



Executive Cabinet

Agenda and Reports
for consideration on

Thursday, 7th January 2010

in the Council Chamber, Town Hall, Chorley

At 5.00 pm



www.chorley.gov.uk

PROCEDURE FOR PUBLIC QUESTIONS/SPEAKING AT EXECUTIVE CABINET MEETINGS

- Questions should be submitted to the Democratic Services Section by midday, two working days prior to each Executive Cabinet meeting to allow time to prepare appropriate responses and investigate the issue if necessary.
- A maximum period of 3 minutes will be allowed for a question from a member of the public on an item on the agenda. A maximum period of 30 minutes to be allocated for public questions if necessary at each meeting.
- The question to be answered by the Executive Member with responsibility for the service area or whoever is most appropriate.
- On receiving a reply the member of the public will be allowed to ask one supplementary question.
- Members of the public will be able to stay for the rest of the meeting should they so wish but will not be able to speak on any other agenda item upon using their allocated 3 minutes.

PROCEDURE FOR 'CALL-IN' OF EXECUTIVE DECISIONS

- Each of the executive decisions taken at the Executive Cabinet meeting are subject to the adopted 'call-in' procedure within 10 working days of the Executive Cabinet meeting at which the decision is made, unless the decision has been implemented as a matter of urgency.
- Guidance on the 'call-in' procedure can be accessed through the following internet link:
<http://www.chorley.gov.uk/index.aspx?articleid=1426>
- If you require clarification of the 'call-in' procedure or further information, please contact either:
Tony Uren (Tel: 01257 515122; E-Mail: tony.uren@chorley.gov.uk) or
Carol Russell (Tel: 01257 515196, E-Mail: carol.russell@chorley.gov.uk)
in the Democratic Services Section.

23 December 2009

Dear Councillor

EXECUTIVE CABINET - THURSDAY, 7TH JANUARY 2010

You are invited to attend a meeting of the Executive Cabinet to be held in the Council Chamber, Town Hall, Chorley on Thursday, 7th January 2010 at 5.00 pm.

AGENDA

1. **Apologies for absence**

2. **Declarations of Any Interests**

Members are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda. If the interest arises **only** as result of your membership of another public body or one to which you have been appointed by the Council then you only need to declare it if you intend to speak.

If the personal interest is a prejudicial interest, you must withdraw from the meeting. Normally you should leave the room before the business starts to be discussed. You do, however, have the same right to speak as a member of the public and may remain in the room to enable you to exercise that right and then leave immediately. In either case you must not seek to improperly influence a decision on the matter.

3. **Minutes of last meeting (Pages 1 - 10)**

To confirm as a correct record the minutes of the meeting of the Executive Cabinet held on 3 December 2009 (Minutes enclosed).

4. **Public Questions**

Members of the public who have requested the opportunity to ask a question(s) on an item(s) on the agenda will be asked to put their question(s) to the respective Executive Member(s). Each member of the public will be allowed to ask one supplementary question within his/her allocated 3 minutes.

ITEM OF EXECUTIVE LEADER (INTRODUCED BY COUNCILLOR PETER GOLDSWORTHY)

5. **Executive and Electoral Arrangements (Pages 11 - 14)**

To receive and consider the enclosed report of the Corporate Director (Governance).

ITEM OF EXECUTIVE MEMBER (BUSINESS) (INTRODUCED BY COUNCILLOR PETER MALPAS)

6. **Green Travel Plan** (Pages 15 - 28)

To receive and consider the enclosed report of the Corporate Director (Business), with the attached Plan document.

ITEMS OF EXECUTIVE MEMBER (RESOURCES) (INTRODUCED BY COUNCILLOR KEVIN JOYCE)

7. **Members' E-Mail, Internet and Telephone Acceptable Usage Policy** (Pages 29 - 44)

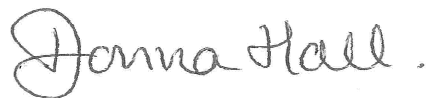
To receive and consider the enclosed report of the Corporate Director (Governance), with the attached policy document.

8. **Capital Programme, 2009/10 to 2011/12 - Monitoring Report** (Pages 45 - 54)

To receive and consider the enclosed report of the Assistant Chief Executive (Business Transformation).

9. **Any other item(s) that the Chair decides is/are urgent**

Yours sincerely



Donna Hall
Chief Executive

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Distribution

1. Agenda and reports to all Members of the Executive Cabinet, Lead Members and Directors Team for attendance.

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આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા
માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپ کی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون
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Executive Cabinet

Minutes of meeting held on Thursday, 3 December 2009

Present: Councillor Peter Goldsworthy (Executive Leader in the Chair), Councillor Pat Case (Deputy Leader of the Council) and Councillors Eric Bell, Kevin Joyce, Peter Malpas, Greg Morgan and John Walker.

Also in attendance:

Lead Members: Councillors Harold Heaton (Lead Member (Development Control)) and Rosie Russell (Lead Member (Health and Older People)).

Other Members: Councillors Ken Ball, Julia Berry, Henry Caunce, Dennis Edgerley, Anthony Gee, Laura Lennox, Adrian Lowe, June Molyneaux, Mick Muncaster, Debra Platt, Geoffrey Russell, Ralph Snape, Stella Walsh and Peter Wilson.

