is poorly understood except that a number of studies have found that an increase in traffic levels on roads does lead to a reduction in the bird abundance within adjacent hedgerows - Reijnen et al (1995) examined the distribution of 43 passerine species (i.e. 'songbirds'), of which 60% had a lower density closer to the roadside than further away. By controlling vehicle usage they also found that the density generally was lower along busier roads than quieter roads⁶.

Disturbing activities are on a continuum. The most disturbing activities are likely to be those that involve irregular, infrequent, unpredictable loud noise events, movement or vibration of long duration. Birds are least likely to be disturbed by activities that involve regular, frequent, predictable, quiet patterns of sound or movement or minimal vibration. The further any activity is from the birds, the less likely it is to result in disturbance.

⁴ Department for Communities and Local Government. 2006. *Planning for the Protection of European Sites: Appropriate Assessment*. <http://www.communities.gov.uk/index.asp?id=1502244>

⁵ Riley, J. 2003. Review of Recreational Disturbance Research on Selected Wildlife in Scotland. Scottish Natural Heritage.

⁶ Reijnen, R. et al. 1995. The effects of car traffic on breeding bird populations in woodland. III. Reduction of density in relation to the proximity of main roads. *Journal of Applied Ecology* 32: 187-202

3.3 Loss of Offsite Habitat of Value to Qualifying Species

While most European sites have been geographically defined in order to encompass the key features that are necessary for coherence of their structure and function, this is not the case for all such sites. Due to the highly mobile nature of waterfowl it is inevitable that areas of habitat of crucial importance to the maintenance of their populations are outside the physical limits of the European site for which they are an interest feature. However, this area will still be essential for maintenance of the structure and function of the interest feature for which the site was designated and land use plans that may affect this land should still therefore be subject to HRA.

In examining the potential constraints for offshore wind development in the region in 2008 the RSPB and Lancashire Wildlife Trust published a mapping exercise that identified sensitive areas for pink-footed geese and whooper swans. These include a zone of sensitivity for pink-footed geese and mapping for whooper swan generated as 1km squares of sensitivity rather than more precise habitat zones as prepared for the geese. It is understood that work is currently underway to update this exercise on a more national basis and if the data become available during the timetable of this project the HRA will be updated to take it into account. However, for the time being, these data (presented in Appendix 1 of this report) have been used to determine proximity of preferred sites to sensitive areas for SPA birds.

4 Background to European sites

4.1 Martin Mere

Martin Mere SPA and Ramsar (119.89 ha) is located north of Ormskirk in West Lancashire, North West England. The outstanding importance of Martin Mere is its large and diverse wintering, passage and breeding bird community.

It occupies part of a former lake and mire that extended over some 1,300 ha of the Lancashire Coastal Plain during the 17th century. In 1972 the Wildfowl and Wetlands Trust purchased 147 hectares of the former Holcrofts Farm, consisting mainly of rough damp pasture, with the primary aim of providing grazing and roosting opportunities for wildfowl. Since acquisition, the rough grazed pastures have been transformed by means of positive management into a wildfowl refuge of international importance. Areas of open water with associated muddy margins have been created, whilst maintaining seasonally flooded marsh and reed swamp habitats via water level control. In September 2002, an additional 63 hectares of land were purchased on the southernmost part of the refuge at Woodend Farm, with the aid of the Heritage Lottery Fund, to restore arable land to a variety of wetland habitats including seasonally flooded grassland, reedbed, wet woodland and open water habitats.

The complex now comprises open water, seasonally flooded marsh and damp, neutral hay meadows overlying deep peat. It includes a wildfowl refuge of international importance, with a large and diverse wintering, passage and breeding bird community. In particular, there are significant wintering populations of Bewick's swan (*Cygnus columbianus bewickii*), whooper swan (*Cygnus cygnus*), pink-footed geese (*Anser brachyrhynchus*) and pintail (*Anas acuta*). There is considerable movement of wintering birds between this site and the nearby Ribble and Alt Estuaries SPA/Ramsar.

4.2 Reasons for Designation

This site qualifies for SPA under Article 4.1 of the Directive (79/409/EEC) by supporting populations of European importance of the following over wintering birds listed on Annex I of the Directive:

- Bewick's swan, 449 individuals representing at least 6.4% of the wintering population in Great Britain (5 year peak mean 1991/2 - 1995/6)
- Whooper swan 621 individuals representing at least 11.3% of the wintering population in Great Britain (5 year peak mean 1991/2 - 1995/6)

This site also qualifies under Article 4.2 of the Directive (79/409/EEC) by supporting populations of European importance of the following over wintering migratory species:

- Pink-footed geese, 25,779 individuals representing at least 11.5% of the wintering Eastern Greenland/Iceland/UK population (5 year peak mean 1991/2 - 1995/6)
- Pintail 978 individuals representing at least 1.6% of the wintering North Western Europe population (5 year peak mean 1991/2 - 1995/6)

The assemblage of birds present makes the site a wetland of international importance. The area qualifies under Article 4.2 of the Directive (79/409/EEC) by regularly supporting at least 20,000

waterfowl. Over winter, the area regularly supports 46,196 individual waterfowl (5 year peak mean 1991/2 - 1995/6) including: pochard (*Aythya farina*), mallard (*Anas platyrhynchos*), teal (*Anas crecca*), wigeon (*Anas penelope*), pintail, pink-footed geese, whooper swan, and Bewick's swan.

It is additionally designated as a Ramsar European site in accordance with Criterion 5 (UN, 2005) for supporting up to 25,306 waterfowl (5-year peak mean 1998/99 – 2002/03) in winter, and in accordance with Criterion 6 for supporting internationally important populations of pink-footed geese, Bewick's swan, whooper swan, Eurasian wigeon and northern pintail.

4.3 Historic Trends and Current Pressures

Since the site's designation as a Wetland of International Importance under the Ramsar Convention and as a Special Protection Area in 1985, there has been a gradual increase in the usage of the mere by wildfowl and wading birds as a direct consequence of positive management. The site is geared towards attracting visitors, with a number of hides from which the Mere and its birds may be viewed. In addition to the wild species for which it is designated, the site holds a collection of about 1,500 captive birds of 125 species from around the world, as well as a number of other visitor attractions. This is because the site is a Wildfowl and Wetlands Trust reserve.

The environmental pressures experienced by Martin Mere in terms of its bird community are likely to be those common to all reedbed and wetland habitats as set out in Lancashire BAP:

- Direct loss of characteristic species as a result of nutrient enrichment from agricultural fertilisers and run-off;
- Loss of reedbed due to weakening of stems through poor growth conditions;
- Natural succession to woodland;
- Changes in farming practice; grazing management is largely dependent upon cattle from surrounding farms;
- Reduced water level caused by surface and ground water abstractions or agricultural drainage, which causes the habitat to dry out and begin succession towards 'alder/willow carr woodland, hastening the overall process of succession towards broadleaved woodland';
- Removal of reeds and other vegetation from whole stretches of watercourses (e.g. neighbouring the site) through routine management of ditches and riverbanks (in some instances);
- Erosion of reedbeds due to increased recreational use of waterbodies and waterways (notably canals) including the site and immediate environs;
- Habitat loss or degradation due to the isolation of reedbeds as a result of losses elsewhere, in turn due to the above or other factors.

In addition, the following site-specific pressures have been documented:

- Invasive plant species: Regular herbicide control of trifid burr marigold is necessary in order to prevent this plant from invading lake/ scrape margins to the detriment of bird populations;
- Water quality problems: water levels on the Mere are controlled to maintain optimum levels throughout the winter period, then lowered progressively in summer to expose marginal mud and the underlying damp pastures and maintain a mosaic of shallow pools. Ditches are regularly cut and dredged and all areas of pasture are positively managed under a Countryside Stewardship Scheme. Nutrients brought in with the water supply from the surrounding arable farmland and inadequate sewage treatment adds considerably to the large deposits of guano

from wintering waterfowl. This results in the site being highly eutrophic with extremely poor water quality conditions. The Wildfowl and Wetlands Trust have started to address this issue with the creation of reedbed water filtration systems and a series of settlement lagoons helps to reduce suspended solids of effluent water arising from waterfowl areas;

Due to the eutrophication described above, the site is also at risk of waterborne disease that could affect wildfowl, although no such outbreaks have been recorded.

4.4 Ribble & Alt Estuaries/Sefton Coast

The Ribble and Alt Estuary SPA and Ramsar Site is approximately 12,360ha, and consists of extensive sand- and mud-flats and, particularly in the Ribble Estuary, large areas of saltmarsh. There are also areas of coastal grazing marsh located behind the sea embankments. The saltmarshes, coastal grazing marshes and intertidal sand- and mud-flats all support high densities of grazing wildfowl and are used as high-tide roosts. Important populations of waterbirds occur in winter, including swans, geese, ducks and waders. The highest densities of feeding birds are on the muddier substrates of the Ribble.

The SPA is also of major importance during the spring and autumn migration periods, especially for wader populations moving along the west coast of Britain. The larger expanses of saltmarsh and areas of coastal grazing marsh support breeding birds during the summer, including large concentrations of gulls and terns. These seabirds feed both offshore and inland, outside of the SPA. Several species of waterbird (notably pink-footed geese) utilise feeding areas on agricultural land outside of the SPA boundary. There is considerable interchange in the movements of wintering birds between this European site and Morecambe Bay, the Mersey Estuary, the Dee Estuary and Martin Mere.

Located to the north of Liverpool, the Sefton Coast SAC (approximately 4,560ha) consists of a mosaic of sand dune communities comprising a range of ages from embryonic (i.e. dune formation) to more established communities. A number of other habitats are also present, including scrub, heath, coniferous woodland, lagoons, estuaries and riverine environments.

4.5 Reasons for Designation

The Ribble and Alt Estuaries Site is designated as an SPA for its Birds Directive Annex I species, both breeding and over-wintering, and these are:

During the breeding season:

- common tern *Sterna hirundo*: 182 pairs = 1.5% of the breeding population in Great Britain;
- ruff *Philomachus pugnax*: 1 pair = 9.1% of the breeding population in Great Britain;

Over winter:

- bar-tailed godwit *Limosa lapponica*: 18,958 individuals = 35.8% of the population in Great Britain;
- Bewick's swan *Cygnus columbianus ssp. bewickii*: 229 individuals = 3.3% of the population in Great Britain;
- golden plover *Pluvialis apricaria*: 4,277 individuals = 1.7% of the population in Great Britain
- whooper swan: 159 individuals = 2.9% of the population in Great Britain.

It also meets the criteria for SPA designation under Article 2 of the Birds Directive, supporting internationally important populations of lesser black-backed gull *Larus fuscus*, ringed plover *Charadrius hiaticula*, sanderling *Calidris alba*, black-tailed godwit *Limosa limosa ssp. limosa*, dunlin *Calidris alpina alpina*, grey plover *Pluvialis squatarola*, knot *Calidris canutus*, oystercatcher *Haematopus ostralegus*, pink-footed geese, pintail, redshank *Tringa totanus*, sanderling *Calidris alba*, shelduck *Tadorna tadorna*, teal *Anas crecca* and wigeon. It also qualifies by regularly supporting up to 29,236 individual seabirds, and, over winter, 301,449 individual waterfowl.

It is additionally designated as a Ramsar Site in accordance with Criterion 5 (UN, 2005) for supporting up 89,576 waterfowl (5-year peak mean 1998/99 – 2002/03), and in accordance with Criterion 6 for supporting internationally important populations of common shelduck *Tadorna tadorna*, black-tailed godwit *Limosa limosa ssp. limosa*, redshank *Tringa totanus*, Eurasian teal *Anas crecca*, northern pintail and dunlin *Calidris alpina alpina*.

The Ribble and Alt Estuaries also qualifies as a Ramsar as it meets criterion 2 by supporting over 40% of the UK population of natterjack toad. The natterjack Toad occurs on the Sefton Coast in seaward dunes between Southport and Hightown. In 2000 it was present on 13 sites (three of which are reintroductions). The breeding population is estimated at just over 1000 females.

The largest populations are on Ainsdale Sand Dunes NNR and Ainsdale and Birkdale Sandhills LNR. Natterjacks are absent from much of the dune coast and some breeding sites are considered to be isolated (North Merseyside Biodiversity Action Plan, undated).

The Sefton Coast qualifies as a SAC for both habitats and species. Firstly, the European site contains the Habitats Directive Annex I habitats of:

- Embryonic shifting sand dunes: considered rare, as its total extent in the United Kingdom is estimated to be less than 1,000 hectares – the Sefton Coast SAC is considered to be one of the best areas in the United Kingdom;
- Shifting dunes along the shoreline with marram *Ammophila arenaria* (“white dunes”): the Sefton Coast SAC is considered to be one of the best areas in the United Kingdom;
- Fixed dunes with herbaceous vegetation (“grey dunes”): the Sefton Coast SAC is considered to be one of the best areas in the United Kingdom;
- Dunes with creeping willow *Salix repens ssp. argentea (Salicion arenariae)*: considered rare, as its total extent in the United Kingdom is estimated to be less than 1,000 hectares – the Sefton Coast SAC is considered to support a significant presence of the species;
- Humid dune slacks: the Sefton Coast SAC is considered to be one of the best areas in the United Kingdom;
- Atlantic decalcified fixed dunes (*Calluno-Ulicetea*): considered rare, as its total extent in the United Kingdom is estimated to be less than 1,000 hectares – the Sefton Coast SAC is considered to support a significant presence.

Secondly, the European site contains the Habitats Directive Annex II species petalwort *Petalophyllum ralfsii*, for which it is one of the best areas in the United Kingdom, and great crested newt *Triturus cristatus*, for which the area is considered to support a significant presence.

4.6 Historic Trends and Current Pressures

As an estuarine site linked with the Liverpool Bay, this site has been subject to the same changes as described for the Liverpool Bay SPA but additionally its own unique pressures (some similar to

those experienced in the Mersey Estuary). The estuaries were largely undisturbed until the 19th century, at which point there was extensive modification and dredging of the river channel for the Port of Preston, as well as landfill and drainage along the shoreline in order to increase agricultural usage of the land. The Ribble Estuary has over the past century experienced ‘*a general pattern of sediment accretion in the inner estuary and erosion in outer areas*,’ but the estuary has begun ‘*to revert to its natural state... since maintenance of the Ribble Channel for shipping ceased in 1980. There have been dramatic changes in the course of channels in the outer Estuary, and these are expected to continue. Anticipated climatic and sea level changes are likely to exaggerate existing patterns of erosion and accretion, although sea level rise is not expected to cause significant loss of intertidal land in the Ribble*’ (Ribble Estuary Strategy Steering Group, 1997, p.15).

The Ribble and Alt Estuaries are among ‘*the most popular holiday destinations in Britain*,’ with Blackpool as the largest resort and Southport increasing in visitors. Leisure activities include ‘*watersports such as sailing and windsurfing; fishing and shooting; bird watching; land yachting; and generally relaxing at the coast... enjoyed by both local people and visitors*’ (Ribble Estuary Strategy Steering Group, 1997, p.10).

Some of the main environmental pressures relevant to the nature conservation objectives of the Ribble and Alt Estuaries SPA / Ramsar Site are:

- Loss or damage of habitat as a result of increasing off-shore exploration and production activity associated with oil and natural gas;
- Over-grazing of the saltmarshes by cattle-farming;
- Heavy metal pollution (lead, cadmium, arsenic and other poisons) from either industry or disturbance of sediment (legacy pollution bound into the sediment);
- Pollution via rivers by agricultural effluent flowing off fields, ‘leading to increased fertility of inshore waters and associated algal blooms and de-oxygenation of seawater, particularly in enclosed bays and estuaries’;
- Pollution via rivers and drains by both treated sewerage and untreated runoff containing inorganic chemicals and organic compounds from everyday domestic products, which ‘may combine together in ways that make it difficult to predict their ultimate effect of the marine environment. Some may remain indefinitely in the seawater, the seabed, or the flesh, fat and oil of sea creatures’;
- Damage of marine benthic habitat directly from fishing methods;
- Damage of marine benthic habitat directly or indirectly from aggregate extraction;
- ‘Coastal squeeze’ (a type of coastal habitat loss) from land reclamation and coastal flood defences and drainage used in order to farm or develop coastal land, and from sea level rise;
- Harm to wildlife (especially birds) or habitat loss due to increasing proposals/demand for offshore wind turbines;
- Pollution, direct kills, litter, disturbance or loss of habitat as a result of water-based recreation or other recreation activity and related development along the foreshore⁷;
- Disturbance to birds from aircraft, both from Blackpool Airport and from a private testing station;

⁷ Wildlife Trust (2006) – The Wildlife Trust For Lancashire, Manchester And North Merseyside (2006). *Uses and abuses*. [Online]. Available at: <http://www.lancswt.org.uk/Learning%20&%20Discovery/theirishsea/usesandabuses.htm> (accessed 15th June 2009).

- Introduction of non-native species and translocation;
- Selective removal of species (e.g. bait digging, wildfowl, fishing)⁸;
- Interruption of dune accretion processes leading to over-stabilisation of dunes;
- The spread of rank grasses and scrub, partly caused by a decline in rabbit-grazing, further reducing suitable habitat;
- Losses to development, forestry and recreational uses have reduced the area of available habitat;
- Fragmentation of habitat has led to isolation of populations;
- Creation of permanent water bodies in the dunes has encouraged populations of invertebrates which prey on natterjack tadpoles and, most seriously, populations of common toads which both predate and suppress the development of natterjack tadpoles;
- Gassing of rabbits, especially on golf courses, can kill natterjacks using burrows and removes a valuable grazing animal;
- Collecting and disturbance of spawn and tadpoles can reduce metamorphic success;
- Inappropriate management can cause the loss of low vegetation structure and open ground used by natterjacks for foraging;
- Water abstraction, conifers and scrub lower the water table locally and reduces the number of pools in which natterjack tadpoles can develop to maturity.

There is both formal and informal recreation along the Sefton Coast and intensity varies with season, event and attraction. Recreation is informal within the Ribble Estuary itself.

The dune habitats of the Sefton Coast SAC are dependent on natural erosive processes. Various human activities which interrupt natural sedimentation and deposition patterns within the Liverpool Bay have had an effect on the extent and wildlife value of these dunes. Since as early as the 18th century, *'dredging, river training and coastline hardening have imposed a pattern of accretion and erosion on the shoreline where previous conditions were much more variable'* (Liverpool Hope University College, 2006). More recently, the dunes have been partially stabilised through vegetation maintenance, the planting of pine trees, and artificial sea defences for protecting the developed shorelines. Another compounding influence is that the inland lakes and mosses behind the belt of coastal dunes have been drained and claimed for agricultural production (Liverpool Hope University College, 2006).