09.EC.109 DECLARATIONS OF ANY INTERESTS

There were no declarations of interest by any of the Executive Cabinet members in any of the meeting's agenda items.

09.EC.110 MINUTES OF LAST MEETING

The minutes of the meeting of the Executive Cabinet held on 12 November 2009 were confirmed as a correct record for signature by the Executive Leader.

09.EC.111 PUBLIC QUESTIONS

The Executive Leader reported that there had been no requests from any member of the public to speak on any of the meeting's agenda items.

09.EC.112 REPORT OF THE JOINT OVERVIEW AND SCRUTINY TASK GROUP ON AFFORDABLE HOUSING

The Executive Cabinet received and considered a report of the findings and recommendations of the Joint Overview and Scrutiny Task Group that had been set up by the Chorley, Preston and South Ribble Councils to consider issues around the provision and access to affordable housing for both rent and sale.

The joint inquiry had been instigated in response to concerns that the delivery of affordable housing would be unable to meet the needs of expanding communities and the Task Group had examined the measures that could be taken to overcome current barriers to the delivery of affordable homes.

The report contained a number of recommendations for consideration by the three Authorities, together with an action list showing the current status of the recommendations contained in the Affordable Housing Service Improvement Plan approved by the Executive Cabinet in June 2009. The Executive Member (Business) intimated that, whilst a number of the recommended actions had already been initiated, a few of the proposed measures still remained to be addressed.

The Chair of the Overview and Scrutiny Committee (Councillor Dennis Edgerley) highlighted the challenges that had protracted the completion of the inquiry, which should be borne in mind whenever other joint inquiries were contemplated.

Decision made:

That the findings and recommendations of the Joint Overview and Scrutiny Task Group be received and that the Executive's response to the recommendations be determined at a future meeting.

Reason for decision:

The decision will allow the Executive the opportunity to assess the inquiry's findings and recommendations before firm decisions on implementation are reached.

Alternative option(s) considered and rejected:

None.

09.EC.113 OVERVIEW AND SCRUTINY COMMITTEE

During the discussion on the above item, the Chair of the Overview and Scrutiny Committee (Councillor Dennis Edgerley) advised the meeting that the Committee, at its last meeting on 1 December 2009 during its review of the Safer Chorley and South Ribble Partnership's Responsible Authorities Group, had requested the Executive Cabinet to consider expanding the capacity of the Chorley Women's Refuge.

09.EC.114 PRIVATE SECTOR HOUSING ASSISTANCE POLICY, 2010 - 2012

The Assistant Chief Executive (Policy and Performance) presented a report seeking endorsement of a revised Private Sector Housing Assistance Policy for consultation purposes. It was planned to implement the policy in March 2010 as a replacement of the Housing Renewal Grant policy.

The revised policy had been compiled around the following main strands of assistance:

- Disabled Facilities Grant – mandatory grants intended to provide specialist adaptations to meet the care and mobility needs of disabled persons;
- Decent Homes Assistance – a discretionary form of assistance aimed at helping vulnerable households on low income to undertake repairs and improvements to bring their home up to the Decent Homes Standard;
- Energy Efficiency Assistance – the eligibility criteria is to be adjusted to ensure that the grant assistance is targeted to the maximum number of households in greatest need within priority areas.

The report highlighted the customer eligibility criteria and eligible works relating to each strand of assistance, together with the corresponding customer service standards.

The new policy also introduced the ability to offer Home Improvement Loans to householders as an alternative method of providing assistance as a means of maximising the grant finance resource.

Chorley's progress against the policy's targets would be monitored by the Private Sector Housing Stock Condition Survey, the outcome of which was anticipated by the middle of 2010.

Decision made:

That the Private Sector Housing Assistance Policy, as now submitted, be approved in principle for consultation, with a view to its introduction in March 2010 following a further report to the Executive Cabinet.

Reasons for decision:

1. The proposed policy is designed to offer a mechanism to provide housing assistance to customers in private housing in a way that maximises the effective use of resources in targeting customers in most need.
2. The policy integrates the various strands of housing assistance and enables the Council to provide a more coherent approach to improving housing conditions across the borough.
3. The policy offers Value for Money in line with the Council's methodology/principles, for example by the recycling of funds using Home Improvement Loans.
4. The updated policy reflects current legislation and Government policies.

Alternative option(s) considered and rejected:

1. An option to focus the Decent Homes Assistance budget and Energy Efficiency Assistance budget on certain wards or areas was considered, but, without robust information about the private sector stock conditions, this option was disregarded.
2. An option not to update the policy was discarded because the existing policy is out of date and is no longer fit for purpose.

09.EC.115 SECTION 106 AGREEMENTS FOR OPEN SPACE - INVOLVEMENT OF PARISH AND TOWN COUNCILS

The Corporate Director (Business) submitted a report on the outcome of the consultation with Parish and Town Councils on the use of Section 106 contributions for the allocation of funds within the Play and Recreation Fund.

While conflicting views had been expressed during the consultation, the Executive Cabinet were recommended to support the adoption of a policy under which all Parish and Town Councils would be able to bid for a share of the Fund to finance appropriate schemes. This would ensure all areas, and not just the areas in which the larger development schemes generating Section 106 contributions were located, could benefit potentially from the Fund.

The ultimate decisions on the allocation of the Play and Recreation Fund resources could be taken by the Executive Cabinet following evaluation of all bids from Parish and Town Councils and the Borough Council.

Decision made:

That Parish and Town Councils, together with appropriate community groups, be formally invited to submit bids for funding of projects to be funded from the Play and Recreation Fund created by Section 106 contributions, to be considered by the Executive Cabinet alongside bids from the Borough Council.

Reason for decision:

The involvement of Parish and Town Councils in the Section 106 process and the establishment of a suitable fund will ensure that the needs of the local community can be identified and contributions effectively distributed.

Alternative option(s) considered and rejected:

One Parish Council considered that Section 106 contributions should be used for play and recreation schemes within the area from which they were generated.

09.EC.116 ALCOHOL CONSUMPTION IN DESIGNATED PUBLIC PLACES - PROPOSALS FOR CHORLEY TOWN CENTRE AND ASTLEY PARK

The Corporate Director (Neighbourhoods) presented a report recommending the imposition of a Designated Public Places Order under Section 13 of the Criminal Justice and Police Act, 2001 in respect of the area identified on the accompanying plan as "Chorley Town Centre and Astley Park".

The recommendation had been supported by the Responsible Authorities Group of the Safer Chorley and South Ribble Partnership as a tool by which to combat nuisances associated with anti-social behaviour, disorder, and problems caused by drunken adults. The Order would not impose a ban on alcohol consumption, but would empower Police Officers and Police Community Support Officers to require individuals to surrender the alcohol and any opened or sealed containers in appropriate circumstances. The powers were to be used solely to address nuisance, annoyance or disorder by adults associated with alcohol.

A suggestion was put forward that the Authority should consider the designation of the town centre, identified parts of Astley Park and recreation areas in the Borough as alcohol free zones. In response, the Executive Member (Neighbourhoods) indicated that, while he was reluctant to support a blanket ban on the consumption of alcohol as proposed, the possible extension of the Designated Public Places Order to cover the Coronation Recreation Ground could be considered along with other responses to the consultation exercise.

Decisions made:

1. **That the outlined proposals to make a Designated Public Places Order under Section 13 of the Criminal Justice and Police Act 2001 in respect of the area identified as Chorley Town Centre and Astley Park on the plan appended to the submitted report be approved for consultation purposes.**
2. **That the suggested extension of the Designated Public Places Order to include the Coronation Recreation Ground be considered and determined along with other responses to the consultation.**
3. **That, provided evidence is supported and the proposals are endorsed by the Responsible Authorities Group of the Safer Chorley and South Ribble Partnership, the Executive Member (Neighbourhoods) be delegated authority to determine the implementation of the Designated Public Places Order.**

Reasons for decisions:

1. The Order is tailored specifically to address the problems that are prevalent within the identified area and also caters for issues of displacement as a result of the Order.
2. Other means to prevent drunkenness and unruly behaviour at this location have been tried and, whilst there have been some successes; sustainability over the long term is difficult to maintain. The introduction of a DPPO will add another prevention and enforcement tool that should also help improve public confidence and perceptions over the long term.

Alternative option(s) considered and rejected:

1. Whilst the use of CCTV has shown to reduce the levels of crime, including violent crime in the town centre, any consideration of increasing the already extended hours of operation or expansion of the system would be very expensive and not proportionate to the levels of activity.
2. Any permanent Police or Police Community Support Officer presence would not be cost effective or proportionate in relation to the levels of activity.

09.EC.117 CORPORATE DEBT MANAGEMENT AND RECOVERY POLICY

The Assistant Chief Executive (Business Transformation) submitted a report presenting for endorsement an updated and revised Corporate Debt Management and Recovery Policy.

The policy had been formulated following a recent review by the Internal Audit Section of the Council's debt management across all debt streams. The policy had been designed to address concerns at the wide variation in the ways that debts were pursued and managed across the authority and the failure to make the best use of management information and data sharing. The new policy aimed to reflect recent economic changes, deliver measurable service improvements and adhere to good practice.

Decision made:

That the Corporate Debt Management and Recovery Policy, as now presented, be approved and adopted.

Reason for decision:

The updated policy will provide an overarching framework for debt management procedures and practices, ensuring that a consistent and professional approach is taken when pursuing debts owed to the Council that takes account of all debtors' circumstances.

Alternative option(s) considered and rejected:

None.

09.EC.118 VALUE FOR MONEY REVIEW OF THE CORPORATE SUPPORT SERVICES - DETERMINATION OF RESPONSE TO FINAL REPORT

The Executive Cabinet received and considered a report of the Corporate Director (People) presenting the findings and recommendations of the Value for Money review of the various elements of the Council's Corporate Support Services, as part of the Authority's programme of service reviews.

The review had been undertaken to assess the support services effectiveness in delivering high quality services with the most efficient use of resources and working methods.

The review had concluded that, in general, the corporate support services provided good value for money, but the findings had identified a number of improvements and service revisions that had the potential to streamline the use of resources and provide better value for money for Council Tax payers.