The environmental requirements of the Sefton Coast SAC can be described as:

- The need to reduce the fragmentation of habitats, and the impact of fragmentation, to provide stepping stones for the movement of species;
- The need to counter negative changes to low-nutrient habitats resulting from atmospheric nutrient deposition;
- The need to manage the continuing coastal erosion at Formby Point which leads to a squeeze on habitats. This management would not involve formal defences, as these would in themselves harm the dune ecosystem, but the management of pine plantations preventing dune roll-back. The dunes require sufficient space that natural processes can maintain the important habitats through roll-back;

⁸ (Wildlife Trust, 2006 and Ribble Estuary Strategy Steering Group, 1997)

- The need to consider the potential impact of climate change on shorelines, wetlands and dunes;
- The need to manage abstraction from the underlying aquifer for sources such as golf courses. The aquifer is critical to some features of the European site, such as the humid dune slacks and the great crested newts;
- To manage recreational pressures and direct disturbance to qualifying habitats;
- The need to develop and maintain management practices which sustain the conservation value of the area;
- The need to avoid loss of great crested newt habitat, and such habitats being further fragmented by distance or barriers.

5 Screening of Travellers Sites

5.1 Introduction

Policy GT1 provides the criteria against which proposals for new GT sites will be assessed. These include: '(vii) *The site is not within, adjacent to, or close to (such that it would adversely affect) any area of land subject to a nature conservation designation*'. This will protect internationally important wildlife sites from any proposed GT sites submitted in line with policy GT1.

The Travellers Sites DPD essentially presents two sites. Of these, one site: Land West of The Quays, Burscough, is already permitted. As such, it is excluded from this HRA. The remaining site is:

- Pool Hey Caravan Park, Scarisbrick 6 pitches

This screening assessment therefore examines the proximity of this site to the Martin Mere SPA and Ribble & Alt Estuaries SPA and determines whether these sites would constitute important supporting habitat for SPA birds.

Table 2: Likely Significant Effect of Preferred Sites

Site	Proximity to European sites	Sensitive habitat for SPA birds?	Likely Significant Effect?
Pool Hey Caravan Park, Scarisbrick	6km from Ribble & Alt Estuaries 4km from Martin Mere	Site lies within a whooper swan 1km square and a pink-footed goose area but constitutes bare ground and caravans and is unsuitable.	No

6 Role of Other Plans and Projects

The other plans and projects that have the potential to create likely significant adverse effects on Martin Mere SPA and Ramsar are as follows.

In considering disturbance of bird species for which the SPA/Ramsar are designated, the HRA of the West Lancashire Local Plan concluded that policy wording was sufficient to be able to confirm that this was unlikely. Despite a presumption in favour of sustainable development, policy SP1 (A Sustainable Development Framework for West Lancashire) indicates that future development in West Lancashire will have to demonstrate compliance with other policies in the Local Plan. These provide robust protection for development affecting European sites. The Local Plan states that:

'Where there is reason to suspect that there may be protected species on or close to a proposed development site, planning applications should be accompanied by a survey assessing the presence of such species and, where appropriate, making provision for their needs. In particular, the HRA of the Local Plan identifies a series of sites (in Appendix 8 of that document) where the potential of the site to supporting important habitat for birds associated with Martin Mere SPA cannot be ruled out at this stage. For those sites (and any others which may support suitable habitat) the applicant should submit an Ornithology Report containing sufficient information to demonstrate that consideration has been given to the potential for effects on SPA birds and, if necessary, that suitable mitigation measures will be implemented to address this to the satisfaction of the Council and ensure no adverse effect on site integrity. The report could, depending on the site, be a confirmation that no suitable habitat is in fact present and therefore no loss of supporting habitat would result.'

The Council has prepared an SPD for Yew Tree Farm, and this is also subject to commitment to provide an ornithological survey report as part of any planning applications (See p13 and p43 of that SPD). The Local Plan makes it clear that all other potential developments within West Lancashire that might occur on land supporting designated bird species will be subject to the same caveats as Yew Tree Farm.

Given these safeguards it can be concluded that no likely significant effects on Martin Mere SPA and Ramsar site will arise, through disturbance of qualifying bird species, as a result of the Yew Tree Farm SPD either alone or in combination with other plans and projects. Therefore there will be no in combination effect with the Travellers SPD.

With regard to water quality, the HRA of the West Lancashire Local Plan states that:

'New development proposed in the areas of Ormskirk, Burscough, Rufford and Scarisbrick that are affected by limitations on wastewater treatment must be phased to ensure delivery of the development coincides with delivery of an appropriate solution which meets the requirements of the Council, the Undertaker and the Regulators.'

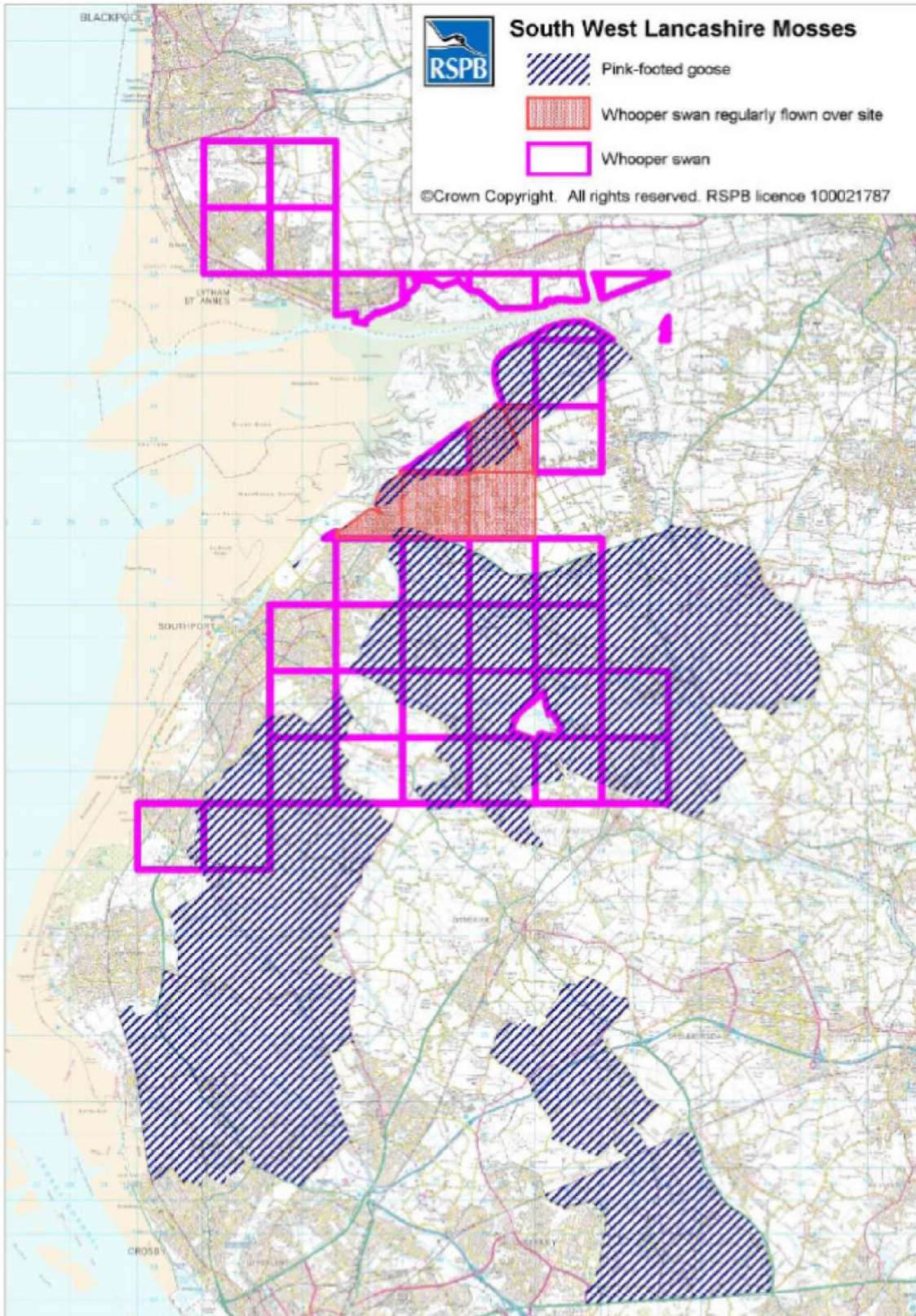
Given this, it can be concluded that other developments will not contribute to increased nutrient enrichment at Martin Mere, since they should conform with Local Plan policy.

Due primarily to the unsuitability of habitat, distance from European sites and/or lack of being within a sensitive area for SPA/Ramsar birds, there is no mechanism for any of the preferred traveller sites to operate in combination with these other projects and plans.

7 Conclusions

The HRA of the Traveller Sites Publication DPD has been able to conclude that no likely significant effects will occur on European sites either alone or in combination with other projects and plans.

8 Appendix 1 – Qualifying Bird Species Sensitivity Map: South West Lancashire



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Provision for Traveller Sites Development Plan Document

Schedule of Representations and Responses

May 2016

This report lists the representations made to West Lancashire Borough Council during the consultation on the Provision for Traveller Sites DPD: Options and Preferred Options (3 December 2015 – 29 January 2016) and the Council's responses to these representations.

Provision for Traveller Sites DPD – Representations made on Preferred Options document and WLBC responses.

May 2016

* Q No*: See final page for list of consultation questions

Name	Organisation	Q No*	Comments	Site	Response
Cllr M Barron		-	Traveller sites must have utilities and sewerage provided		Noted. Availability of utilities and sewerage is one of the criteria against which sites are assessed.
Warren Hilton	Highways England	(5)	<p>Having considered the draft, we have no comments to make in relation to the three preferred site options as they are all located away from the strategic road network that we operate. However we note that site number 14, known as White Moss Road South (B), Skelmersdale, is cited within the draft as being a site that could be operated as a transit camp. This site is located immediately adjacent to the M58 motorway boundary. Should this site be taken forward (or any of the others that are located next to the motorway), we would advise the following points are taken into consideration on grounds of safety:</p> <ul style="list-style-type: none"> • There should no direct access or connection to the motorway and any of its services from the site, such as drainage. • No aspect of the development of the site should put the motorway embankment at risk. <p>Ideally, there should be a robust buffer of fencing and / or landscaping designed to prevent access to the motorway from the site. This is important as there may be young children based on the site who might be tempted to explore the area and gain access to the motorway embankment</p>	All / 14	<p>Comments noted.</p> <p>Site 14 is not currently considered deliverable so it was not listed as a preferred option. If this changes, HE comments will be taken into account, similarly with regard to any site(s) that may be identified in future adjacent to the M58.</p>
Gillian Laybourn	Historic England	-	No comments to make at present	-	Noted.
Alan Hubbard	National Trust	-	No comments to make at this stage.	-	Noted.
John Gray	Resident	-	<p>'I believe we have a moral, as well as a legal, responsibility to provide such sites (as well as trying to reduce the risk of unauthorised settlements) but I do not have enough local knowledge of these particular areas to be able to make any intelligent comment on the suitability of any or all of them.</p> <p>I wish the Council well in making its difficult decisions!'</p>	-	Comments noted.

Name	Organisation	Q No*	Comments	Site	Response
Mr & Mrs J Hewett	Trustees for the JSH Pension Fund	(3)	<p>With regard to any of the excluded sites being reinstated. Site 5 of the potential candidate 'Traveller sites in West Lancashire' – Land West of Ringtail Road, Burscough.</p> <p>In the event of a change in circumstances or aspiration for Site 5 and it being re-instated for consideration as a site for Traveller use in West Lancashire, we, being the Owners of a site very close to this site, <u>would object</u>, for the following reasons:</p> <ul style="list-style-type: none"> • It is not within 1 mile of a motorway or Class A road. • Access to and from the site would currently be via heritage tracks and low volume use rough unmade roads (not good quality roads, that could allow easy access to large pieces of machinery, which ideally require stable transport). • Site does not have mains sewerage, thus significant consideration would have to be given to how to provide foul waste and water removal. • The water table is low in this area, so additional site drainage may also have to be considered. • It is not clear who would have the burden of cost to manage the off-site amenity and sanitary needs associated with the correct establishment of such a site? • There are houses near to this area, with established residents. So, considerable consideration should be given to their needs, volume (of) noise and safety, which probably do not align with regular large heavy vehicle movements. • The proposal would be a significant change of use, and a significant change of character to the landscape, which would be out of context with the current allowed use and the balance of the land and the agricultural context around it. • Operating such a site would increase the number of vehicle movements and possible noise levels and there would also be [a] risk of upsetting the current businesses and dwellings that are located near to the proposed site and indeed, risk, for example, the local businesses wishing to re-locate. 	5	<p>Comments regarding Site 5 (Land west of Ringtail Road) noted.</p> <p>As stated, this site has not been listed as a Preferred Option for reasons of ownership.</p>

Name	Organisation	Q No*	Comments	Site	Response
			Indeed, if this land was to be considered for development for Travellers or Travelling Showpeople, we believe it would need to be carefully weighed and discussed with current Residents and Businesses. We believe that if developed for Travellers, there is likely to be a negative impact on current businesses and jobs in that this would be such a major change to the character of the environment as to cause consideration and concern for business being sustained in this area.		
John Silcock	Silcock's Fairs Liverpool Rd North, Burscough	(1) (3) (4) (5)	<p>The Council is not adhering to Policy GT1 – there is no site in West Lancs for showmen, although there is a need in the area.</p> <p>There is no showman's site within West Lancashire – this has been the case for many years. Land owners refuse to sell to showmen, therefore the Council should ensure their needs are provided for.</p> <p>Do not agree with the assessment of the candidate Traveller sites – do not want the storage depot at Liverpool Road North, Burscough to be allocated as a Travellers site.</p> <p>West Lancs Council should not combine the search for sites for gypsy and traveller sites with sites for showpeople – they have a completely different culture and different needs.</p>	06	<p>(1) The Council is seeking to find suitable sites to meet the acknowledged accommodation needs of Travelling Showpeople in West Lancashire. Site 6 is proposed for allocation as a Travelling Showpeople site, although this does not meet needs in full.</p> <p>(3) Land acquisition difficulties are acknowledged.</p> <p>(4) Comments noted. However, Site 06 has planning permission, therefore its formalisation is considered an appropriate way forward.</p> <p>(5) The Council is aware of the difference between Travelling Showpeople and Gypsies, both in terms of culture and need, and is searching for separate sites for each type of occupant.</p>
Clerk	Scarisbrick Parish Council	(2) & (3) (4)	<p>The Parish Council believes that the site at Pool Hey Lane, Scarisbrick lies within the Green Belt which contravenes point (i) of the Site Specific Criteria. Access also lies within Flood Zone 2 and within the pumped catchment area which contravenes point (vi) of the Site Specific Criteria. For these two reasons Scarisbrick Parish Council unanimously objects to the proposed site at Pool Hey Lane, Scarisbrick.</p>		<p>(4),(5) Comments noted. If the site were to be allocated as a Traveller site, it would be removed from the Green Belt. Whilst non-Green Belt sites would in theory be preferable for allocation, the site search undertaken by the Council has failed to identify any deliverable non-Green Belt sites and thus the area of search has been extended to the Green Belt.</p> <p>The site itself does not lie within Flood Zone 2.</p>

Name	Organisation	Q No*	Comments	Site	Response
			Site access for emergency vehicles is questionable and general vehicle access to the proposed site is far from ideal given the width of Pool Hey Lane. There are also resident concerns with regards to speeding traffic on this road which have been reported to Highways – new signs have been erected showing the area to be a ‘Community Concern Speed Area’.		(6) Whilst Pool Hey Lane is less than ideal in terms of its width, it has served as access to the site for 20 years and the Council is unaware of any significant highways issues to date arising from this use of the road. Farm and commercial traffic also uses Pool Hey Lane.
Anthony B Northcote (Consultant Planning Advisor)	The Coal Authority		West Lancashire area contains coal resources which are capable of extraction by surface mining operations. These resources cover an area amounting to approximately 20.10% of the plan area. The Coal Authority is keen to ensure that coal resources are not unnecessarily sterilised by new development. Where this may be the case, The Coal Authority would be seeking prior extraction of the coal. Prior extraction of coal also has the benefit of removing any potential land instability problems in the process. However in the case of Gypsy and Traveller Accommodation, the siting of caravans themselves would not result in mineral sterilisation.		Comments regarding mineral sterilisation noted.
		(1)	The Coal Authority would support criterion (iii) which would include consideration of unstable land amongst other health, safety and well-being issues. The Policy meets the requirements of paragraphs 109, 120 and 121 of the NPPF		(1) Support for policy GT1 criterion (iii) noted.
		(2)	The Coal Authority would support criteria 3 and 7 that will then be used as the criteria considering of unstable land amongst other health, safety and well-being issues in the site selection process. It is noted that land stability is raised as an issue on site 10. The approach meets the requirements of paragraphs 109, 120 and 121 of the NPPF.		(2) Support for site selection criteria (iii) and (vii) noted .
Robert Deanwood	Amec Foster Wheeler (on behalf of National Grid)	-	No comments		Noted.

Name	Organisation	Q No*	Comments	Site	Response
Anne-Sophie Bonton	Lancashire County Council	-	No observations at this stage. Lancashire County Council would ensure that sufficient school places are made available to meet the requirements of the Traveller Site. Further planning work would be required once pupil number information becomes available.		Provision of places for education noted. West Lancashire Borough Council will liaise with Lancashire County Council over education provision and other issues related to Traveller site provision.
Kate Wheeler	Natural England	-	Do not have any comment on the three sites to be formalised or any additional comment on sites we wish to suggest for future development for Gypsies, Travellers and Travelling Showpeople. Will comment further when sites are selected and assessed for allocation.		Comments noted.
Dave Sherratt (LDF Assessor)	United Utilities	(2) & (4)	<p>Water and wastewater services are vital for the future well-being of your community and the protection of the environment; when developing your future policies you should consider their impacts on the community, environment and ensure infrastructure capacity is available. If infrastructure deficiencies cannot be addressed, an alternative location and/or timescale should be sought where infrastructure capacity is available and it meets your development needs.</p> <p>No comments to make at this stage on the following sites: 1 Aveling Drive (A), Banks 2 Aveling Drive (B), Banks 5 Ringtail Road, Burscough 6 Land west of The Quays, Burscough 9 High Brow Farm, Pool Hey Lane, Scarisbrick 10 Land at 1-3 Southport Road, Kew 11 Land to rear of 281 Smithy Lane, Scarisbrick 12 Former depot, Mere Brow 19 Land east of Middlewood Drive, Aughton</p> <p>The following sites lie outside the public drainage network: 3 Sugar Stubbs Lane, Banks 13 White Moss Road South (A), Skelmersdale 8 Pool Hey Lane, Scarisbrick</p>		Comments noted, including site-specific comments. These comments will be taken into account when (re-)assessing the suitability / deliverability of sites.

Name	Organisation	Q No*	Comments	Site	Response
			<p>7 Land west of Tollgate Road, Burscough 17 Land south of Butchers Lane, Aughton 18 Land east of Brookfield Lane, Aughton 20 Jubilee Wood, Bickerstaffe</p> <p>The following sites lie outside public drainage and water supply networks: 14 White Moss Road South (B), Skelmersdale 15 White Moss Road South (C), Skelmersdale</p> <p>The following site lies outside the public water supply network: 16 Blackacre Lane, Ormskirk</p> <p>There are also some site specific comments outlined below: <i>4 Land west of Hoole Lane, Banks</i> Sewer runs through the site - Annual desilting undertaken to prevent blockages and flooding; access for this activity must be maintained.</p> <p><i>8 Pool Hey Lane, Scarisbrick</i> 10m Easement in place [Deed Ref: Z 583 & Z 669]; building over and/or heavy traffic will not be permitted within the easement.</p> <p><i>16 Blackacre Lane, Ormskirk</i> Two large diameter sewers run through the site - building over will not be permitted.</p>		
Alex Hazel	Environment Agency	(3)	<p>Site 3 This site is located entirely in Flood Zone 3 (high probability of flooding), therefore we do not support the allocation of this site for gypsy and traveller provision. To locate new caravans for permanent residential use, which is classed as 'highly vulnerable' development in the national Planning Practice Guidance (PPG), in Flood Zone 3 would be contrary to the National Planning Policy Framework (NPPF). This would also be contrary to proposed Policy GT1.</p>	(3)	<p>Comments noted. The land was previously classified as Flood Zone 2, but the most recent maps issued by the Environment Agency show the site in Flood Zone 3. As a result, this site will be reclassified in the DPD.</p>

Name	Organisation	Q No*	Comments	Site	Response
		(1)	<p>The watercourse, Ring Ditch Watercourse 54, adjoining the site is a designated Main River. Therefore under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of Ring Ditch Watercourse 54.</p> <p>Site 17 Part of the site to the south along the river corridor is located in Flood Zone 2 (medium probability of flooding) and 3 (high probability of flooding). Therefore, we would advise that no vulnerable part of the development, which in this case would be caravans, should be located in Flood Zone 2 or 3. Provided that this is adhered to, we are satisfied that the intended use for this site, if selected, would not be at an unacceptable level of flood risk.</p> <p>The watercourse, Sudell Brook, adjoining the site is a designated Main River. Therefore under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of Sudell Brook.</p> <p>Traveller Sites Policy, Justification, Criteria, Paragraph 3.8: We suggest rewording this paragraph and adding the requirement to provide a flood evacuation plan for sites proposing non-permanent residential caravans:- <i>'With regard to the policy requirement in Policy GT1 that sites lie outside Flood Zone 3, caravans intended for permanent residential use are defined as 'highly vulnerable' development in Table 2: Flood Risk Vulnerability Classification (paragraph 66 of the Flood Risk and Coastal Change section) of the national Planning Practice Guidance (PPG) to the NPPF. Table 3: Flood Risk Vulnerability and Flood Zone 'Compatibility' (paragraph 67) states that 'highly vulnerable' development should not be permitted on sites within Flood Zone 3.</i></p>	(17)	<p>Comments re. watercourse and easement noted.</p> <p>Comments noted. This site is not a Preferred Option for Traveller sites.</p> <p>Comments noted – words to the effect of the proposed paragraph can be added to the policy justification.</p> <p>References to NPPF Technical Guide will be removed from the document and replaced with references to PPG.</p>

Name	Organisation	Q No*	Comments	Site	Response
Page 271			<p><i>With regard to criterion (vi), if a site lies within Flood Zone 2, the site must be demonstrated to meet the Exception Test. Furthermore, Policy GN5 of the West Lancashire Local Plan 2012-2027 requires that a Sequential Test be satisfied where development is proposed in flood risk areas.'</i></p> <p>This additional paragraph could also be included:-</p> <p><i>'The allocation of caravans intended for non-permanent residential use, which are defined as 'more vulnerable' in the PPG (Table 2, Para 66), in Flood Zone 2 are subject a specific warning and evacuation plan, and in Flood Zone 3 the Exception Test is also required'.</i></p> <p>Please ensure that the latest Environment Agency Flood Map layers have been added to your Council's GIS system.</p> <p>Several references are made to the Technical Guide to the NPPF. This no longer exists and has been replaced by the national Planning Practice Guidance (PPG).</p> <p>We have reviewed the Duty to Cooperate Report and we are satisfied that our involvement has been appropriately recorded.</p>		Comments regarding Duty to Co-Operate report noted.
Margaret Wiltshire	CPRE – West Lancs District group	(3)	The Scarisbrick Site proposed is a problem site which is adjacent to flood zones, being divided from them by a road and a railway embankment. Neither of these features is capable of acting as a flood barrier. The name, Pool Hey Lane, indicates its naturally wet nature.		Comments noted.
Stuart Barnes	Knowsley Metropolitan Borough Council	(1)	<p>We agree that Policy GT1 is consistent with national policy and reflects local circumstances. The Policy includes a wide range of criteria which must be met, if both permanent and transit sites are to be fit for purpose and provide adequate residential amenity.</p> <p>As a neighbouring authority to West Lancashire, it is possible that Knowsley may be affected by development of permanent or transit sites close to the boundary between the two local authority areas. We specifically note that the policy criteria regarding transit sites would allow such sites to be located within 2.4 km of the M58 or strategic highway network in certain circumstances. The provision of</p>		(1) Comments noted. Whether or not there are cross-boundary impacts associated with transit sites depends on the location of the transit site (if one can be found). Wording can be added to the justification to policy GT1 to acknowledge potential cross-boundary impacts of Traveller sites close to local authority boundaries. However, given the temporary nature of the occupation of transit sites (typically a few days, and rarely more than a few weeks), it is not considered that such sites should

Name	Organisation	Q No*	Comments	Site	Response
			<p>a transit site on the M58 corridor and in close proximity to Knowsley's boundaries could lead to additional demand for services and infrastructure in the Kirkby area. On that basis, we suggest that Policy GT1, and particularly the section related to transit sites, could be amended to recognise that potential impacts of the development of either permanent and transit sites for Gypsy and Travellers on neighbouring authorities, as well as within West Lancashire.</p> <p>(2) In general, we support the criteria for site selection as identified in the Preferred Options document. Reflecting our response to Question 1, we would suggest that the site selection criteria could also be amended to reflect the potential impacts of the development of permanent or transit sites could have on neighbouring authorities including Knowsley, as well as within West Lancashire.</p> <p>(5) Whilst we note the difficulties in identifying suitable and deliverable preferred sites, we note that the selection of three preferred sites from the pool of candidate sites, as shown in Table 5.2, may not be sufficient to address the identified accommodation needs of Gypsies and Travellers within West Lancashire over the Plan period. This is contrary to the findings of the 2014 joint Merseyside and West Lancashire Traveller Accommodation Assessment (GTAA), in which it recommended that the identified accommodation needs should be met in the districts within which they arise.</p> <p>Although the draft DPD alludes to the possibility of unmet need arising from the lack of preferred Traveller sites, it currently does not offer a strategy for how this unmet need would be dealt with, other than allowing the Development Management process to bring additional sites forward. It is possible then that the Council's clear efforts to bring forward a sound Plan which is compliant with national policy, may be undermined by the lack of sites proposed for allocation in the Provision for Traveller Sites DPD. This is a clear risk to the Plan.</p> <p>Accordingly, we have some concerns that should the preferred sites and any other sites brought forward through the Development Management process not meet the identified needs for</p>		<p>lead to additional demand for services and infrastructure in Knowsley (or any other neighbouring borough).</p> <p>(2) It is not considered necessary to refer explicitly to neighbouring authorities. The impacts associated with the criteria will be taken into account when assessing sites, whether these impacts are manifested in West Lancashire or in a neighbouring authority.</p> <p>(5) The draft DPD clearly explains why it has not been possible to identify sufficient sites to meet West Lancashire's needs in full. The Borough Council is well aware of the potential implications of this scenario.</p>

Name	Organisation	Q No*	Comments	Site	Response
		(6)	<p>accommodation in West Lancashire, this may lead to potentially adverse cross boundary land use issues affecting Knowsley, such as the instances of unauthorised occupation of sites around the strategic highway network.</p> <p>With regard to the five alternative options presented, we do not believe that the Option 1 or 2 would be deliverable, given the difficulty already faced in identifying a sufficient range of preferred sites to meet identified accommodation needs for Gypsy and Travellers in West Lancashire.</p> <p>Neither Option 2 nor Option 3 align with the findings of the 2014 joint Merseyside and West Lancashire Traveller Accommodation Assessment (GTAA), in which it recommended that the identified accommodation needs should be met in the districts within which they arise.</p> <p>With respect to Option 3 in particular, as noted above, there is currently no evidence to suggest that any sites in Knowsley could appropriately help to meet needs arising in West Lancashire. We agree that Option 4 should not be progressed due to being contrary to national planning policy.</p> <p>Option 5, while potentially allowing for additional sites to be identified, is likely to present the same dilemma over the lack of availability of deliverable sites.</p>		(6) Comments on alternative options noted.
Diane Clarke	Network Rail	(3)	<p>Site in Kew / Scarisbrick Site 08 Pool Hey Lane</p> <p>“Pool Hey Caravan Park, Scarisbrick - Site is close to a level crossing, but the Council has no record of any incidents at the level crossing resulting from the use of the site for Traveller accommodation.”</p> <p>Network Rail notes that the site has been in existence for 20 years, and we also note its position adjacent to Pool Hey Lane Level Crossing. However, Network Rail has no objection to the site being made permanent as long as there is no increase in usage or the type and volume of usage at the site. We would request notification and consultation from the LPA if this were the case. Should mitigation</p>	(8)	Comments noted. It is not intended to increase the size of this site. Intensity of use of the site has fluctuated over the years the site has been in existence. It is considered that the allocation (formalisation) of the site should not result in any increase in usage over and above what has taken place over recent years. The site allocation policy can be amended to proscribe expansion or intensification of this site beyond the proposed 5 pitches.

Name	Organisation	Q No*	Comments	Site	Response
Page 27			<p>measures be required as a result of increased usage Network Rail would seek funding from the developer and support in principle from the LPA. Highways, Right of Way teams.</p> <p>Land east of Brookfield Lane, Aughton – Site 18 The site is adjacent to the operational railway and as such we would request that any planning application should include consultation with Network Rail. We would request to see details of excavation /earthworks, drainage plans within 10m of the railway as well as details of trespass proof fencing of at least 1.8m in height to prevent accidental or unauthorised access onto the railway from the site. Any residential proposal area should have a suitable trespass fence constructed adjacent to the boundary with the railway, at the developer’s expense. As Network Rail is a public body it is not reasonable to expect Network Rail to fund mitigation measures on our infrastructure as a result of third party development.</p>	(18)	Comments noted. This site was not listed as a preferred option for allocation, but if its status were to change, Network Rail would be consulted.
	Moran	-	Unable to make any comments on the three preferred option sites.	(5)	Comments noted.
	Alison Heine	Heine Planning	(1)	<p>The policy is vague and not consistent with Planning Policy for Traveller Sites (PPTS) or NPPF. Requires a very detailed justification just to explain this policy, and it cannot be understood without it.</p> <p>Broad locations Hard to understand without the justification. Not considered PPTS compliant. There is no justification to restrict the search to where existing sites are and no reason why sites should not be found near other settlements.</p> <p>The PPTS still requires criteria policy where no need is identified (para 11).</p> <p>What robust evidence would you rely on for a windfall application?</p>	

Name	Organisation	Q No*	Comments	Site	Response
			<p>Are you suggesting sites should only be in certain parts of the district?</p> <p>Site Specific criteria</p> <p>Confusion over terminology – what is the alternative to ‘permanent’ sites? Does this mean residential? Are temporary sites proposed?</p> <p>Not in Flood Zone 3 is not consistent with criteria (vi). In other parts of the country (e.g. Doncaster) sites in Flood Zone3 have been justified subject to suitable mitigation as agreed with EA. It is not necessary to rule them out completely.</p> <p>i) Not PPTS compliant. Are Very Special Circumstances justified as stated in justification?</p> <p>iii) Does this need to be stated? Would you have similar criteria for housing?</p> <p>“Sufficiently far from” is too vague a criterion. Are criteria in Tier 2 point 6 on page 30 realistic? What is wrong with being within 100m of a pylon? What is wrong with being next to an operational railway line? Many houses are.</p> <p>iv) Too vague</p>		<p>The GTAA advises that sites should only be in certain parts of the Borough, as stated in the policy GT1 justification. Planning applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. Sites in areas currently without recognised Traveller accommodation needs may be subject to ‘material considerations’.</p> <p>The alternative to ‘permanent’ sites is ‘transit’ sites (see para. 2.9 of DPD). Temporary sites are not proposed. See PPTS para. 13(g) and comments on (vi) below. EA have made clear that Traveller sites should not be permitted in FZ3 in West Lancashire.</p> <p>i) This criterion is compliant with PPTS para 16,17. The criterion can be amended to refer to very special circumstances.</p> <p>iii) Yes, this is necessary; see PPTS13(e). Bricks and mortar housing is different from caravans. Travellers tend to spend more time out of doors, and caravans offer less protection than houses. “Sufficiently far” is considered appropriate. Specific distances are likely to be different for different sites / circumstances / neighbouring uses, so this policy cannot be too prescriptive. The presence of residential development in similar locations is a factor that can be taken into account, as set out in the policy GT1 justification.</p> <p>iv) It is difficult to be more prescriptive – each site is unique, and each case is treated on its merits. The wording of this criterion is considered appropriate.</p>

Name	Organisation	Q No*	Comments	Site	Response
			<p>vi) Caravan sites can be sited in Flood Zone 2 if Sequential and Exception test in NPPF are met. This should be made clear in the criteria. Why not leave to Policy GN5?</p> <p>vii) Too vague. What is difference between close to and adjacent to? Why do you presume mitigation will not address any concerns? This is not the test in national policy which requires regard to hierarchy of designation.</p> <p>viii) Use test in NPPF para 133 which is 'substantial harm'.</p> <p>xi) Too complex and ignores advice in NPPF on rural areas. Why can't the requirement be relaxed in these locations, with the acceptance that people are more likely to use cars? The criterion does not have regard to the walking route. This is not a requirement of PPTS. We do not know how restrictive bus routes would be unless all were published. Taxis are regarded as a form of public transport which could serve some sites.</p> <p>xii) This criterion is more concerned with boundary treatment than the site itself. Should be explained by 3.14.</p> <p>xiii) Good Practice Guide is no longer saved. Not PPTS compliant. Single pitch sites could be a better solution and may not have greater impact.</p>		<p>vi) If a site lies within Flood Zone 2, the site must be demonstrated to meet the Exception Test. WLLP policy GN5 requires that a sequential test be satisfied where development is proposed in flood risk areas. The policy / justification can be amended to reflect this; see wording proposed by EA above.</p> <p>vii) 'Adjacent to' means touching / sharing a common boundary. Mitigation can be taken into account when assessing planning applications; mitigation is referred to in the justification. The hierarchy of designations can be mentioned in the policy justification.</p> <p>viii) NPPF paragraphs 133/134 can be referred to in the policy justification.</p> <p>xi) The standards in this criterion already represent a relaxation compared with brick and mortar housing. Amend policy to refer to 20 minutes' walk (not 15) and clarify with respect to the walking route.</p> <p>Other comments noted.</p> <p>xii) The boundary is part of the site.</p> <p>xiii) Whilst the GPG has been withdrawn, its principles can still be applicable. It is considered that several single-pitch sites could have more impact on the countryside / Green Belt than a smaller number of larger sites.</p>
		(2)	The most important criterion is whether the site is deliverable and available, followed by the provision of a choice of tenure, location and size.		Noted. The definition of deliverable includes available / suitable / achievable.