A number of Councillors present at the meeting raised associated issues, particularly in relation to the marketing and current use of the Lancastrian Room; the costs of the Mayoralty; and the planned review of the Council's Year Book and Diary. In response, the Executive Leader accepts the suggestions that the Member Support

Working Group examine options for the publication of information currently available in the Year Book and Diary and that further reports be prepared on the role and function of the Lancastrian Room and issues surrounding the Mayoralty function, for consideration by the Executive Cabinet.

Decision made:

That the report and findings of the Value for Money Review of the Council's Corporate Support Services be noted and that the recommendations contained in the respective findings reports for the Office of the Chief Executive, and the Human Resources and Organisational Development; Information and Communications Technology; Policy and Performance; and Corporate Governance (Civic Services, Legal Services and Democratic Services) Directorates be approved for development and implementation.

Reason for decision:

The proposals and potential improvements aim to make the corporate support services more efficient and cost effective.

Alternative option(s) considered and rejected:

None.

09.EC.119 EXCLUSION OF THE PUBLIC AND PRESS

Decision made:

That the press and public be excluded from the meeting for the following items of business on the ground that they include the likely disclosure of exempt information as defined in Paragraphs 1 and 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

09.EC.120 SOUTH LANCASHIRE HOME IMPROVEMENT AGENCY

The Assistant Chief Executive (Policy and Performance) presented a confidential report reviewing the performance and costs associated with the South Lancashire Home Improvement Agency and outlining options for the operation of the services falling within the responsibility of the Agency upon the expiry of the current contractual arrangements on 31 March 2010.

The current partnership administering the Agency comprised of Anchor Staying Put, Lancashire County Council, Chorley and South Ribble Councils and Central Lancashire PCT. The purpose of the agency was to provide a one-stop shop for Chorley and South Ribble residents to access housing grants and advice. Officers from the respective Housing Renewal Teams of the two Borough Councils had been seconded to the Agency.

Recent reviews of the service that raised doubts that the Agency was providing value for money and there was no evidence that the Agency was attracting additional funding to the Borough as expected. The report, therefore, recommended the instigation of procedures to re-establish an in-house Home Improvement Agency.

Decisions made:

- 1. That approval be given to the examination and instigation of proceedings to establish an in-house Home Improvement Agency offering Disabled Facility Grants, Home Repair Assistance and Energy Efficiency Grants/Advice.**

2. **That a further report detailing the staffing structure required to operate the service from April 2010 be prepared and submitted to an early meeting of the Executive Cabinet.**

Reasons for decisions:

The proposals are aimed at providing a better value for money and effective advice service that will ensure optimum efficiency through linkage to the Council's Customer Contact Centre.

Alternative option(s) considered and rejected:

Continuation of the existing contract; the re-tendering of the current service; the discontinuation of the services offered by the Home Improvement Agency.

09.EC.121 PROPERTY SERVICES CONTRACT

The Assistant Chief Executive (Business Transformation) circulated a confidential report seeking the Executive Cabinet's agreement to terms recommended for the conclusion of an on-going commercial dispute between the Council and Liberata, the company responsible for the management and maintenance of the Council's property assets.

The dispute centred principally on the interpretation of "planned maintenance" in the context of the contractual arrangements, which had resulted in the Council withholding some payments since the beginning of the contract in July 2007. Following protracted negotiations between the two parties, terms to settle the dispute had been tentatively agreed, which would, if accepted, result in an additional sum being incurred in the current financial year.

Decision made:

1. **That the proposed terms outlined in the submitted report aimed at settling the contractual dispute between the Council and Liberata be agreed.**
2. **That delegated authority be granted to the Assistant Chief Executive (Business Transformation), as the authority's Section 151 Officer, to conclude the negotiations, provided the costs remain within the Council's current budget for asset maintenance.**

Reason for decision:

The recommended settlement terms are intended to terminate the Council's on-going contractual dispute with Liberata.

Alternative option(s) considered and rejected:

None.

09.EC.122 VALUE FOR MONEY REVIEW OF THE CORPORATE SUPPORT SERVICES - RESTRUCTURE PROPOSALS

The Executive Cabinet received a report of the Assistant Chief Executive (Business Transformation) on proposals to amend the staffing structures and establishment of the various Sections that had been examined during the recent Value for Money review of the corporate support services.

Following an evaluation of the economy and efficiency aspects of the review, a number of prospective amendments to the establishment of the respective Sections had been identified. The measures aimed to reduce costs in areas where Chorley's costs were greater than other authorities, avoid duplication of tasks and increase the efficiency of a number of working practices. The proposals would entail a reduction of 6.8 full time equivalent posts, with a consequential substantial overall saving.

A number of associated issues were raised by Members present at the meeting, particularly in relation to the Communications Section, and it was highlighted that the plans to reduce the staffing in the Democratic Services Section was dependent upon the number of meetings serviced by the Section being reduced.

Decisions made:

1. **That the proposed amendments to the current structures and establishments of the Directorates and Sections examined during the Value for Money review of the Corporate Support Services, as now outlined in the submitted report, be approved for consultation purposes.**
2. **That the Executive Member (Resources) be granted delegated authority to consider the consultation responses and determine the proposals, provided there are no significant changes to the current proposals.**

Reason for decision:

The revised structures and establishments have been devised to take account of and address issues identified in the Value for Money review of the corporate support services and the senior management restructure.