Name	Organisation	Q No*	Comments	Site	Response
			It is wrong to dismiss parts of district just because there are no Traveller sites there. There is nothing to suggest that existing locations are the best, but that is what is presumed.		These parts of the Borough are not dismissed, but given less weight. This DPD is seeking to meet need where it arises, in line with the GTAA and national good practice / policy.
Alison Heine	Heine Planning	(3)	<p>According to EA map on website, Sugar Stubbs Lane is Flood Zone 3.</p> <p>Strongly support Pool Hey Lane site as this has been occupied for many years by one family who deserve certainty for the future. It would appear it is no longer at risk of flooding.</p> <p>Potential site also at Blackacre Lane, Ormskirk.</p> <p>Consider the sites at Aveling Drive, Banks have been wrongly excluded. The only risk is if flood defences fail, which will also affect houses, but has not prevented other development in Banks.</p> <p>Concerns could be addressed by mitigation - may mean a slight raising of platform for mobile homes, height of finished floor level and requirement for a flood evacuation plan. The EA has agreed this approach in other parts of the country- e.g. Millfield Caravan site near Stainforth Doncaster.</p>		<p>Noted. The site is not proposed for allocation.</p> <p>Noted.</p> <p>Noted.</p> <p>EA have made clear that Traveller sites should not be permitted in FZ3 in West Lancashire.</p>
Alison Heine	Heine Planning	(4)	<p>As noted above, according to EA flood maps Sugar Stubbs Lane is in Flood Zone 3 as is Aveling Drive.</p> <p>Strongly support the decision to remove preferred sites from the Green Belt but these three sites are all existing and occupied. No new provision is proposed.</p> <p>Has the 2014 Arc Need Assessment been tested on appeal and is it robust? No allowance is included for turnover in W Lancs as the sites are all privately owned and this may underestimate total need. I doubt the need identified in 2014 is enough i.e. for 14 pitches to 2018.</p> <p>There is no choice of sites for showmen.</p> <p>GT2 clearly fails to allocate enough sites. It may be necessary to reassess sites put forward and compromise on selection.</p>		<p>Noted.</p> <p>Noted.</p> <p>The 2014 GTAA has not been tested at appeal, but this does not by any means indicate it is lacking in robustness.</p> <p>Allowance for turnover would reduce, not increase, overall needs figures.</p> <p>Noted; the reasons for this are set out in the DPD.</p> <p>The inability to find sufficient deliverable sites is acknowledged in the DPD.</p>

Name	Organisation	Q No*	Comments	Site	Response
			Blackacre Lane & Aveling Drive should be reconsidered – the former is close to sites in Formby, and is land used by Travellers to graze horses. The Green Belt location would not be an issue if it were removed (as for other sites). Loss of openness would not be an issue if inset from the GB. Visual impact can be mitigated with landscaping.		Aveling Drive is not considered an option, given EA advice. Blackacre Lane is over 10 miles from Formby. Insetting sites from the Green Belt would still have a visual impact and would result in loss of perceived openness, even with landscaping.
Alison Heine	Heine Planning	(5)	<p>Need to include other sites excluded to meet need identified in particular Aveling Drive, Blackacre Lane and land for showmen to give them choice. Why is there no consideration of housing land allocations if you cannot find enough land elsewhere?</p> <p>No site appears to be identified for a transit site. It is essential to provide transit sites given the new legal definition for Travellers in PPTS August 2015.</p>		<p>The Council has looked at housing land allocations but found no available land from this source.</p> <p>A robust search has been made for potential transit sites, but has not resulted in any deliverable sites being identified.</p>
Alison Heine Page 278	Heine Planning	(6)	<p>Support option 1 and 5.</p> <p>It is not good enough to say you cannot find sites. If you can meet housing needs you can meet GT and showmen needs.</p> <p>There is no need to meet need arising elsewhere. Adjoining authorities do not have any pressing constraints. It would be unrealistic to hope or expect adjoining authorities to meet need in West Lancs and totally unfair on those living here to have to relocate.</p> <p>Should be more realistic about the suitability of sites and accept some short term inconvenience and change to character and appearance of areas until new sites are assimilated into the landscape.</p>		<p>Noted</p> <p>There exist deliverable housing sites but not sufficient deliverable Traveller sites.</p> <p>The Council is bound by the Duty to Co-operate. If insufficient sites exist in West Lancashire, it is appropriate to ask neighbouring authorities whether they are able to help meet needs. As three sites are in Flood Zone 3, relocation is necessary if their occupants are to live on policy-compliant sites.</p> <p>It is considered that the Council's assessment of suitability has been realistic.</p>
			There is really far too much to read on this subject. It is not proportionate to the need identified. It is extremely disappointing to see all these reports trying to justify a policy that is acknowledged to have failed as you have not identified enough sites. It is not user friendly and takes an unreasonable time to check information.		The Council has set out to meet needs in full but, despite as robust a search for sites as is reasonably possible, has been unable to find sufficient deliverable sites. The documentation explains why this is the case.

Name	Organisation	Q No*	Comments	Site	Response
Mr C Harrison	Resident	(3)	Pool Hey Lane proposed gypsy site: Traffic on this single track road is already unsuitable for traffic and is sited next to railway. This unofficial site, now little used, will increase traffic. Fear the site could become larger through unofficial expansion.		There are no plans to expand or intensify this site over what has taken place the past 20 years, but simply to legitimise the current use. If allocated, it should be easier to take enforcement action against any unofficial expansion, were this to occur.
Mr C Harrison	Resident	(3)	Pool Hey Lane should be excluded for reasons given above. A site adjacent to a railway is unsuitable for safety reasons. The site is also too near houses.		Network Rail have not objected to the site. The two neighbours have not objected nor complained. It is remote from all other houses on Pool Hey Lane
Mr C Harrison	Resident	(5)	Green Belt land should not be changed to allow for Traveller accommodation. These are settled, permanent sites.		Green Belt can be redesignated, provided exceptional circumstances (ECs) exist. It is considered ECs do exist in the case of this site.
Allison Marland Page 279	Chorley Borough Council	(5)	<p>Chorley Council considers that the level of cooperation undertaken by West Lancashire Borough Council has complied with their duty to cooperate responsibilities during the preparation of the WLPTSDPD</p> <p>Chorley Council objects to the WLPTSDPD which proposes not to meet in full its GTAA need for Traveller accommodation for the short term or for the long term due to the constraints of the borough. Chorley Council would encourage West Lancashire to review its safeguarded land and explore the potential of existing housing, employment and retail allocations to meet their traveller needs. No Gypsies or Travellers or Travelling Showpeople from West Lancashire demonstrated a connection or need to locate in Central Lancashire in the Central Lancashire GTAA. However, Chorley Council considers the lack of sites could lead to increased illegal encampments and a demand for transit and/or permanent Gypsy, Traveller and Travelling Showpeople accommodation in their borough.</p>		<p>Noted</p> <p>Comments noted. As set out in the DPD, the Council has reviewed its safeguarded land, as well as housing and employment allocations, but these searches have failed to yield any deliverable sites.</p>

*** Consultation Questions posed in the Provision for Traveller Sites DPD: Options and Preferred Options consultation (Dec 2015 – Jan 2016)**

- (1) Is Policy GT1 sufficiently consistent with national policy, whilst reflecting local circumstances?
What amendments, if any, should be made to the criteria in Policy GT1?
Do you have any other comments on Policy GT1?
- (2) Are the criteria for site selection sufficiently consistent with national policy, whilst reflecting local circumstances?
What amendments, if any, should be made to the criteria?
Do you have any other comments on the criteria for site selection?
- (3) Do you have any comments about the list of proposed candidate Traveller sites?
Are there any other sites that should be added to this list?
Should any of the excluded sites be reinstated, or should any of the candidate sites be excluded?
- (4) Is the assessment of the candidate Traveller sites correct?
Are there any factual errors that need to be corrected, or are there any other amendments that should be made to the site assessments in Appendix 1?
- (5) What amendments, if any, should be made to the list of 'Preferred' sites for providing Traveller accommodation?
Do you have any other comments on the list of 'Preferred' sites?
- (6) What amendments, if any, should be made to the alternative options for providing Traveller accommodation, and their being discounted?
Do you have any other comments on the alternative options?

Equality Impact Assessment Form



Directorate: Development & Regeneration	Service: Planning Policy
Completed by: Stephen Bengé	Date: 16/05/16
Subject Title: Provision for Traveller Sites Development Plan Document	
1. DESCRIPTION	
Is a policy or strategy being produced or revised:	Yes ('Revised' rather than 'produced')
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
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):	No
Details of the matter under consideration:	Seeking approval to suspend preparation of a document intended to allocate sites for Gypsy and Traveller and / or Travelling Showpeople ('Traveller') accommodation, and a proposed policy against which to assess planning applications or enforcement cases relating to Traveller accommodation in West Lancashire.
<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):	-
<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>	-
<p>If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups:</p> <p><i>You do not need to complete the rest of this form.</i></p>	-

3. EVIDENCE COLLECTION	
<p>Who does the work being carried out impact on, i.e. who is / are the stakeholder(s)?</p>	<p>The Provision for Traveller Sites Development Plan Document ('Traveller Sites DPD') would impact primarily upon Gypsies and Travellers and Travelling Showpeople (referred to collectively as 'Travellers'), for whom the document is seeking to allocate sites for accommodation.</p> <p>Other stakeholders include landowners of the sites in question (for any sites not already owned by Travellers), nearby residents ('the settled community'), and professional bodies and other organisations who work with, or on behalf of, Travellers, for example, education, health, police, Traveller liaison officers, and religious organisations.</p> <p>The potential impact on these stakeholders is expected to be significantly less than the impact upon the Travellers themselves.</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>In one sense, facilitation of the provision of sufficient land to meet accommodation needs could be regarded as a 'universal service'. If this is the case, then in relation to this particular DPD, it is Travellers who need the service most, and who are most affected by this DPD.</p>
<p>Which of the protected characteristics are most relevant to the work being carried out?</p> <p>Age Gender Disability Race and Culture Sexual Orientation Religion or Belief Gender Reassignment Marriage and Civil Partnership Pregnancy and Maternity</p>	<p>No No No Yes No No No No No No</p>
4. DATA ANALYSIS	
<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 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 general planning policy.</p> <p>In terms of this specific Traveller sites DPD, the users of the 'service' will be Travellers, who are classified as a distinct ethnic group.</p>

<p>What will the impact of the work being carried out be on usage / the stakeholders?</p>	<p>The approval of the DPD for consultation (publication) will have greatest direct impact on the travelling community.</p> <p>However, it is expected that this document, were it to be approved for consultation, would also arouse interest amongst the settled community, some of whom may perceive a direct or indirect impact upon themselves.</p>
<p>What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?</p>	<p>The DPD is not a 'service' as such. This report is seeking approval to suspend preparation of a policy document. There was a relatively low response to the previous consultation on the initial draft 'options and preferred options' document (Dec 2015 – Jan 2016), and it has not been possible to glean meaningful information on people's views on the 'service'.</p> <p>In terms of customer satisfaction, levels were mixed, influenced by who the customer was, and whether or not a particular site was set out as a 'preferred option' for allocation as a Traveller site. It important to note that the 'satisfaction' was with the content / proposals of the consultation document, rather than with the way the Council engaged with stakeholders.</p>
<p>What sources of data including consultation results have you used to analyse the impact of the work being carried out on users / stakeholders with protected characteristics?</p>	<p>The consultation that has taken place to date comprises a 'scoping' exercise in which a limited number of specific stakeholders were asked what the DPD should cover, and the public consultation in December 2015 / January 2016 on options / preferred options, referred to above. These consultation exercises did not yield statistically significant data that could be used to determine the prevalence / distribution of protected characteristics amongst non-Traveller stakeholders (i.e. those from the settled community who have an interest in the DPD).</p>
<p>If any further data / consultation is needed and is to be gathered, please specify:</p>	<p>The report is recommending that work on the DPD be suspended. However, if Cabinet were to recommend that preparation of the DPD continue, a further round of consultation would take place for 8 weeks (July – August 2016). This may yield further information about impact on stakeholders with protected characteristics.</p>
<p>5. IMPACT OF DECISIONS</p>	
<p>In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?</p>	<p>Were the DPD to progress to adoption, it should impact positively on Travellers (protected characteristic: ethnic background) for whom sites are proposed for allocation.</p>

	<p>If preparation of the DPD is suspended, this would be likely to impact negatively upon Travellers, as current uncertainty over their accommodation status continues. However, given the DPD only has one Traveller site being proposed for allocation with the support of its owners (and is thus not able to meet the accommodation needs of the majority of Travellers currently resident in the Borough), the likely difference in impact between suspending the preparation of the DPD and progressing the DPD would probably only be marginal.</p>
<p>6. CONSIDERING THE IMPACT</p>	
<p>If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).</p>	<p>The most significant / direct negative impacts of suspending the preparation of the Traveller Sites DPD (i.e. the impacts on Travellers who have no authorised / allocated site to live on) will need to be mitigated / addressed by identifying sufficient deliverable sites to meet the Traveller accommodation needs of this Borough.</p> <p>This could be achieved in part by progressing with the Traveller Sites DPD, but, as set out in the Cabinet report, there is a likelihood of this DPD not being found sound at examination, hence the recommendation to suspend work on it. The identification of sufficient deliverable sites would thus most likely be undertaken as part of a forthcoming review of the current Local Plan.</p>
<p>What actions do you plan to take to address any other issues above?</p>	<p>Any unmet Traveller accommodation needs will be considered as part of the forthcoming Local Plan review. Ongoing dialogue will be sought with relevant stakeholders.</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 when work next takes place on progressing the allocation of Traveller sites.</p>



AGENDA ITEM: 7(e)

CABINET: 14 June 2016

Report of: Director of Housing and Inclusion

Relevant Portfolio Holder: Councillor J. Patterson

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

SUBJECT: ENVIRONMENTAL IMPROVEMENT BUDGETS

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To obtain direction on the priority for investment of the Environmental Improvement Budget and Visual Appearance of Render Budget.

2.0 RECOMMENDATIONS

- 2.1 That a pilot scheme to improve the visual appearance of areas be deferred until after the negotiations with Energy Providers have been concluded.
- 2.2 That the Environmental Improvement budget and Visual Appearance of Render Budget not be committed at this time and the position be reviewed by the Director of Housing and Inclusion following negotiations with Energy Providers.

3.0 BACKGROUND

- 3.1 At the Council meeting on 25th February 2015, the HRA budget was approved which included £100,000 for Environmental Improvements.
- 3.2 The detail of how this budget was to be invested was not determined by Council and therefore a report seeking direction was considered by Cabinet in September 2015.
- 3.3 Cabinet referred the matter to Council in February 2016 to decide whether to invest the £100,000 in the context of the budgetary pressure on the Housing Revenue Account Business Plan (HRA).

- 3.4 In February 2016, Council approved the budget of £100,000 be invested in Environmental Improvements during 2016/17.
- 3.5 This report sought guidance on what work and where to invest this funding.
- 3.6 Additionally, Council approved £15,000 to carry out a pilot project to improve the visual appearance of render on properties. The purpose of this is to brighten up areas where the current render looks drab. The original plan was to carry out a pilot to either paint or re-render properties to achieve this. Further work has been undertaken and a further option would be to clean the existing render to brighten it up.
- 3.7 The Tenant Scrutiny Group have considered this matter as part of the budget setting process prior to Council in February and their preferred approach would be to improve the thermal quality of homes by installing external wall insulation and re-rendering properties.

4.0 OPTIONS/DEFINITIONS OF ENVIRONMENTAL IMPROVEMENT WORKS

4.1 Environmental Improvements can be categorised as follows:

- a) Works to improve the appearance of properties and give a more pleasant visual appearance of the area. These works would include:
- Cleaning of brickwork and render
 - Painting of render
 - Insulating and re-rendering of property
- b) Works to improve the fencing of the property
- c) Works to improve the paths and footways
- d) Works to increase car parking
- e) Works to reduce landscaping requirements
- f) Works to enhance landscaping
- g) Works to improve communal areas within estates, often squares and courtyards
- h) Works to create defensible space for existing tenants

4.2 The financial scale of this investment has not been quantified exactly but a desk top exercise has been undertaken and estimated costs, which need an element of caution, identified the following total:

- a) Cleaning
- Painting
 - Insulate and re-render
- b) Fencing
- c) Paths and footways
- d) Parking
- e) Rationalise landscape
- f) Enhance landscape
- g) Communal spaces
- h) Defensible space
- Total** **£41M**

5.0 APPROACH

- 5.1 As can be seen from the list in 4.2 above, there are a number of options and the available budget will only make a very limited impact on the substantial investment needed in many of the areas that the Council still have a substantial interest in.
- 5.2 I am currently in discussions with energy providers and there is an Energy Efficiency Scheme which will be launched in April 2017 where it *may* be possible to attract grant support to apply external wall insulation, not only to Council owned properties but also to home owners' properties. This would be a real benefit to improving the thermal quality of homes and also improving the visual appearance of areas.
- 5.3 Whilst Members may decide to invest monies into environmental improvements now, I feel it would be more prudent to reserve the funds currently available to support a more comprehensive approach to tackling energy efficiency of homes and at the same time, improve the appearance of the areas.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 6.1 In designing any environmental improvements, a key consideration will be to ensure the works can be maintained within future budget streams.
- 6.2 Improving the environment is in accordance with the Community Strategy.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 There are currently agreed budgets of £100,000 and £15,000 respectively for both Environmental Improvements and to conduct a pilot scheme to improve the visual appearance of areas.
- 7.2 The total scale of investment necessary for environmental improvements is outlined in paragraph 4.

8.0 RISK ASSESSMENT

- 8.1 If Members accept my recommendation, there are no risks associated with this proposal.

9.0 CONCLUSION

- 9.1 In light of the good news highlighted at paragraph 5.2 of this report, there may be a need to make a contribution to the work referred to and because of the pressure on the HRA, I recommend that the Environmental Improvement budget be held in reserve to meet any costs that we may contribute to maximise the scope and value of the work.

9.2 In addition, I would suggest that the pilot scheme to improve the visual appearance be deferred whilst negotiations and the full details of the energy efficiency grant scheme are explored.

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.

Appendix

Minute of Landlord Services Committee (Cabinet Working Group) held on 8 June 2016 –
to follow



Report of: Director of Housing and Inclusion

Relevant Portfolio Holder: Councillor J. Patterson

Contact for further information: Mr S. Jones (Extn. 5208)
(E-mail: steve.jones@westlancs.gov.uk)

SUBJECT: ONE FOR ONE CAPITAL RECEIPTS

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

- 1.1 To seek approval on use of one for one retained capital receipts to deliver affordable new housing that would remove the need to return capital monies to the Government.

2.0 RECOMMENDATIONS TO CABINET

- 2.1 That the financial implications of utilising the retained one for one capital receipts outlined in section 6 of this report be noted.
- 2.2 That the Director of Housing and Inclusion, in consultation with the Housing Portfolio Holder, identify a site for development within the Borough and seek all necessary planning approvals as required to deliver additional affordable homes.

3.0 RECOMMENDATIONS TO COUNCIL

- 3.1 That the £1.19 million favourable budget variance achieved on the HRA Capital Programme for 2015-16 be allocated to match £510,000 of retained capital receipts to provide affordable homes in the Borough.
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4.0 BACKGROUND

4.1 The Department for Communities and Local Government's (DCLG) package of measures to improve the take up of the Right to Buy (RTB) scheme allowed Councils to retain part of the capital receipts from each RTB sale for a defined time period. The capital receipts are ring fenced to deliver new social housing only. The scheme was called one for one retained capital receipts [1-4-1]. However in essence the formula to access the retained capital receipt is based on the Council making a 70% contribution to secure a 30% contribution from retained receipts. For example for a £100,000 allocation the Council would need to provide £70,000 to access the £30,000 element of retained capital receipts.

4.2 Members will recall that in June 2015 Cabinet considered a report on the use of 1-4-1 capital receipts and agreed:

"That authority be delegated to the Assistant Director Housing and Regeneration in consultation with the Housing Portfolio Holder, to maximise the use of the one for one retained capital receipts by using available Council resources, and/or external funds from RSLs or other investors as outlined in option 3 in the report."

4.3 Option 3 stated that we develop a programme of schemes to maximise the use of the retained receipts using available Council resources, external funds from RSL's or other investors.

5.0 CURRENT POSITION

5.1 Whilst £98,000 of retained capital receipts were utilised for the Firbeck new build development this required a contribution from the Housing Revenue Account of £225,000. The amount is limited by the constraints of the funding rules related to borrowing. The funding was limited due to topping up the scheme development to add additional units to the Homes and Communities Agency funded element.

5.2 We have explored with our Registered Social Landlord [RSL] development partners the potential to access the retained 1-4-1 capital receipts but they do not wish to pursue this option at this stage. This is primarily because if they use other public funding from the Homes and Communities Agency they cannot use the retained receipts. Additionally as Members will be aware the financial climate has changed significantly for RSL's which has restricted their ability to deliver the scale of development programmes into the future and utilise their own funding streams. We will continue to explore options as they occur with our development partners

5.3 The introduction of the 1% rent reduction up to 2020 has impacted on the HRA Business Plan and means that less investment can now be made in the housing stock than previously anticipated. This has restricted our ability to provide contributory funding to access the retained receipts. However the HRA can provide funds, if Members so wish, to ensure that we minimise any capital funds that have to be returned to the Government and support the delivery of new homes in the Borough. This will however mean that there is less funding available for other priority areas.

- 5.4 The retained receipts scheme is time limited. In essence if retained receipts are not used within the specified three year timeframe from when they were generated they will be required to be repaid back to Her Majesty's Treasury with interest added at the rate of 4.5% (0.5% base rate plus 4%) per annum since the receipt was received.
- 5.5 There are emerging options such as acquiring affordable rental property from RSL's and a prospective option has recently arisen which could provide 5 additional affordable homes.
- 5.6 Officers will continue to explore any financial flexibilities to maximise the use of the retained receipts and minimise any potential to return funds to the Government. Officers will continue to analyse the benefits of these options to ensure that any retained capital receipts are maximised.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 6.1 Work on closing down the accounts for 2015/16 has now been finalised and there has been a favourable budget variance of £1,190,000 delivered on the HRA capital programme. These monies can be used to access up to £510,000 of retained receipts, to provide a total scheme budget of £1,700,000.
- 6.2 The retained capital receipts scheme runs for 3 years from the date of the Council receiving the receipt. If it is not committed during this time it must be returned to Her Majesty's Treasury along with the additional interest charge. Up to December 2015 total retained receipts of £558,000 have been generated. Allowing for the timing of these receipts, and the expenditure that has already taken place on the Firbeck revival project, retained receipts would need to start being repaid to the Government from September 2016 if they have not been spent. The relevant Government Department has been contacted to see whether the rules could be relaxed and extended in exchange for a firm commitment to deliver new homes. Depending on the response that is received there may then be a need to adjust the budget figures, taking into account estimates of future 1-4-1 receipts that may be generated.
- 6.3 Providing Council funding will allow us to utilise the retained receipts and this size of financial package could deliver approximately 13 affordable homes.

7.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 7.1 There are no significant sustainability impacts associated with this report

8.0 RISK ASSESSMENT

- 8.1 The retained capital receipt funding may have to be returned by the defined timescale as part of the agreement with DCLG unless it is used along with the interest addition.

Appendix

Minute of the Landlord Services Committee (Cabinet Working Group) held on 8 June 2016 – *to follow*

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

This project is at an early stage of development and an Equality Impact Assessment will be drawn up if required once more details are available.



**Report of: Director of Leisure and Wellbeing
Director of Development and Regeneration**

**Relevant Portfolio Holders: Councillor Y. Gagen
Councillor I. Moran**

**Contacts for further information: Mr S. Kent (Extn. 5169)
(E-mail: Stephen.kent@westlancs.gov.uk)
Mrs R. Kneale (Extn. 2611)
(E-mail: rachel.kneale@westlancs.gov.uk)**

SUBJECT: WHITTLE DRIVE PLAYING FIELDS

Wards affected: Scott ward.

1.0 PURPOSE OF THE REPORT

1.1 To consider a request from West End Football Club for revised arrangements for the club's use of football pitch and changing rooms at Whittle Drive Playing Fields, Ormskirk.

2.0 RECOMMENDATIONS

2.1 That to give effect to the arrangements at 2.2, the Director of Leisure and Wellbeing be authorised to terminate the existing lease and negotiate and complete a new lease with West End Football Club, subject to any necessary statutory consultations being undertaken and consents being obtained.

2.2 That the Director of Leisure and Wellbeing be authorised to enter into a new 25 year lease with West End Football Club in relation to land and changing pavilion at West End Playing Fields (shown hatched red on the plan at Appendix 1 to this report).

3.0 BACKGROUND

- 3.1 West End Football Club has played at Whittle Drive Playing Fields since 1989. Since that time the club has grown and now has 12 teams operating, most of which are junior teams. The Club is now keen to improve its facilities by extending its single team changing pavilion and adding to the existing single adult football pitch by creating 3 smaller junior pitches on the land currently in the lease.

4.0 CURRENT POSITION

- 4.1 The Club is currently liaising with the Council to change the pitch configuration on the land, and is also investigating external funding with the Football Foundation for upgrading the changing pavilion. The Foundation would appear to be supportive of helping the club to improve their facilities on a 2 stage basis, initially to acquire temporary storage facilities to allow more efficient use of the existing changing provision, and secondly to extend the existing changing pavilion. The Foundation has stated that any funding they could make available would be conditional upon the Club having security of tenure on the site of 25 years. The Club have now requested that their old lease, which only has 2 years to run, be surrendered with a new agreement for a term of 25 years to support future funding bids.

5.0 PROPOSALS

- 5.1 This Club has a long history of playing at Whittle Drive Playing Fields and the Council has a good working relationship with them. It is proposed therefore that a new lease is negotiated with the club for the land and changing pavilion, for a term of 25 years.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 6.1 The project will support the Council's strategic aims in respect of improving access to quality facilities and providing facilities to improve the health and quality of life of the community.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 The grant of a new 25 year lease will allow the club to access external funding to enable them to undertake the improvement works.
- 7.2 The lease on the pavilion will involve the Club taking on a role of maintaining internal fixtures and fittings, whilst the Council continues to maintain the fabric of the building.
- 7.3 Costs of establishing the new agreement will be borne by the club.

8.0 RISK ASSESSMENT

- 8.1 The main risk associated with this proposal would be the loss of opportunity if the Council wished to use the land and facilities for other purposes. As this land is public open space and the pavilion was funded for community recreational purposes this would seem to be an acceptable risk.

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.

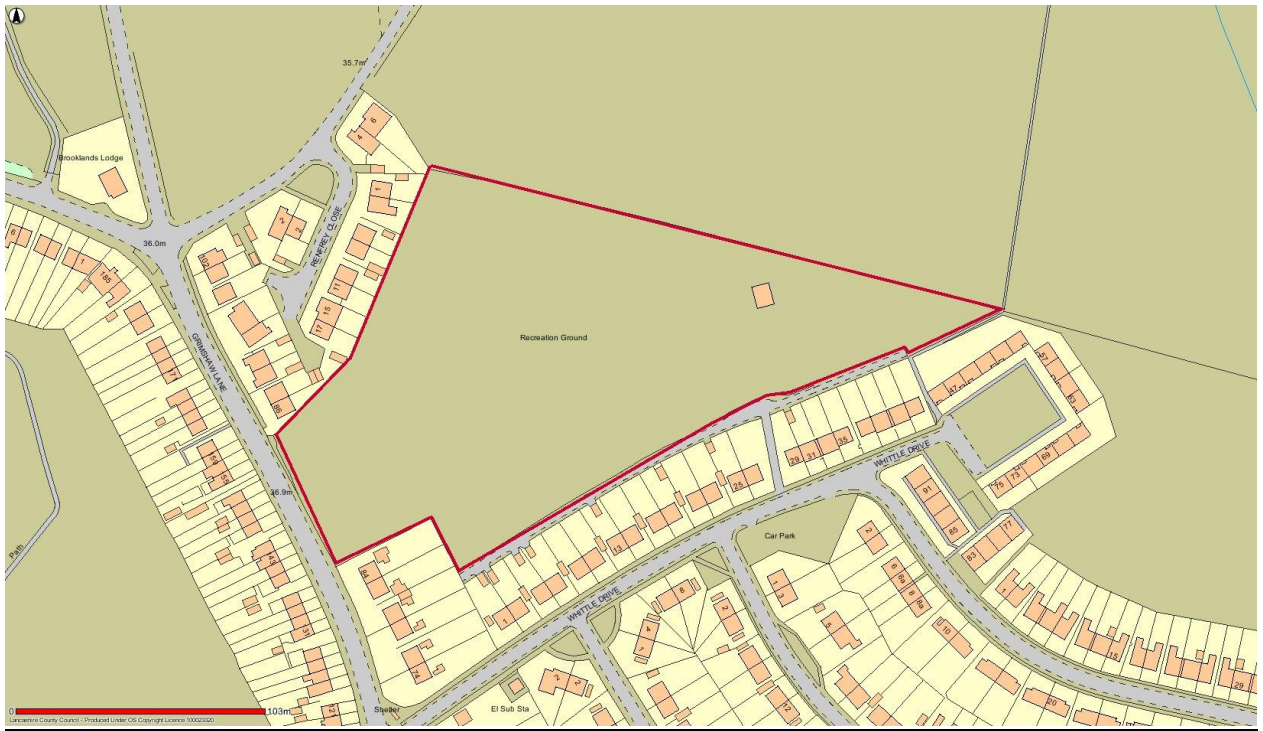
Appendices

Appendix 1 – Plan of Whittle Drive Playing Fields and Pavilion

Appendix 2 – Equality Impact Assessment

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Appendix 1 – Plan of Whittle Drive Playing Fields and Pavilion



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Appendix 2 – Equality Impact Assessment

Equality Impact Assessment Form



Service: Leisure and Wellbeing		Section: Leisure, Cultural & Arts	
Completed by: Stephen Kent		Date: 12th May 2016	
Subject Title: Whittle Drive Playing Fields			
1. DESCRIPTION			
Is a policy or strategy being produced or revised:	No	<i>*delete as appropriate</i>	
Is a service being designed, redesigned or cutback:	No		
Is a commissioning plan or contract specification being developed:	No		
Is a budget being set or funding allocated:	No		
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:	Request for changes to lease and licence currently held by West End Football Club for Whittle Drive Playing Fields.		
<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>		
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)?	Local football club and local community		
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)?	Local football club and local community		
Which of the protected characteristics are most relevant to the work being carried out?	<i>*delete as appropriate</i>		

Age	Yes
Gender	No
Disability	No
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?	Land and changing rooms are currently leased/licenced to West End Football Club, but are also used by the wider community.
What will the impact of the work being carried out be on usage/the stakeholders?	Stakeholders will have greater security of tenure which will be used to release external grant funding.
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?	Club require improvements to changing facilities. This process will assist their grant bids.
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?	None
If any further data/consultation is needed and is to be gathered, please specify:	
5. IMPACT OF DECISIONS	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	Additional facilities will accommodate the increasing number of junior teams at the club
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 impacts will be monitored by the Club and Council and dealt with accordingly
What actions do you plan to take to address any other issues above?	Liaison with Club and local community through the Parish Council
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	May 2017. Reviewing officer – Stephen Kent



AGENDA ITEM: 7(h)

CABINET: 14 June 2016

Report of: Director of Development and Regeneration

Relevant Portfolio Holder: Councillor Ian Moran and Councillor John Hodson

Contact for further information: Miss K Mulhearn (Extn. 2608)
(E-mail: kathryn.mulhearn@westlancs.gov.uk)

SUBJECT: ORMSKIRK TOWN CENTRE RESEARCH FINDINGS AND ACTION PLAN

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To update Members on the findings and recommendations of the Ormskirk Town Centre Destination Research project and to outline how these findings and recommendations sit within the Action Plan of the adopted Ormskirk Town Centre Strategy.

2.0 RECOMMENDATIONS

2.1 That in light of the Ormskirk Town Centre Destination Research project findings; no changes be made to the adopted Ormskirk Town Centre Strategy or its associated Action Plan (appendix 2).

3.0 BACKGROUND

3.1 Following Cabinet's approval of the Ormskirk Town Centre Strategy in September 2015, the Ormskirk Town Centre Management Group and Task and Finish Sub-groups have been established to guide and deliver the actions contained within the Ormskirk Town Centre Strategy Action Plan.

3.2 A specific action of the Strategy is to:

“Develop a marketing strategy for Ormskirk. This should include establishing and promoting an appropriate brand for Ormskirk, developing an events calendar, delivering marketing campaigns, establishing a dedicated town centre website, investigating opportunities to utilise social media and a free wi-fi service across the town.”

3.3 To take forward this action, the Council, with support from the Ormskirk Town Centre Management Group, commissioned a piece of market research in order to:

- Review and analyse the nature of Ormskirk as a place and visitor destination including current perceptions and retail habits.
- Carry out new research including visitor, potential visitor, resident, student and business research plus stakeholder engagement to support the future brand development and place marketing; and
- Provide a clear direction in terms of Ormskirk’s “story” based on the insights gathered from the research, identifying key themes in the town’s offer and how these link to distinct target audiences.

3.4 This report centres on this work, although there are a wide range of other actions which are being undertaken, some of which are highlighted in Section 6 below.

4.0 RESEARCH APPROACH

4.1 Wide-ranging and comprehensive consultations were undertaken with a variety of stakeholders between December 2015 and February 2016 including: residents; students; Members; visitors to the town; potential visitors from other towns and other stakeholder organisations and individuals linked to Ormskirk.

4.2 A variety of research methods were undertaken which included: face-to-face surveys in Ormskirk, Chorley and Wigan; an online survey; focus groups; workshops; one-to-one conversations and desk research.

5.0 RESEARCH FINDINGS

5.1 The research findings comprise of a range of qualitative and quantitative outputs which present positive factors and strengths which should be built upon, and also some challenges which need to be overcome in order to make Ormskirk town centre an even more vibrant and attractive destination for its target audiences and to ultimately increase footfall.

5.2 Some of the positive findings highlighted:

- One-to-one conversations with stakeholders concluded that Ormskirk is a good place to live. It is perceived as safe and leafy with a good night-time economy, mix of independent retailers and the economic benefits of Edge Hill University were recognised.

- The face-to-face street surveys which took place in Ormskirk revealed that 92% of the 215 people surveyed said they were very likely to visit Ormskirk again with positive factors including the general welcome upon entering the town, eating options, services and safety.
- External surveys in Chorley, Wigan and Southport revealed that 68% of 80 people surveyed had heard of Ormskirk and, of those who had visited, the location, eating offer, cleanliness were listed as positive factors.

5.3 The research identified some of the challenges which Ormskirk needs to address as follows:

- One-to-one stakeholder conversations revealed that:
 - Traffic congestion is a problem;
 - There is a lack of public events;
 - The gateway signage is poor;
 - There is a fragmented feel between the town and the University which must be addressed; and,
 - There is a feeling that student accommodation is taking over the town.
- There is a general consensus across all methods of the research that the market's offer needs to be improved because:
 - It is perceived as low quality;
 - The offer too generic;
 - The look, feel and experience lacks vibrancy;
 - The layout needs to be reconsidered;
 - More variety and quality of stalls would improve the offer and make the market sustainable in the long term; and,
 - It appeals largely to older people and lacks a broader appeal.
- With regard to the retail offer, students generally felt that Ormskirk meets their needs in terms of convenience but not their desires. The on-street surveys revealed that the range of shops, events, market and parking were all areas for improvement.
- Respondents were asked about their perceptions of Ormskirk via a word association task in an online survey. Of the 311 responses:
 - 83% perceive the town as functional rather than desirable;
 - 82% perceive Ormskirk as boring rather than exciting and;
 - 68% feel it is quiet rather than busy.

6.0 RECOMMENDATIONS AND NEXT STEPS

6.1 A number of recommendations have been made by the consultants as a result of the research findings, all of which have been condensed into a ten point action plan detailed below.

6.2 The research recommends that Ormskirk is considered and promoted in terms of three distinct audience groups: residents, visitors and students.

6.3 The action plan contains ten key points:

1. **Place brand** – to include a narrative and visual.

Current position

We have a proposal from the consultants on how to take this to the next stage and consideration will be given to this via the Management Group and Marketing Sub-group.

Through the destination research, the consultants have made recommendations that Ormskirk is positioned as a “University Market Town”. To clarify this is not a strapline; the positioning merely reflects how Ormskirk is different from its competitors and how, through future branding and marketing, it will be presented in the minds of its target audiences.

This positioning reinforces the Ormskirk Town Centre Strategy vision which states that we must “maximise the benefit of having the successful Edge Hill University within the town”.

2. **Place website** – a central place in which to promote Ormskirk’s offer (along with its wider assets) to its target audience groups.

Current position

The action to develop a website will be progressed by the Marketing Sub-group once the Ormskirk brand is developed.

3. **Relationship with University** – linking in via events, cross promotion etc.

Current position

Edge Hill University and Edge Hill Students’ Union are already engaged in the delivery of the Ormskirk Town Centre Strategy through their participation in the Management Group and Sub-groups.

Edge Hill University students are also running a stall at the May Love Your Local Market event in the town centre on Saturday 28th May.

4. **Link Ormskirk in with a wider offer and assets** e.g. Martin Mere.

Current position

This will be considered through the delivery of some of the other actions including the website, the map of the wider place, events, signage and special markets etc.

5. **Create a map of the wider place.**

Current position

Once the brand is in place, the Marketing Sub-group will take forward this action.

6. **Improve signage** – including gateways and in the town centre.

Current position

This action will be taken forward by the Buildings and Place Sub-group and options will be explored. A walk around survey of the town has already taken place to identify areas for improvement.

7. **Two special markets per month** i.e. farmers, higher end, fashion, students.

Current position

Options will be explored through a review of the market which will be undertaken by the Car Parks and Markets Sub-Group.

8. **Change layout of the market.**

Current position

Given the installation of the new public realm on Moor Street, this action may be difficult to achieve. Nevertheless, options will be explored through a review of the market along with layout options for Aughton Street and Church Street.

9. **Events** – more events and maximise existing events producing a comprehensive calendar which can be promoted.

Current position

A lot of events already take place in and around Ormskirk and it is recognised that there is scope for increased co-ordination and promotion.

The Marketing Sub-group will look to collate this information and promote all events. In terms of delivering more events, Ormskirk will be taking part in the national Love Your Local Market campaign which will see the town animated with bunting and banners plus live entertainment. Future events will also be explored.

10. **History** – Proceed and invest or leave it.

Current position

Ormskirk Community Partnership are currently working on an Ormskirk heritage trail and through the Sub-groups we are looking at updating the maps within the town centre, therefore Ormskirk's historical features will be explored through these activities. In terms of the wider use of heritage as an attraction to drive visitors to Ormskirk, this will need to be given further consideration.

- 6.4 This list of actions are already largely covered by the current Action Plan (appendix 2) which was developed as part of the Ormskirk Town Centre Strategy approved by Cabinet in September 2015. It will, however, enable us to prioritise various actions through the Management Group and Sub-groups. Therefore the recommendation to Members is no changes are required to the existing Action Plan.