Alternative option(s) considered and rejected:

None.

09.EC.123 SENIOR MANAGEMENT RESTRUCTURE - TO CONSIDER PROPOSALS IN THE LIGHT OF FEEDBACK FROM CONSULTATION PROCESS

The Chief Executive circulated a report on the outcome of the consultation with staff and Unison on the proposals to revise the senior management structure of the Council as agreed in principle at the last Executive Cabinet meeting on 12 November 2009.

As a result of the consultation exercise, a number of alterations affecting posts within the respective Directorates had been recommended.

Decisions made:

1. **That the proposed new senior management structure for the Council, as set out in Appendix 3 to the submitted report, be approved and adopted.**
2. **That all Officers in deleted posts who are at risk of redundancy be given the opportunity to apply for the newly created posts as potential suitable alternative employment.**
3. **That appointments to the three new Director posts be made by the respective Appointments Panel on 11 December 2009, with interviews for the Service Head posts taking place prior to Christmas.**

Reason for decision:

The structure agreed in principle at the last Executive Cabinet meeting needs to be revised in order to reflect changes evolving from the consultation on the restructure plans.

Alternative option(s) considered and rejected:

None.

Executive Leader

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Report of	Meeting	Date
Corporate Director of Governance (Introduced by the Leader of the Council)	Executive Cabinet	7 January 2010

EXECUTIVE AND ELECTORAL ARRANGEMENTS

PURPOSE OF REPORT

To make recommendations to Council regarding the commencement of a formal consultation process in respect of revised executive arrangements.

RECOMMENDATION(S)

That Council be recommended:

1. To instruct the Chief Executive to commence public consultation on revised executive arrangements and report back to the Special Council meeting in March 2010.
2. To agree that no steps be taken to revise the Council's current electoral arrangements.

EXECUTIVE SUMMARY OF REPORT

3. The Local Government and Public Involvement in Health Act 2007 requires the Council to amend its executive arrangements and to consult the public before doing so. The Act also provides opportunities for the Council to amend its electoral arrangements.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

4. Consulting the public before changing executive arrangements is a legal requirement.
5. Changes to the Council's electoral arrangements are unlikely to have the necessary two thirds majority support .

CORPORATE PRIORITIES

6. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	
Involving people in their communities	✓	Ensure Chorley Borough Council is a performing organization	✓



7. Changing Executive arrangements

- 7.1 The Council must, by law, alter its executive arrangements and adopt, either
- an elected mayor and cabinet or
 - a new-style “strong” leader and cabinet executive.

Different types of Councils have to adopt these new arrangements at different times. Lancashire County Council implemented a new leader and cabinet executive in June this year. Chorley Council will have to implement them in May 2011.

8. The Models

- 8.1 Under the elected mayor model, the executive consists of a mayor elected by the whole Borough electorate for a four year term, and between two and nine councillors of the authority appointed to the executive by the elected mayor.
- 8.2 On the face of it “strong” leader and cabinet model, is quite familiar. The executive consists of a councillor elected as leader of the executive by the Council, and between two and nine executive members
- 8.3 The key differences between the new style leader and cabinet executive and the existing Chorley model are that:
- The Leader is appointed for the whole of his remaining term of Office and does not need to be reappointed each year. The Constitution though can provide for him to be removed by a Council resolution.
 - The Leader (rather than the Council) determines the size of the executive and appoints its members. He or she can also remove them at any time.
 - The Leader will determine the arrangements for the delegation of executive functions (ie the range and level of decision making to be undertaken by the Cabinet and each portfolio holder). Currently the Leader has that power only insofar as the Council (through the Constitution) has not established arrangements for delegation.
- 8.4 An elected mayor would have all the powers described in the previous paragraph. The main differences between a strong Leader and an elected Mayor are that
- The mayor would be directly elected in a Borough wide election and would not have his/her own ward
 - Under the leader and cabinet model, the executive recommends the budget and key strategies (such as the corporate plan) to the Council and the Council approves or amends them; under the mayor and cabinet model, the executive submits the budget and key strategies to the Council but the Council can only amend or overturn them by a two-thirds majority.

9. The process of changing the Arrangements

- 9.1 Full Council needs to make a decision on the way forward by the statutory deadline of 31st December 2010. As any decision could impact on Councillors standing for election in May of 2010, it is suggested that it appropriate for the decision to be made sooner rather than later. This is clearly “special business” as defined within the Council’s Constitution and it would therefore be appropriate for a decision to be made at the March, budget setting Special Council meeting.
- 9.2 Before making the decision, the Council is required by law to “take reasonable steps to consult the local government electors for, and other interested persons in” the Council’s area.

- 9.3 There is no national guidance on what form the consultation must take. However, there is a requirement to meet minimum standards for consultation required by case law. This means that consultation will have to be carried out while proposals are still at a formative stage. They will have to include sufficient, balanced information to allow interested parties to formulate their response, allow sufficient time for a response and take all responses into account when the decision is ultimately taken.
- 9.4 It is proposed that the Council will undertake consultation by placing a consultation document on the website and inviting public feedback and by seeking responses from the citizen's panel.