7.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 7.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder. The report has no significant links with the Sustainable Community Strategy although it will impact positively on the economy of Ormskirk, support businesses and local employment opportunities, whilst supporting surrounding areas through the development of the wider visitor economy offer.

8.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 8.1 There will be some financial/ resource implications arising from this report in respect of the brand visual development, website development, map production, signage and event. Some of these costs will be met using existing resources; however, some aspects may require additional financial support, if this is the case a further report will be brought to Cabinet in due course.

9.0 RISK ASSESSMENT

- 9.1 As there are no changes to the Ormskirk Town Centre Strategy or its Action Plan, there are no further risks associated with this report.

Background Documents

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

<u>Date</u>	<u>Document</u>	<u>File Ref</u>
April 2016	Ormskirk Town Centre Destination research	

Equality Impact Assessment

A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account in the Recommendations contained within this report

Appendices

1. Equality Impact Assessment
2. Ormskirk Town Centre Strategy Action Plan
3. Destination and visitor research for Ormskirk Town Centre

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Equality Impact Assessment Form



Directorate: Development and Regeneration		Service: Economic Regeneration	
Completed by: Kathryn Mulhearn		Date: 6th May 2016	
Subject Title: Ormskirk Town Centre			
1. DESCRIPTION			
Is a policy or strategy being produced or revised:	No	<i>*delete as appropriate</i>	
Is a service being designed, redesigned or cutback:	No		
Is a commissioning plan or contract specification being developed:	No		
Is a budget being set or funding allocated:	No		
Is a programme or project being planned:	No		
Are recommendations being presented to senior managers and/or Councillors:	No		
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:			
<i>If you answered Yes to any of the above go straight to Section 3</i> <i>If you answered No to all the above please complete Section 2</i>			
2. RELEVANCE			
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	Yes/No*	<i>*delete as appropriate</i>	
If Yes , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered Yes go to Section 3</i>			
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>			
3. EVIDENCE COLLECTION			
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	Local residents, students, businesses and visitors to 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	Residents, businesses, students and visitors to Ormskirk town centre.		

than others)?	
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	Yes
Pregnancy and Maternity	Yes
4. DATA ANALYSIS	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	The users of Ormskirk town centre include businesses, residents, students and visitors plus other stakeholders.
What will the impact of the work being carried out be on usage/the stakeholders?	The desired outcome is that the delivery of the action plan will result in an improved market, public realm, more events and promotion which will provide a better experience for residents, students and visitors alike. The aim is to increase footfall into Ormskirk town centre which will boost the local economy.
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?	Extensive consultation and research has been undertaken in order to guide the action plan. Views are wide-ranging across a number of topics, however, there is a general desire to improve certain aspects of Ormskirk to improve the experience.
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?	The Ormskirk Town Centre destination research has been used to guide the impact of this work. It has included consultation with stakeholders, businesses, residents, students, visitors and other partners.
If any further data/consultation is needed and is to be gathered, please specify:	None required.
5. IMPACT OF DECISIONS	
In what way will the changes impact on people	The delivery of the action plan will positively

with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	impact on all people who use and visit Ormskirk regardless of their characteristics.
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	No negative impact.
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 Ormskirk Town Centre Strategy and Action Plan are under constant review and it has been agreed that an annual update report will be submitted to Cabinet each September by the Economic Regeneration Team until otherwise advised.

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INDICATIVE ACTION PLAN SHOWING POSSIBLE KEY DELIVERY PARTNERS AND ANTICIPATED TIMESCALES

Key Action Area	Action Point	Key Delivery Partner	Estimated Timescale
Brand, Marketing & Town Centre Management	Develop an Ormskirk Town Centre Management Group with a clear governance structure and set of aims and objectives. This group should set up appropriate sub groups to deliver specific actions contained within the strategy.	Key Partners/Ormskirk Town Centre Management Group	2015-2016
	Develop a marketing strategy for Ormskirk. This should include establishing and promoting an appropriate brand for Ormskirk, developing an events calendar, delivering marketing campaign(s), establishing a dedicated town centre website, investigating opportunities to utilise social media and a comprehensive free Wi-Fi service across the town centre.	Marketing Sub Group	2015-2020
	Monitor the new retail relief scheme to assess how successful it has been and if it should be rolled out beyond 2016.	Marketing Sub Group	2015-2020
	The Council will assess how staff resources can be made available to support town centre initiatives.	WLBC	2015-2020
Building & Place	Monitor the condition of buildings in the town centre.	Building & Public Realm Sub Group	2015-2020
	Investigate the role of arts and culture in the animation of the street scene, whether it is on a temporary or permanent basis. Looking at improving the buildings, streets and alleyways, seeking to create a unique sense of place while celebrating local identity.	Building & Public Realm Sub Group	2015-2020
	Consider bringing forward options for acquiring land/property if a positive business case can be made.	Building & Public Realm Sub Group	2015-2020
	The Council will continue to work with developers and landowners to bring forward appropriate development sites to enhance the appearance of Ormskirk town centre. Where development sites cannot come forward it will be important to ensure that these sites are at least made to look visually more attractive.	Building & Public Realm Sub Group	2015-2020
Ormskirk Market	Work to improve the physical appearance and appeal of Ormskirk's markets by improving the layout, range of stalls, stall covers and introduction of new infrastructure to ensure the market has up to date facilities.	Market & Car Park Sub Group	2015-2020
	Investigate opportunities to expand the appeal of the Saturday market considering looking at opportunities to link in with and promote the market to Edge Hill University students/traders and attracting new specialist stall holders to create a niche market.	Market & Car Park Sub Group	2015-2020
	Consider bringing forward an events programme of guest markets/vintage markets subject to available resources.	Market & Car Park Sub Group	2015-2020

Key Action Area	Action Point	Key Delivery Partner	Estimated Timescale
Car Parks	Conduct a comprehensive car parking review. This should include a review of pricing, new technology and capacity of car parks.	Market & Car Park Sub Group	2015-2020
	Improve the overall appearance of all town centre car parks. This should include updating signage, environmental improvements, resurfacing, as well as considering opportunities for new artwork in appropriate locations.	Market & Car Park Sub Group	2015-2020
Transport & Access	Explore opportunities to improve access and movement into, as well as within Ormskirk town centre. This should include the delivery of new transport projects within the town centre.	WLBC/LCC	2015-2020
	Improve the current service on the Ormskirk to Preston rail line so that it is more regular and therefore more user-friendly.	WLBC/LCC	2015-2020
	Explore opportunities to improve Ormskirk bus station to provide a modern, fit for purpose facility. This should include improving the existing linkage between the bus and rail station.	WLBC/LCC	2015-2020
	Development of a much improved pedestrian and cycle network around the town including links to the University.	WLBC/LCC	2015-2020
Night Time/Evening Economy	Work with Network Rail to explore opportunities to increase/improve car parking facilities at Ormskirk rail station to provide a better park and ride facility.	WLBC/LCC	2015-2020
	Seek to ensure that the aspirations of Ormskirk's town centre are supported in the development of LCC's 'Movement Strategy' for Ormskirk.	WLBC/LCC	2015-2020
	Consider opportunities to improve the evening/night time economy within Ormskirk. This should include working with local retailers to consider temporary periods where shop owners are encouraged to open up late anchored by events such as evening entertainment, evening markets and outdoor food and drinks festivals.	Marketing Sub Group	2015-2020
Recording/Monitoring Town Centre Information	Investigate the introduction of new permanent lighting within the town centre to provide an attractive, safe night time environment.	Marketing Sub Group	2015-2020
	Explore all opportunities to gain appropriate data/information to understand and monitor the health of Ormskirk town centre.	Marketing Sub Group	2015-2020

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destination and visitor research for Ormskirk Town Centre

10 thinkingplace

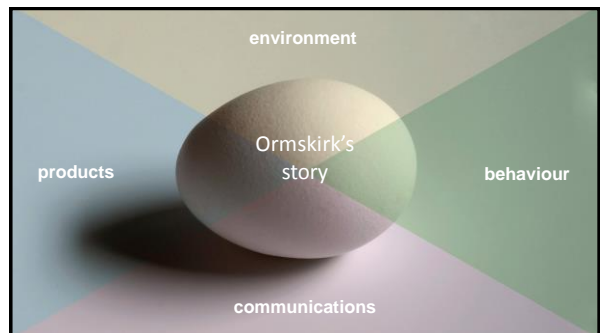
agenda

- what's the project for?
- what we did
- what we found
- Ormskirk's 'big idea' and key audiences
- action plan

the questions that matter

- what is Ormskirk for?
- who is Ormskirk for?
- why is Ormskirk special?
- what is Ormskirk's ambition?
- what is Ormskirk's 'story'?

10 thinkingplace



what we did

evidence gathering

- strategy and policy review
- desk research
- 1 day immersion visit
- 9 x business stakeholder interviews
- 3 x focus groups
- on street surveys
- online surveys
- mystery visits

desk research and strategy review

- Market Towns Initiative Survey 2006 Summary
- Market Towns Initiative 'Quality of Life' Survey 2006 Summary
- Market Towns Initiative 'Youth Views' Survey 2006 Summary
- WLBC Business Plan 2011-2015, Annual Report 2014/15
- WLBC Council Plan 2015-2018

- Draft Ormskirk Town Centre Strategy 2015
- OTCS 2015 Questionnaire responses
- Market Town Initiative Executive Summary
- Edge Hill University Strategic Plan 2013 – 2020

10th thinkingplace

immersion

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stakeholder interviews

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Ormskirk positives

- good place to live
- safe, quiet
- leafy, rural, countryside
- night time economy
- economic benefits of university
- independent

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Ormskirk's challenges

- fragmented – town vs University
- student accommodation 'swamped' town
- traffic congestion, poor parking
- poor gateways, sign posting
- lack of events
- no one knows what or where it is

is Ormskirk? . . .

	Yes(%)	No(%)	Don't Know (%)
Historic	100	0	0
Modern	0	100	0
Sleepy	78	22	0
Vibrant	11	89	0
Functional	67	33	0
Desirable	22	78	0
Traditional	100	0	0
Contemporary	0	100	0
Generic	44	44	12
Independent	67	33	0

	Yes(%)	No (%)	Don't Know (%)
Busy	33	67	0
Quiet	67	33	0
For locals	89	11	0
For visitors	33	67	0
Optimistic	44	56	0
Pessimistic	33	67	0
Exciting	11	89	0
Boring	67	33	0
Rich	100	0	0
Poor	0	100	0

Ormskirk's markets

- too generic – not audience focussed
- low quality
- aimed at older people – not sustainable
- layout poor for retailers
- needs more colour/vibrancy
- need to add variety of markets

focus groups

business

business - opportunities

- good place to live
- people want place to succeed
- USP – University town
- accessibility
- wider assets – Rufford Hall, Martin Mere
- need a mix of markets 'up its game'
- Liverpool (inc cruise ships)

business - challenges

tensions between University & town
WLBC not leading/engaging business
failing market
poor accommodation offer
offer not joined up

politicians

politicians - opportunities

place of up-market food offer
links to Liverpool & cruise ships
university economy
improve relationship with WLBC & EHU
animation/space/events
assets, church, night time economy

politicians - challenges

historic market town
partial dormitory town
local place for local people
don't brand town as 'university town'

students

10th thinkingplace

students - opportunities

it meets need – not desire
more diverse range of markets (gourmet food,
vintage, jewellery, healthy snacks)
developing links with town (eg events,
Burlesque show)
night time economy
need stronger relationship with business

10th thinkingplace

students - challenges

public transport – limited and traffic
accommodation – limited and expensive in
comparison to other areas in L
nothing to keep us here
town has a negative perception of students
town doesn't provide what they need
market is traditional and not attractive

10th thinkingplace

on street survey

215 responses
>600 refusals (1 in 3)
daytime (weekdays & weekends)

10th thinkingplace

on Street Survey – stats & behaviour

older demographic (61% over 45)
 80% travelled less than 6 miles (car or walk)
 visit weekly or more often
 primary reason is convenience shopping
 also use services, eat out, comparison shop
 stay 1-2 hours (<12% stayed over 4 hrs)
 spend £10 - £20 per person

10^{thinkingplace}

on Street Survey – perceptions

92% are very likely or better to visit again
 only 44% would recommend Ormskirk
 56% think shopping is "good" or better
 Positives: eating options, services, safety, welcome
 Negatives: shop range, events, facilities & parking
 50% think the market is "good" or better
 Positives: value, range of stalls, service
 Negatives: food options, generic products & parking

10^{thinkingplace}

on Street Survey – improvements asked for

choice & range of shops
 mix of shops (independents & multiples)
 traffic
 Sunday opening
 speciality markets
 late night opening
 parking cost

10^{thinkingplace}

online survey

311 responses
 245 residents
 34 businesses / 32 students

10^{thinkingplace}

online Survey – residents

tally strongly with on-street results
 84% use Ormskirk centre weekly or more
 choose Ormskirk for; convenience shopping,
 services, market, meeting friends, eating out
 prefer to travel for comparison shopping,
 events & leisure
 select by passive means (knowledge, WoM,
 spur of the moment)

10 thinkingplace

online Survey – residents shopping preferences

town Centre and Out of town superstores top
 venues for convenience shopping
 City Centres, Retail Parks & online top for
 comparison shopping
 town centre and markets seen as functional
 for essentials, not for browsing
 retail choice, mix, parking availability & cost,
 and choice of eating top influencing factors

10 thinkingplace

online Survey – businesses sales profile

¾ of all sales occur at premises in Ormskirk
 residents most important customer group by
 far (students seen as least)
 Thu/Fri/Sat key trading days
 passive marketing key (repeat, WoM, passing)
 70% saw dip/flat spend and turnover in 2015
 56% optimistic about 2016


10 thinkingplace

online Survey – students


81% visit Ormskirk weekly (only 6% visit daily)
 weekdays vastly more than weekends
 convenience shopping, access services, eating
 & drinking out (evenings)
 do not consider for comparison shopping
 more likely to choose elsewhere if possible

10 thinkingplace

perceptions



A	%A	%B	B
Historic	95	5	Modern
Sleepy	81	19	Vibrant
Functional	83	17	Desirable
Traditional	95	5	Contemporary
Generic	53	47	Independent
Busy	32	68	Quiet
For Locals	81	19	For Visitors
Optimistic	34	66	Pessimistic
Exciting	18	82	Boring
Rich	49	51	Poor



perceptions – describing Ormskirk

>50% negative


key moans: shopping quality, traffic, cleanliness

feeling that Ormskirk is dull, dated & unloved

visible divide between residents & students


BUT a number of champions

home, convenient, friendly, safe & potential pride visible (if deflated)



perceptions – positive vs. negative features

Positive	Negative
Location	Retail Offer
Surrounding Environment	Leisure offer
Access to services	Prosperity
Safety	Sense of community
History	Market
Eating Out	Parking prices
Educational Offer	Traffic



perceptions – positive messages

"Nice little town, nice places to eat, reasonably handy for food shopping and basic services."

"Quiet friendly town apart from the traffic congestion"

"Visit the whole of Ormskirk. Shops are open 6 days a week not just on market days."

"Ok for bits and bobs like the bank but that's all I'm afraid"

perceptions – negative messages

"Plenty of pound shops. There's a market on a Thursday."

"You would only need half an hour"

"Stay away on Market Day it is rubbish"

"I'd lie!"

"The Uni is bounding ahead while the town is lagging ten years behind..."

"Don't! Just go Liverpool"

perceptions – visualising Ormskirk



Strong agreement across all groups
 Low scores; litter, independent shop & eating out
 Empty shop, charity collectors & Edgehill middling

perceptions – things to improve...

Residents	Businesses	Students
Retail Offer	The Market	Retail offer
Traffic/congestion	Retail Offer	The Market
HMOs	Parking prices	Venues for social interaction
Quality of the Market	Better marketing	Events
Physical appearance	Town centre facilities	Leisure offer
Leisure offer	Transport links	
Anti-social behaviour		

external perceptions

mystery visits
80 on-street interviews
Liverpool / Southport / Wigan / Chorley



Southport



Southport – mystery visit



far more to offer for a little more effort
more expensive but efficient parking
consistent and effective wayfinding system
City-centre retail mix with independent presence
bright & colourful indoor market
generally consistent branding & identity
terrible public toilets



Wigan



Wigan – mystery visit



much more to offer but rough round the edges
 expensive parking
 wayfinding patchy & limited at access points
 City centre retail offer (less independents)
 indoor market excellent
 noticeable number of vacant units
 limited visitor information

10th thinkingplace

Chorley

10th thinkingplace

Chorley – mystery visit



nicer day out than Ormskirk but little to linger for.
 good signage at access points
 very clean & tidy (best public toilets ever!)
 similar retail mix to Ormskirk but less catering
 limited visitor information & interpretation
 market, vibrant, attractive and diverse
 consistent town branding & style

10th thinkingplace

external perceptions of Ormskirk

10th thinkingplace

external perceptions of Ormskirk

68% have heard of Ormskirk
only 36% have actually visited
no reason to go / never considered it
those that have, like: location, market, eating
think its: clean, safe, lifeless place with a market
want: less traffic, better shops, more events
needs something to make it stand out

**potential audience propositions
for Ormskirk**

key audience groups

visitors
students
residents

visitors

what's important

wider, joined up offer i.e. Farmer Ted,
Martin Mere, Rufford Hall
more for families
specialist markets & events
night time economy
signage, maps, app

students

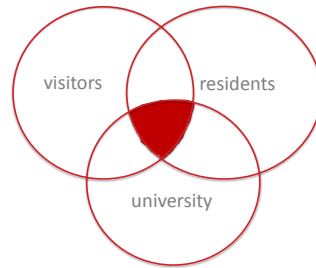
what's important

connect to town
daytime offer
night time economy
monthly market
parents/family
open event facilities, communicate benefits

residents

what's important

University facilities, centre of assets
 appeal to 'affluents'
 night time economy
 more reasons to go – events
 traffic
 meet local needs
 family friendly



Ormskirk

'hub'
 events – use space
 media
 better market – layout, 2 different per month
 family friendly
 food and drink
 functional AND desire
 students, visitors, residents

big idea

what you are about
 what you stand for
 what you believe in

clarity, consistency, self-awareness

an emotive, 'strategic signature' and statement of intent

big idea

Ormskirk: the university market town

action plan: 10 key points

1. place brand
2. place website
3. relationship with University – offer, events

4. think of wider offer using assets

5. create a map of the wider place

6. signage

7. two special markets per month i.e. farmers, students, higher end, fashion

8. change layout of market

9. events – new events, maximize existing

10. history – do it or leave it



Agenda Item 7i

AGENDA ITEM: 7(i)

CABINET: 14 JUNE 2016

CORPORATE & ENVIRONMENTAL
OVERVIEW & SCRUTINY
COMMITTEE:
14 JULY 2016

Report of: Borough Transformation Manager and Deputy Director of Housing & Inclusion Services

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 (Q4 2015/16)

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To present performance monitoring data for the quarter ended 31 March 2016.

2.0 RECOMMENDATIONS TO CABINET

2.1 That the Council's performance against the indicator set for the quarter ended 31 March 2016 be noted.

2.2 That the call-in procedure is not appropriate for this item as the report is being submitted to the next meeting of the Corporate & Environmental Overview & Scrutiny Committee on 14 July 2016.

3.0 RECOMMENDATIONS TO CORPORATE & ENVIRONMENTAL OVERVIEW & SCRUTINY COMMITTEE

3.1 That the Council's performance against the indicator set for the quarter ended 31 March 2016 be noted.

4.0 CURRENT POSITION

- 4.1 Members are referred to Appendix A of this report detailing the quarterly performance data.
- 4.2 34 data items are reported quarterly, two of these are data only. Of the 32 PIs with targets reported:
- 17 indicators met or exceeded target
 - 3 indicators narrowly missed target; 10 were 5% or more off target
 - 2 indicators and 1 data item have data unavailable at the time of the report (*NI191: Residual household waste per household; NI 192: % household waste sent for reuse, recycling and composting; WL18: Use of leisure and cultural facilities*)

As a general comparison, Q4 performance in 2014/15 gave 20 (from 32) indicators on or above target (to enable a comparison this figure does not include 14/15 outturn information for WL08a, WL18, or WL24 as in 15/16 these indicators either do not have targets or are no longer monitored quarterly).

- 4.3 Improvement 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 Appendices B1-B4. 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.
- 4.5 For those PIs that have flagged up as 'amber' (indicated as a triangle), an assessment has been made at head of service level based on the reasons for the underperformance and balancing the benefits of implementing an improvement plan versus resource implications. This is indicated in the table.
- 4.6 The performance indicator data appended to this report details the council's quarterly performance against key performance indicators. The performance information aims to help demonstrate performance against the corporate priorities as well as providing some service-specific information.
- 4.7 Although the purpose of this report is to comment on quarterly information, where available, a brief reference on draft annual performance is also given in Appendix A.
- 4.8 Performance against the full corporate suite of indicators 2015/16 will be reported within the Council Plan Annual Report. This suite of indicators was agreed by Cabinet in March 2015. Targets for 2016/17 were agreed through Cabinet in March 2016 and in consultation with the Leader following consideration of comments from the Executive Overview and Scrutiny Committee. These future targets will be reported alongside the 2015/16 annual performance data.

5.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

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

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

6.1 There are no 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 Q4 January-March 2015/16

Appendix B – Current Improvement Plans

- B1: HS1: % Housing repairs completed in timescale
- B2: TS24a: Average time taken to re-let local authority housing – General Needs
- B3: TS24b: Average time taken to re-let local authority housing – Supported Needs
- B4: WL01 No. residual bins missed per 100,000 collections

Appendix C – Minute of the Landlord Services Committee (Cabinet Working Group) held on 8 June 2016 (Cabinet only) – *to follow*

Appendix D – Minute of Cabinet 14 June 2016, Corporate & Environmental Overview and Scrutiny Committee only –*to follow*











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APPENDIX A: QUARTERLY PERFORMANCE INDICATORS Q4 2015/16



Icon key					
PI Status		Performance against same quarter previous year			
	OK (within 0.01%) or exceeded	17		Improved	12
	Warning (within 5%)	3		Worse	16
	Alert (by 5% or more)	10		No change	3
	Data only	2	/	Comparison not available	0
	Awaiting data	2		Awaiting data	3
N/A	Data not collected for quarter	0			
Total number of indicators		34			

Shared Services ¹

Page 3 of 3 Code & Short Name	Q4 2013/14	Q1 2014/15	Q2 2014/15	Q3 2014/15	Q4 2014/15	Q1 2015/16	Q2 2015/16	Q3 2015/16	Q4 2015/16	Current Target	Comments	Q4 15/16 vs Q4 14/15	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value					
ICT1 Severe Business Disruption (Priority 1)	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	99.0%	Q4 outturn is year to date; annual target of 99% exceeded.		
ICT2 Minor Business Disruption (P3)	100.0%	100.0%	100.0%	99.0%	99.0%	99.0%	99.0%	98.0%	98.0%	97.0%	Q4 outturn is year to date; annual target of 97% exceeded.		
ICT3 Major Business Disruption (P2)	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	89.0%	92.0%	97.0%	Quarter outturn reflects 1 incident that missed target in year. No plan attached since action for improvement is managed through contractual meetings. Q4 outturn is year to date; annual performance of 92% did not achieve target of 97%. 100% performance in Q4		
ICT4 Minor Disruption (P4)	99.0%	99.0%	99.0%	99.0%	99.0%	99.0%	99.0%	97.0%	98.0%	97.0%	Q4 outturn is year to date; annual target of 97% was exceeded.		
B1 Time taken to process Housing Benefit/Council Tax Benefit new claims and change events	7.44	6.79	7.66	8.23	6.62	8.89	8.07	8.00	7.02	12.00	Q4 outturn is year to date; annual target of 12 exceeded.		

PI Code & Short Name	Q4 2013/14	Q1 2014/15	Q2 2014/15	Q3 2014/15	Q4 2014/15	Q1 2015/16	Q2 2015/16	Q3 2015/16	Q4 2015/16	Current Target	Comments	Q4 15/16 vs Q4 14/15	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
B2 Overpayment Recovery of Housing Benefit overpayments (payments received)	£170,909	£34,524	£82,895	£130,906	£203,868	£67,408	£149,382	£207,159	£276,577	£170,000	Q4 outturn is year to date; annual target of £170,000 exceeded.		
R1 % of Council Tax collected	95.32%	28.95%	56.11%	83.60%	96.03%	29.64%	56.69%	84.37%	97.02%	97.10%	Q4 outturn is year to date; annual performance narrowly missed target of 97.10%. No plan attached since action for improvement is managed through contractual meetings.		
R2 % council tax previous years arrears collected	20.94%	3.38%	12.36%	27.34%	33.56%	8.97%	25.31%	32.64%	37.31%	24.5%	Q4 outturn is year to date; annual performance exceeded target of 24.5%.		
R3 % of Non-domestic Rates Collected	95.53%	30.75%	58.26%	83.29%	96.40%	28.09%	54.83%	80.41%	98.32%	97.20%	Q4 outturn is year to date; annual performance exceeded target of 97.2%		
R4 % Sundry Debtors % revenue collected against debt raised	90.05%	62.59%	79.34%	86.49%	90.73%	72%	83.67%	88.84%	95.0%	89.1%	Q4 outturn is year to date; annual performance exceeded target of 89.1%		





Housing & Inclusion

PI Code & Short Name	Q4 2013/14	Q1 2014/15	Q2 2014/15	Q3 2014/15	Q4 2014/15	Q1 2015/16	Q2 2015/16	Q3 2015/16	Q4 2015/16	Current Target	Comments	Q4 15/16 vs Q4 14/15	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
HS1 % Housing repairs completed in timescale	96.68%	96.36%	95.86%	96.58%	97.36%	97.04%	96.11%	97.02%	95.38%	97.00%	Quarter performance was affected primarily due to the high number of roof repairs and other external works that have not been completed due to adverse weather conditions (exceptionally high rainfall). Improvement Plan attached at Appendix B1 Annual performance of 96.39% narrowly missed target of 97.00%.		

PI Code & Short Name	Q4 2013/14	Q1 2014/15	Q2 2014/15	Q3 2014/15	Q4 2014/15	Q1 2015/16	Q2 2015/16	Q3 2015/16	Q4 2015/16	Current Target	Comments	Q4 15/16 vs Q4 14/15	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
HS13 % LA properties with CP12 outstanding	0.1%	0.1%	0.04%	0.06%	0.1%	0.05%	0.01%	0.08%	0.13%	0%	<p>Quarter outturn figure equates to 5 properties.</p> <p>Target based on legal requirement for all eligible properties to have certificate. No plan has been prepared but we continue to focus on rigorous procedures to ensure compliance.</p> <p>Annual performance of 0.13% did not achieve target of 0%.</p>	↓	⛔
TS1 Rent Collected as a % of rent owed (excluding arrears b/f) ²	98.47	99.2	98.04	98.18	98.65	102.3	100.12	99.74	99.81	97.00	Annual performance of 99.81% exceeded target of 97.00%.	↑	✅
TS24a- Average time taken to re-let local authority housing (days) - GENERAL NEEDS	65.74	30.25	18.19	22.77	29.42	26.63	25.93	26.97	32.75	28.00	<p>Improvement Plan attached at Appendix B2</p> <p>Annual performance of 28.07 narrowly missed target of 28 days</p>	↓	⛔
TS24b- Average time taken to re-let local authority housing (days) - SUPPORTED NEEDS	62.31	79.20	41.39	65.66	92.24	60.33	63.09	24.89	77.62	50.00	<p>Improvement Plan attached at Appendix B3</p> <p>Annual performance of 56.48 did not achieve target of 50 days</p>	↑	⛔








Transformation & Support Services

PI Code & Short Name	Q4 2013/14	Q1 2014/15	Q2 2014/15	Q3 2014/15	Q4 2014/15	Q1 2015/16	Q2 2015/16	Q3 2015/16	Q4 2015/16	Current Target	Comments	Q4 15/16 vs Q4 14/15	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
BV8 % invoices paid on time	96.24%	96.53%	98.44%	98.73%	99.27%	99.06%	98.65%	99.28%	98.36%	98.24%	<p>March performance was 99.41%.</p> <p>Annual performance of 98.81% exceeded target of 98.24%.</p>	↓	✅
WL19b(ii) % Direct Dial calls answered within 10	81.82	82.01	81.50	82.13	82.28	81.30	80.80	82.30	81.00	82.21	<p>60,481 offered</p> <p>48,988 answered in 10 seconds</p>	↓	⚠️




PI Code & Short Name	Q4 2013/14	Q1 2014/15	Q2 2014/15	Q3 2014/15	Q4 2014/15	Q1 2015/16	Q2 2015/16	Q3 2015/16	Q4 2015/16	Current Target	Comments	Q4 15/16 vs Q4 14/15	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
seconds ³											Head of Service's amber assessment: improvement plan not required Annual performance of 81.34 narrowly missed target of 82.21		
WL90 % of Contact Centre calls answered	91.3%	93.1%	93.6%	91.1%	91.6%	90.6%	93.8%	92.4%	91.1%	91.0%	Annual performance of 92% exceeded target of 91%.		
WL108 Average answered waiting time for callers to the contact centre (seconds)	34.00	20.00	24.00	44.00	31.00	43.00	23.00	37.00	60.00	30.00	A plan is not provided since underperformance against the current target has already been considered and addressed by the 2016/17 target setting process. Annual performance of 51s did not achieve target of 30s		

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Leisure & Wellbeing













PI Code & Short Name	Q4 2013/14	Q1 2014/15	Q2 2014/15	Q3 2014/15	Q4 2014/15	Q1 2015/16	Q2 2015/16	Q3 2015/16	Q4 2015/16	Current Target	Comments	Q4 15/16 vs Q4 14/15	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
WL08a Number of Crime Incidents	1,329	1,312	1,277	1,277	1,105	1,120	1,169	1,271	1,205		Annual outturn is 4,765		
WL_18 Use of leisure and cultural facilities (swims and visits) ⁴	326,547	310,875	315,366	254,704	322,129	314,915	303,157	215,442			Data pending from external sources		

Development & Regeneration



PI Code & Short Name	Q4 2013/14	Q1 2014/15	Q2 2014/15	Q3 2014/15	Q4 2014/15	Q1 2015/16	Q2 2015/16	Q3 2015/16	Q4 2015/16	Current Target	Comments	Q4 15/16 vs Q4 14/15	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
NI 157a Processing of planning applications: Major applications ⁵	85.71%	100%	76.92%	44.44%	62.50%	100%	100%	100%	81.82%	65.00%	Annual performance of 95.12% exceeded target of 65%	↑	
NI 157b Processing of planning applications: Minor applications	72.15%	74.67%	70.00%	70.59%	80.88%	72.22%	66.15%	67.14%	62.26%	75.00%	No improvement plan attached as previous plan still relevant/current. Annual performance of 67.31% is above the government target of 65% but did not achieve target of 75%	↓	
NI 157c Processing of planning applications: Other applications	84.35%	79.83%	76.10%	84.51%	88.71%	85.03%	83.33%	81.82%	80.00%	85.00%	No improvement plan attached as previous plan still relevant/current. Annual performance of 82.71% narrowly missed target of 85%	↓	

Street Scene

PI Code & Short Name	Q4 2013/14	Q1 2014/15	Q2 2014/15	Q3 2014/15	Q4 2014/15	Q1 2015/16	Q2 2015/16	Q3 2015/16	Q4 2015/16	Current Target	Comments	Q4 15/16 vs Q4 14/15	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
NI 191 Residual household waste per household (Kg) ⁶	134.38	133.82	125.47	129.69	117.6	122.66	124.96	135.13	Tbc	123.75	Awaiting external confirmation of data.		
NI 192 Percentage of household waste sent for reuse, recycling and composting ⁶	37.10%	50.88%	49.70%	41.66%	41.08%	51.08%	51.37%	43.21%	Tbc	50.00%	Awaiting external confirmation of data.		
NI 195a Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Litter	0.16%	N/A	1.17%	1.00%	0.33%	N/A	1.17%	1.17%	2.00%	1.61%	Improvement plan not provided as annual outturn exceeded the target. Annual performance of 1.44% exceeded target of 1.61% Survey carried out three times each year. No data for Q1.	↓	

PI Code & Short Name	Q4 2013/14	Q1 2014/15	Q2 2014/15	Q3 2014/15	Q4 2014/15	Q1 2015/16	Q2 2015/16	Q3 2015/16	Q4 2015/16	Current Target	Comments	Q4 15/16 vs Q4 14/15	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
NI 195b Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Detritus	2.47%	N/A	2.75%	2.50%	8.89%	N/A	3.41%	5.97%	5.47%	5.00%	Improvement plan not provided as annual outturn exceeded the target. Survey carried out three times each year. No data for Q1. Annual performance of 4.95% exceeded target of 5.00%		
NI 195c Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Graffiti	0.17%	N/A	.33%	2.17%	1.00%	N/A	0.00%	0.17%	0.00%	1.00%	Survey carried out three times each year. No data for Q1. Annual performance of 0.06% exceeded target of 1.00%		
NI 195d Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Fly-posting	0.00%	N/A	0.00%	0.00%	0.00%	N/A	0.00%	0.00%	0.00%	0.00%	Survey carried out three times each year. No data for Q1. Annual performance of 0.00% met target of 0.00%		
WL01 No. residual bins missed per 100,000 collections	134.20	90.52	87.07	85.20	74.23	81.12	93.34	87.42	97.41	80.00	Improvement Plan attached at Appendix B4 Annual performance of 89.83 did not achieve target of 80 days		
WL06 Average time taken to remove fly tips (days)	1.12	1.12	1.06	1.08	1.09	1.07	1.05	1.06	1.08	1.09	Annual performance of 1.06% exceeded target of 1.09%		
WL122 % Vehicle Operator Licence Inspections Carried Out within 6 Weeks	N/A	100%	100%	100%	100%	100%	100%	100%	100%	100%	Annual performance of 100% met target of 100%		

Finance & Human Resources

PI Code & Short Name	Q4 2013/14	Q1 2014/15	Q2 2014/15	Q3 2014/15	Q4 2014/15	Q1 2015/16	Q2 2015/16	Q3 2015/16	Q4 2015/16	Current Target	Comments	Q4 15/16 vs Q4 14/15	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
WL121 Working Days Lost Due to Sickness Absence ³	1.87	1.71	1.93	2.32	2.76	2.61	2.73	2.36	1.93	2.02	Annual performance of 9.64 did not achieve annual target of 8.08days		

Notes:

¹ Managed through LCC/BTLS contract. Contractual targets are annual. Quarter targets are provided as a gauge for performance only. Improvement plans are not provided since actions planned to improve performance are discussed and managed through contractual monthly Quality of Service meetings. ICT data and RBS data reflect progress to year end.

² TS1: For 2014/15, this replaced BV66a with a simplified calculation. A direct comparison with 2013/14 outturn is therefore not possible, but data is provided for reference/information.

³ WL19bii / WL121: Data does not include BTLS seconded staff.

⁴ WL18: from Q1 2014/15, Community Resource Centre (CRC) data is no longer included. Data from 2013/14 has been restated without CRC to allow comparison with previous performance.

⁵ NI157a: For 2014/15, following updated guidance from DCLG, the 13 weeks period is not counted in those cases where a time extension is agreed with the applicant. A direct comparison with previous year quarter outturn is therefore not possible, but data is provided for reference/information.

⁶ NI191-192: Data is provided to WLBC with a time lag due to the time involved to confirm final figures.

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

Following the annual review of PIs, the following changes to QPIs were approved by Cabinet for 2015/16:

TS1 Rent Collected – target changed to 97% from 99.83%; WL90 % of Contact Centre calls answered – target changed to 91% from 90.6%; WL108 Average answered waiting time for callers – target changed to 30 from 26.25s; NI 191 Residual household waste per household – target changed to 495 from 493.91kg; NI 192 Percentage of household waste sent for reuse, recycling and composting – target changed to 50% from 47.58%; NI 195b Improved street and environmental cleanliness (levels of detritus) – target changed to 5% from 7.33%; NI 195c Improved street and environmental cleanliness (levels of graffiti) – target changed to 1.00% from 1.11%; WL01 missed bins – target changed to 80 from 70; WL08a Number of Crime Incidents & WL_18 Use of leisure and cultural facilities – reported as data only; WL24 Building Regs within 5 weeks – annual outturn only.