10. Changing the frequency of elections

- 10.1 A further provision of the 2007 Act permits the Council to alter its electoral arrangements from having elections by thirds in three out of every four years to having all out elections once every four years. This would require a Council resolution carried by a two thirds majority vote.
- 10.2 Before resolving to proceed, the Council would be required to undertake consultation with "such persons as it considers appropriate". Similar considerations would apply to such consultation as apply to consultation regarding executive arrangements.
- 10.3 Following consultation, a Council resolution would be required before 31st December 2010 in order for whole Council elections to take place in 2011. Thereafter the opportunity to amend arrangements would arise only every fourth year.
- 10.4 There is no consistent picture nationally as to Councils having all out elections as opposed to elections by thirds. Each method has supporters and detractors and undoubtedly each has advantages and disadvantages. Following informal discussions it appears to be unlikely that a move to all out elections would have two thirds majority support in Chorley and it therefore would be inappropriate to consult on this issue.

11. Single Member Wards and Boundary Review

- 11.1 If, however, the Council did moves to all out elections it could then ask the Boundary Committee for England to conduct a review and make recommendations as to single-member Wards. There is, however, no obligation to make such a request.

IMPLICATIONS OF REPORT

12. This report has implications in the following areas and the relevant Corporate Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal	✓	No significant implications in this area	

ANDREW DOCHERTY
CORPORATE DIRECTOR GOVERNANCE

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Andy Docherty	5102	07 December 2009	***

Report of	Meeting	Date
Corporate Director (Business) (Introduced by the Executive Member for Business)	Executive Cabinet	7 th January 2010

GREEN TRAVEL PLAN

PURPOSE OF REPORT

1. To seek endorsement of the Green Travel Plan from members including the agreement of the objectives and actions detailed in the plan based on the results of the staff travel survey conducted in September 2009.

RECOMMENDATION(S)

2. That the Green Travel Plan is endorsed and the objectives and actions are agreed. In addition, consider whether those actions applying to staff should be extended to include members in following years.

EXECUTIVE SUMMARY OF REPORT

3. The Council is currently producing a Green Travel Plan in accordance with key project 4.1 of the Corporate Strategy. The results of a staff travel survey, conducted in September 2009, were used to identify where the council can most improve travel sustainability by introducing measures to promote green travel.
4. The survey was completed by approximately 25% of staff from various age groups and pay scales across the Council. Based on research into other local authority and public sector staff travel plans, the corporate priorities of the authority, and feedback from the staff travel survey a number of objectives and actions have been identified for our own Green Travel Plan.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

5. It is important that the objectives and actions contained within the Green Travel Plan help to achieve Corporate Strategy targets. The objectives aim to reduce the environmental impact of travel to work and business travel by offering alternatives to car travel by increasing awareness of, and promoting, sustainable transport options and improvements to current facilities. Increasing the use of sustainable transport options such as walking and cycling will help reduce the authority's CO₂ emissions, thereby meeting meet Corporate Strategy target 4.1.1.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

6. None.

CORPORATE PRIORITIES

7. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	✓
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	✓

BACKGROUND

7. A Green Travel Plan sets out to tackle over-dependency on cars by promoting all of the possible alternatives to single occupancy car use. By reducing car miles the plan can not only benefit the environment but can produce financial benefits and productivity improvements, saving the council and its staff money and time. Successful implementation of the plan will cut mileage claims and other business travel costs and may also reduce staff downtime spent travelling on business and reduce the costs of running a fleet.
8. The staff travel survey provided information relating to travel to work patterns, business travel patterns, and attitudes to sustainable travel methods and potential actions. The results of this survey, along with research into existing local authority and public sector green travel plans, have been used to guide the development of the Green Travel Plan. A number of objectives and actions have been identified based on this research.
9. It is recognised that individual staff have different personal travel needs. For instance, car sharing or the use of alternative forms of transport will not suit everyone all the times. Yet there are many easy steps that can be taken towards more sustainable travel. A wide range of actions are needed to encourage staff to reconsider their own transport habits and to make informed changes. The staff travel survey identified a number of concerns and opportunities relating to sustainable travel. The actions contained in the Green Travel Plan aim to ease these concerns and take advantage of the opportunities identified.

CONCLUSION

10. The Council has already begun work on related actions including a salary sacrifice option to buy a bike and a home working pilot scheme. The Green Travel Plan provides an action plan for delivering such changes and provides a comprehensive list of actions to be achieved over the plan period. In addition, the plan provides a framework to enable the Council to monitor the impact that these changes will have.

IMPLICATIONS OF REPORT

8. This report has implications in the following areas and the relevant Corporate Directors' comments are included:

Finance	✓	Customer Services	
Human Resources		Equality and Diversity	
Legal		No significant implications in this area	

COMMENTS OF THE ASSISTANT CHIEF EXECUTIVE (BUSINESS TRANSFORMATION)

9. There are no immediate financial implications associated with this report, but some of the proposals contained in the Plan are likely to have financial implications. Once details of the implications are available, Members will need to consider whether the Council is prepared to finance those costs to achieve the targets set out in the Plan.

JANE MEEK
CORPORATE DIRECTOR (BUSINESS)

Report Author	Ext	Date	Doc ID
Adam Birkett	5331	07/11/2009	Green Travel Plan Report

Background Papers			
Document	Date	File	Place of Inspection
Staff Travel Survey	October 2009		Union Street Office
The Essential Guide to Travel Planning	March 2008		Union Street Office

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Green Travel Plan

October 2009



Introduction

- 1.1 This travel plan sets out to reduce over dependency on cars by promoting alternatives to single occupancy car use. Reducing car miles can benefit the environment, improve productivity, and produce financial benefits for both the Council and its staff. Measures to reduce excessive vehicle use are vital to make the Council's operations more sustainable.
- 1.2 Transport is the fastest growing source of greenhouse gas emissions. Road traffic poses serious threats to the global climate, regional pollution and local air quality. In 2006, road traffic accounted for 21% of carbon dioxide emissions in Chorley Borough¹. A major threat to clean air is now posed by traffic emissions. Petrol and diesel-engine motor vehicles emit a wide variety of pollutants which have an increasing impact on air quality and will continue to increase unless we change our attitudes to travel.
- 1.3 The Council is committed to reducing the impact of its own staff travel and its resulting contribution to local traffic congestion and air pollution. This travel plan demonstrates our commitment to reducing the impact of travel on our environment by minimising unnecessary travel. It contains a number of measures that will allow staff to make more informed choices about how they travel and provides the support to promote more sustainable ways of getting around. This travel plan covers staff journeys to and from work and travel within the working day.

Policy Context

- 1.4 Policy relating to transport is found across a broad framework. The main national, regional and local policies are:

National Policy

- 1.5 *Climate Change Act 2008* - The Climate Change Act sets legally binding targets for reducing greenhouse gas emissions in the UK by 80 per cent between 1990 and 2050.

Local Government White Paper 2006 - For local authorities, the key driver on climate change emissions originates in the Local Government White Paper 2006. Reductions in carbon dioxide emissions in local areas are measured through national indicator (NI) 186.

The Future of Transport (2004) - As the Government's overall transport strategy, it seeks to improve access and mobility whilst minimising the negative impacts on people and the environment, now and in the future.

Planning Policy Statement 1: Delivering Sustainable Development - Sets out the Government's overarching planning policies on the delivery of sustainable development including the need to reduce travel and encourage accessible public transport.

Planning Policy Guidance 13: Transport (2001) - This PPG's objectives are to integrate planning and transport at the national, regional, strategic and local level and to promote more sustainable transport choices. It also aims to promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling and to reduce the need to travel, especially by car.

Road Traffic Reduction Act 1997 - Places a statutory requirement on local traffic authorities (County and Metropolitan District Councils) to monitor traffic levels on local roads and consider setting targets for reducing traffic levels.

Regional Policy

- 1.6 *Policy DP 1: Spatial Principles* - Highlights the principles that underpin the Regional Spatial Strategy including the need to promote sustainable communities, make the best use of existing

¹ Local and Regional CO2 Emissions Estimates for 2005-6, Department for Environment, Food and Rural Affairs

resources and infrastructure, manage travel demand, reduce the need to travel, and increase accessibility, and reduce emissions and adapt to climate change.

Policy RT 2: Managing Travel Demand - Local Authorities should develop a coordinated approach to managing travel demand. Efforts should be aimed at reducing the proportion of car-borne commuting and measures to discourage car use should consider improvements to and promotion of public transport, walking and cycling.

Policy RT 3: Public Transport Framework - Local authorities should introduce measures to enhance the accessibility by public transport, cycling and walking of the regional centres and towns / cities and should also work in partnership with public transport providers to improve the quality and provision of public transport services.

Policy RT 9: Walking and Cycling - Local Authorities should work with partners to develop integrated networks of continuous, attractive and safe routes for walking and cycling to widen accessibility and capitalise on their potential environmental, social and health benefits.

Local Policy

- 1.7 *Local Transport Plan for Lancashire 2006/07-2010/11* - The Lancashire Local Transport Plan objectives are to 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. Travel planning is seen as an integral part of delivering the objectives of the Local Transport Plan.

Chorley Borough Local Plan Review - Policies for local development are established which promote sustainable development by reducing transport movements, congestion and emissions, improving safety and improving facilities for non-car modes. Transport Impact Assessments are required to be produced for certain developments and policies set parking standards and encourage provision for walking, cycling and public transport. The Local Development Framework will gradually replace the Chorley Borough Local Plan Review.

Chorley Sustainable Community Strategy - Priority 3 is to develop local solutions to global climate change which includes targets relating to the reduction of carbon dioxide emissions.

Chorley Corporate Strategy - Contains long term outcomes 4.1 – ‘the reduction of the Council’s footprint’ and 4.2 – ‘an improved local environment’. Indicator 4.1.1 (National Indicator 185) requires the monitoring of carbon emissions related directly to the Council’s operations with challenging targets to reduce carbon dioxide emissions by 10% by March 2011.