PERFORMANCE IMPROVEMENT PLAN	
Indicator	HS1 % Housing Repairs completed in timescale
Reasons for not meeting target	
<p>The issue relates to poor performance on behalf of one of our Response Maintenance Contractors as well as one of their sub-contractors. This has been highlighted at previous Contract Progress meetings and discussed directly with the contractor. Appointment of a new Contracts Manager in February 2016, allocation of additional resources to our contract area and replacement of the sub-contractor appear to have addressed this issue.</p> <p>An additional factor affecting this performance indicator has been the exceptional level of rainfall experienced this year. Adverse weather conditions have led to a high number of roofing repairs and other external works that could not be completed.</p>	
Brief Description of Proposed Remedial Action	
Performance was previously monitored on a monthly basis but we now provide weekly reports to both Response Maintenance contractors and there has been a marked improvement in performance. We will continue to monitor this on a weekly basis.	
Resource Implications	
Increased monitoring/reporting arrangements	
Priority	
High – action underway.	
Future Targets	
Target of 97% retained for 2016/17	
Action Plan	
Tasks to be undertaken	Completion Date
Weekly monitoring	Ongoing

PERFORMANCE IMPROVEMENT PLAN	
Indicator	TS24a Average time taken to re-let local authority housing (days) - GENERAL NEEDS
Reasons for not meeting target	
<p>Performance did not meet target last quarter due to the low demand for some properties which are therefore taking longer to let. It is common to see a decline in demand during this period. It should be noted that figure is calendar days, not working days, which means that Q4 performance is adversely affected by the 6.5 day Christmas close down.</p> <p>Also, in response to the changes to housing related benefits, introduced as a part of the governments Welfare Reform agenda, we have recently introduced affordability checks to ensure that applicants are able to afford their rent. Whilst this can on occasion delay the re-let process it aims to promote tenancy sustainability.</p>	
Brief Description of Proposed Remedial Action	
<p>Allocations staff continue to take a more proactive approach to promoting and advertising empty homes.</p> <p>We have introduced the use of social media to promote the properties with low demand.</p>	
Resource Implications	
Loss of rental income	
Priority	
High	
Future Targets	
No change to target	
Action Plan	
Tasks to be undertaken	Completion Date
Ensure that all new voids are relet within target.	Ongoing
Continue to develop new ways to promote the properties with low demand	April 2017
Review void process as part of the Implementation of the Property Services Organisational Re engineering.	April 2017

PERFORMANCE IMPROVEMENT PLAN	
Indicator	TS24b - Average time taken to re-let local authority housing (days) - SUPPORTED NEEDS
Reasons for not meeting target	
<p>Four long term voids have been re-let during the quarter which adversely affects average number of days to re-let.</p> <p>For a number of years the Council has been experiencing low demand across many of its sheltered housing schemes. Four properties let in Quarter 4 had been empty for over 6 months due to the lack of demand for sheltered accommodation. Letting these properties skews the performance figures.</p> <p>If these were to be excluded the quarters performance would be on target at 40.4 days.</p>	
Brief Description of Proposed Remedial Action	
<p>Options Appraisals of sheltered schemes have been commissioned.</p> <p>All investment in Category II sheltered schemes will be considered in light of the Council's Asset Management Plan. Improvements to Evenwood Court, Tanhouse are underway.</p> <p>Facebook is now being utilised to generate demand plus further promotional exercises will be undertaken as appropriate.</p>	
Resource Implications	
Loss of rental income	
Priority	
High	
Future Targets	
Target for 2016/17 has been changed to 65 days take account of low demand for sheltered housing. Withdrawal of Supporting People grant will have a negative impact on demand.	
Action Plan	
Tasks to be undertaken	Completion Date
Options Appraisals	Ongoing
Asset Management Planning	Ongoing
Promotion of low demand schemes	Complete
Declassification programme	Complete

PERFORMANCE IMPROVEMENT PLAN	
Indicator	WL01: missed bins per 100,000 collections
Reasons for not meeting target	
Human error during the collection process has accounted for the target not being achieved this quarter.	
Brief Description of Proposed Remedial Action	
The current performance is 18 missed collections per 100,000 properties above the yearly target of 80 missed collections per 100,000 properties.	
The introduction of the in-cab communication system will assist all collection team members that are unfamiliar with a collection round. The system will provide the driver with the opportunity to refer to a collection round and therefore reduce the likelihood of missed collections.	
Resource Implications	
Purchase of in-cab communications - the funding of the system has been identified and approved.	
Priority	
Medium	
Future Targets	
A revision of what constitutes a missed collection should be considered, possibly limiting the reporting period to 24 hours after the day of collection.	
Action Plan	
Tasks to be undertaken	Completion Date
Weekly performance monitoring	November 2016

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AGENDA ITEM:

CABINET: 14 JUNE 2016

Report of: Borough Solicitor

Relevant Portfolio Holder: Councillor I. Moran

**Contact for further information: Mr M Jones (Extn. 5025)
(E-mail: matthew.jones@westlancs.gov.uk)**

SUBJECT: LOCAL LAND CHARGES RULES 2017

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To agree the Council's response to the Land Registry's consultation exercise regarding the draft Local Land Charges Rules 2017.

2.0 RECOMMENDATIONS TO CABINET

2.1 That the consultation response at Appendix 1 be approved for submission.

2.2 That call in is not appropriate for this item as the consultation exercise closes on 11 July 2016.

3.0 BACKGROUND

3.1 Local Land Charges are financial charges or other restrictions on the use of land. Each district council in England is under a statutory duty to maintain a Register of Local Land Charges, which are open to public inspection.

3.2 In a property transaction a prospective purchaser will usually conduct a search of the Local Land Charges Register via an "LLC 1" search which will reveal what land charges are registered in respect of the property searched against. Examples of land charges include:

- Charges recoverable by the Local Authority for work they have undertaken in respect of the property, e.g. to make safe dangerous buildings
- Planning Conditions attached to Planning Permissions
- Tree Preservation Orders

- Article 4 Directions
 - Planning Obligations
 - Community Infrastructure Levy Charges
- 3.3 At the same time as making an “LLC 1” search, prospective purchasers often seek additional (non-statutory) enquires of a Local Authority using form CON29R. The combined “LLC1” and “CON29R” search is known as a “Full Search”. The replies to the “CON29R” search may reveal important information about a property and its immediate surroundings, such as:
- Building Regulations
 - Proposals for road schemes
 - Planning applications in respect of the property that have been refused
- 3.4 In addition to a “Full Search” a prospective purchaser may also ask “CON29O” enquiries. A “CON29O” search may reveal:
- Road proposals by private bodies
 - Nearby public paths or byways
 - Completion Notices,
 - Registered common land and town or village greens
- 3.5 Each local authority sets its own fees with regard to its Land Charges Service within the scope provided for by regulations. In West Lancashire a “Full Search” currently costs £75, comprising an LLC1 search (£18) and a CON29R search (£57). Individual CON29O enquires can be made at a cost of £10 each. For the financial year 2015/16 the Council’s Land Charges Service received an income of £80,897, recording a net favourable variance against budget of £10,157. Of that £80,897 income £17,442 was derived from LLC1 searches.

4.0 LAND REGISTRY PROPOSALS

- 4.1 Under the Infrastructure Act 2015 the responsibility for maintaining the Local Land Charges Register will be transferred from all local authorities in England (and Wales) to the Land Registry. Importantly, however, local authorities will still be responsible for making applications to add or remove Local Land Charges in respect of their Local Authority area and for responding to CON29R and O search requests.
- 4.2 It is the Land Registry’s intention to keep a single digital Local Land Charges Register, with the Land Registry being responsible for providing official search results and personal search facilities. It is proposed that the Land Registry will retain all search income they receive.
- 4.3 Transitional provisions provide for the Land Registry to take over responsibility for Local Land Charges in phases from local authorities. It is anticipated that the process of transferring responsibility will take up to 8 years with the Government pushing for London authorities to transfer their data first. Once the necessary preparation for the transfer of data in respect of a local authority area has been carried out, the Land Registry will publish a notice. On expiry of that notice the Land Charges Rules 2017 will come into force for that local authority area and

responsibility for the Local Land Charges Register will then transfer to the Land Registry.

5.0 CONSULTATION EXERCISE

- 5.1 On 9 May 2016 the Land Registry commenced a consultation exercise, www.gov.uk/government/consultations/consultation-on-draft-local-land-charges-rules-2017 seeking views on the draft Local Land Charges Rules 2017. The rules will provide the framework for how the centralised Local Land Charges Register Service will work. It is intended that the Local Land Charges Rules 2017 will come into force 6 April 2017. However, as mentioned at 4.3 above, the rules will only take effect in relation to each local authority area in phases.
- 5.2 The draft Local Land Charges Rules 2017 are technical in nature and broadly replicate the current rules (Local Land Charges Rules 1977). The main difference is to accommodate a move from a separate register maintained by each local authority to a single Local Land Charges Register maintained by the Land Registry.
- 5.3 Officers have carefully considered the consultation document and have prepared a consultation response at Appendix 1. Consultation questions 1 – 19 focus on operational matters such as how local authorities are to make applications to the Land Registry to add or remove Local Land Charges, the relevant forms that are required to be used for registration and what documentation the Land Registry should retain. Question 20 seeks wider views on the accompanying Regulatory Impact Assessment and question 21 on the relationship between the Local Land Charges Register, which is to be transferred to the Land Registry and the CON29 service, which is to remain with local authorities.
- 5.4 Although the Land Registry's proposals in respect of operational matters (consultation questions 1 – 19) generally reflect current best practice and assist in creating a single digitised register the proposed consultation response highlights areas where clarity is needed to ensure that key parts of the administrative burden of maintaining the register are not shifted back to local authorities. In addition the proposed consultation response to questions 20 and 21 highlight concerns on a number of important issues, the more prominent of which are commented upon in paragraphs 5.5 to 5.7 below.
- 5.5 Whilst the Land Registry have set a policy objective of reducing the fee charged to customers for a search of the Local Land Charges Register, the Regulatory Impact Assessment indicates that it is the Land Registry's intention to charge a fee of £25.00 from 2017. The Council's current fee is £18.00 and so this would represent a fee increase of £7.00 per search. Although it is acknowledged the Land Registry's stated aim is to reduce this fee to £4.60 by 2024 (once the Land Registry's costs of transition are paid off) there appears to be no mechanism to ensure that this reduction in fee occurs and that costs savings are passed on to customers.
- 5.6 In addition it is considered that the Land Registry's view of the impact on local authorities is incomplete and unclear. Whilst the Land Registry have calculated global transition costs at £110.5 million, it has not separately provided its

estimate of the amounts to be paid to local authorities for the data transfer exercise. There is also uncertainty as to whether the Council, in addition to receiving sums in respect of the costs of data transfer, is to receive an on-going payment in respect of the fundamental and time-consuming work of collecting and disseminating the data that creates and updates the register. Officers also consider that the concerns of the conveyancing industry regarding the additional burdens they face by splitting up the LLC1 and Con29 search service have not been properly addressed, nor has the potential impact on the resilience of local authorities to continue to maintain the remnants of Local Search Service (Con29 search).

- 5.7 Finally, it is noted that whilst Regulatory Impact Assessment makes provision for the Land Registry's on-going costs of "Insurance" it is unclear whether such provision means that Land Registry are therefore assuming liability for the accuracy of the data revealed by a search of the Local Land Charges Register.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

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

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 There are no significant financial or resource implications arising from the Council responding to the Land Registry's consultation exercise. However, once the Local Land Charges Rules come into force in respect of this local authority's area the Council will see a reduction in the income received from the Land Charges Service as the Land Registry will retain all search fees arising from a search of the Land Charges Register. As noted at paragraph 3.5 above, for the financial year 2015/16, the Council derived an income of £17,442.00 from searches of the Local Land Charges Register.
- 7.2 On 11 May 2016 the Land Registry announced that it will fund the costs of data preparation prior to migration, migration support and the upkeep of the register. The Land Registry advise that this approach has been agreed between Land Registry and the Local Government Association who have established the New Burdens Working Group. The working group will consider a number of areas including IT, data preparation, migration support, applications to register new charges, and the updating or removal of existing registrations. The group will develop a methodology for assessing payments to Local Authorities and the final methodology will be agreed by the Land Registry and approved by the Department for Business Innovation & Skills, Ministry of Justice, the Department for Communities and Local Government, and HM Treasury.
- 7.3 It is, as yet, unclear whether provision will be made with regard to the loss of search income to be experienced by local authorities. In addition, and as noted at paragraph 5.6 above, it is also uncertain whether an on-going provision will be made with respect to the fundamental and time-consuming work of collecting and disseminating the data that creates and updates the register, .Officers will

continue to actively monitor matters to ensure representations are made, as appropriate, to best protect the Council's financial position.

8.0 RISK ASSESSMENT

- 8.1 Responding to the consultation exercise allows the Council opportunity to make representations regarding the detailed rules that will govern the operation of the Local Land Charges Register following transfer to the Land Registry.

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

1. Consultation response

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Land Registry Online Consultations

Ends: 11 Jul 2016

Land Registry

View Response

Answers to Land Registry Local Land Charges Rules Questionnaire

COMPLETE RESPONSE

Question 1

Do you agree with the requirements for applications for registration of charges (other than light obstruction notices) being those set out in rule 3?

- Yes No

Please provide comments to support your views

The purpose of this question would appear to be to outline what detail and in what format the information should be supplied to HMLR. If the requirement is to deviate from HMLR being emailed a copy of the charge document this could potentially create more work for the local authorities.

Question 2

Do you agree that it should not be compulsory to apply electronically to register a light obstruction notice but that a paper application (using Form A) may be made instead?

- Yes No

Please provide comments to support your views

This question would appear to be asking whether, with regard to Light Obstruction Notice registrations (Lon) the present manual registration system should be retained in addition to electronic registrations. Light Obstruction Notices are completed by property owners (or their representatives) in relation to Right to Light issues. These applications are very rare and the Council has no strong views on this issue.

Question 3

Do you agree to continue having a prescribed Form A?

- Yes No

Please provide comments to support your views

This question is asking should prescribed Form A in relation to Light Obstruction Notices (LON) be retained. Although there are very few LON registrations the Council's view is that the prescribed form should be retained for ease of registration.

Question 4

Do you think that the wording of the Form A in these draft Local Land Charges Rules 2017 should be changed in any way?

- Yes No

Please provide comments to support your views.

This question is asking should the Form A be changed. The Council does not believe there is a reason to change this form.

Question 5

Do you agree that the digital local land charges register should contain all the particulars referred to in Schedule 1, and nothing more?

- Yes No

Please provide comments to support your views.

Schedule 1 details such things as Description of Charge, Postal address or description of land affected by charge, originating authority, where further information can be obtained and date of Registration. The Council considers it should also contain details of the Act under which the charge is issued and the relevant section of the Act.

Question 6

Do you agree that it is not necessary to include the additional particulars of registration for specific financial charges?

- Yes No

Please provide comments to support your views

The question appears to be asking is it acceptable when registering a specific financial charge to omit the amount originally secured, interest payable, balance of charge and date of last payment. The Council considers such information is necessary as a conveyancer would need this information to fully advise a client.

Question 7

Do you agree with the proposals for variation and cancellation of registrations of charges in the register (other than those in respect of light obstruction notices)?

- Yes No

Please provide comments to support your views:

The question appears to be outlining that it is HMLRS intention to give powers to the Chief Land Registrar (CLR) to vary or cancel a particular registration created by the local authority. Whilst, for ease of administration, this may be desirable, the council considers that the CLR should exercise caution in the use of this administrative power and consult the Originating Authority first.

Question 8

Do you agree with the proposals for variation and cancellation of registrations in respect of light obstruction notices?

- Yes No

Please provide comments to support your views

Light Obstruction Notices as mentioned earlier in this consultation are very rare and the Council has no strong views on this issue.

Question 9

Do you agree to continue having a prescribed Form B?

- Yes No

Please provide comments to support your views

As in the case of Form A this system presently works well so the Council would wish to see the use of Form B continued.

Question 10

Do you think that the wording of the Form B in these draft Local Land Charges Rules 2017 should be changed in any way?

- Yes No

Please provide comments to support your views

As with Form A the Council does not believe there is a need to change Form B for Light Obstruction Notices.

Question 11

Do you agree with the proposal for notification and cancellation for general charges?

- Yes No

Please provide comments to support your views

A General Financial charge is placed on the Land Charges Register when the financial details of the charge are not yet clear. As soon as the financial implications of this general charge are known it then becomes a specific financial charge. Every general charge must then be cancelled within 15 months from the day on which the specific charge comes into existence. This question would appear to be asking for the local authority to provide electronic notification of cancellation of a general charge within that 15 month period. To be able to provide this electronic notification the local authority would have to continue to maintain a Land Charges Register to be able to monitor the status of general financial charges.

Question 12

Do you agree with the proposal for personal searches?

- Yes No

Please provide comments to support your views

The purpose of this enquiry is to gather opinion on whether remote access to the register for Personal Search Companies and having those requests solely made electronically is a good business practice. The Council believes it is but access must be restricted to individual properties to prevent Personal Search Companies creating their own registers

Question 13 is in two parts (a) and (b)

(a) Do you agree with the provision made in respect of official searches?

- Yes No

Please provide comments to support your views

This enquiry refers to the search requisition being electronic and a limit on the size of the search area. This is existing good practice in many local authority areas

(b) In particular, do you agree with what is required of applicants and what the official search certificate must contain?

Yes No

Please provide comments to support your views

As in 13 A this is existing good practice.

Question 14

Do you have comments on the proposed restriction contained in paragraph (2)?

Yes No

If you think a different form of limitation on extent should be adopted, please specify what the form of limitation should be and provide comments to support your views

This enquiry appears to try and restrict the extent that can be searched in a single application. As with question 13 A and B the restriction is existing good practice but consideration must be given to searches carried out on farms Etc which may involve a substantial area of land all in the same ownership.

Question 15

Do you agree with the proposal for destruction of documents?

- Yes No

Please provide comments to support your views

This question deals with the Chief Land Registrar (CLR) not keeping paper documents and only having scanned documents. The Council has no strong feelings on this issue if the CLR considers they are not needed then this would appear an acceptable practice but care should be exercised to avoid a local authority having to supply missing information.

Question 16

Do you think that there are any other types of documents that are likely to be kept by the Chief Land Registrar in respect of which it ought to be possible to apply for copies?

- Yes No

If yes, please identify the type of document and provide comments to support your views

This question appears to be asking what other types of documents the Chief Land Registrar is likely to keep. The Council has no strong feelings on this issue, if the CLR considers they are not needed then this would appear an acceptable practice but care should be exercised to avoid a local authority having to supply missing information.

Question 19

Do you have any further comments on the proposed draft Local Land Charges Rules 2017?

- Yes
- No

Comments

See answer to question 20

Question 21

Do you have any comments at this stage on CON 29 searches and how they relate to our proposed changes to local land charges, including the practical steps taken to digitise local land charges information?

- Yes No

Comments

As mentioned in Question 20 HMILR taking over responsibility for the Land Charges Register will fragment what is presently a united service. The LLC1 reply is the administratively simple part of the process and can therefore be answered quickly whereas the Con29 is much more time consuming and detailed.

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