Climate Change Strategy - Sets out how Chorley Council can reduce the effects of, and combat, climate change in different aspects of the Council’s work. The Council will lead through example in the fight against climate change including reducing the number of short journeys taken by car by making walking and cycling more attractive.

Site Assessment

Location and Facilities

- 2.1 Bengal Street Depot is located on Bengal Street (A6). The building contains 99 members of staff and is the base for the Neighbourhoods directorate which provides a wide range of services. The directorate's fleet of vehicles is used to carry out these services and results in a large number of vehicles arriving and leaving the site each day. Access to the site is via Bengal Street, a busy dual carriage way. The site has 40 staff and visitor parking spaces in addition to fleet parking. A shower and limited staff cycle parking is available.

Civic Offices, Union Street, contains 189 members of staff, most of whom are primarily office based. The Civic Offices contain numerous directorates providing various services including the One Stop Shop facility for the public. Many members of staff are required to travel to and from the site on a regular basis as part of their day-to-day activities. The site has 54 staff parking spaces and a shower and limited staff cycle parking is available.

The Town Hall, located on Market Street, contains mainly office based staff. In total the building contains 77 members of staff and provides 28 staff and 2 visitor parking spaces. There is a lack of cycle storage, showers and changing facilities at the Town Hall that may discourage staff from using sustainable travel methods such as walking, running or cycling.

Long stay car parks at Friday Street (156 spaces) and Water Street (71 spaces), for which staff can obtain permits free of charge, are a short walk from the each site. In total 238 members (58%) of staff received long stay permits in 2009. Offering staff free parking permits encourages car use, making alternative methods of travel less attractive.

Ensuring that walking and cycling routes are safe and convenient will make such travel methods more attractive. The Bengal Street Depot entrance is on a busy road without a pedestrian crossing and requires pedestrians to enter the same entrance as vehicles. Chorley Railway Station is a short walking distance from each site with regular train services to Blackpool, Preston, Manchester and Bolton. Chorley Interchange also provides a safe and clean waiting area and regular bus services to Euxton, Leyland, Preston, Coppull, Wigan, Eccleston, Clayton-le-Woods, Charnock Richard, and many more locations often on an hourly basis or less.

Existing Schemes and Policies

- 2.2 Car travel allowances, agreed nationally by the National Joint Council, allow staff to claim back the costs of travelling by car at a fixed rate per mile. Often the fixed rate will exceed fuel costs as the travel allowance also includes vehicle wear and tear, caused by extra travel, and is based on average figures. This may encourage staff to use their cars for business travel and offers no incentive to reduce single occupancy car use.
- 2.3 The Car Contract Hire Scheme is designed as an alternative to giving loans to assist an employee to purchase his/her own car. Under the scheme the Council provides a hired car to an employee, which can be used for official business and private travel. The scheme appears to make car travel more attractive compared to alternative transport methods and yet it provides a major benefit that can attract prospective council employees and may play an important role in retaining existing staff. In addition, the scheme enables employees to travel in cars which are often more fuel efficient and produce fewer emissions than older models.
- 2.4 The Flexible Working Policy results in no fixed times of arrival and departure and allows a certain amount of choice in staffs' times of starting and finishing work. This enables staff to travel outside of peak travel times, avoiding congestion. This can also help prevent congestion around the Council's sites as staff arrive and leave work over a longer period of time.

Working from home is encouraged by the Council where possible. Working from home reduces the number of journeys made to and from the Councils sites and results in travel cost savings for staff.

Travel Survey

3.1 **Method**

A staff travel survey was undertaken in October 2009. The results of this survey, completed by approximately 25% of staff, provided a good indication as to which actions would be more successful in achieving the plans objectives. The staff travel survey provided information relating to travel to work patterns, business travel patterns, and attitudes to sustainable travel methods and potential actions. The results of this survey have been used to guide the development of the Plan. The staff travel survey produced the following results.

3.2 **Current modes of Transport**

- 93% of staff usually travel to work by car (as driver), 3% by car (as passenger), 3% on foot, and 1% by train.
- 13% of staff occasionally travel to work by car (as passenger), 13% by train, 13% by foot, 10% by bike and 10% by bus.
- 45% of staff have a travel to work journey of between 16 and 30 minutes.
- 61% of staff travel to work by car to save time, 32% need their car before or after work, and 44% need their car to perform their job.
- When staff did not use a car to travel to work 8% said that health and fitness was the main factor in their choice of transport, while 4% said the main factor was environmental concerns.
- The majority of staff work Monday to Friday, arriving at work between 8am and 9am and leaving between 5pm and 6pm.

3.3 **Cycling**

- 51% of staff said they live within cycling distance of work.
- 55% of staff have access to a bike.
- 59% of staff said that nothing would encourage them to cycle to work.
- 31% of staff said that improved changing and showering facilities would encourage them to cycle to work.

3.4 **Public Transport**

- 44% of staff said that discounted tickets would encourage them to use the train or bus to travel to work.
- 30% of staff said that nothing would encourage them to use the train or bus to travel to work.

3.5 **Car share**

- 4% of staff regularly car share, while 13% do so occasionally.
- 42% of staff said that the development of a database of potential car sharers would encourage them to participate in a car sharing scheme.

3.6 **Home working**

- 90% of staff say they could work from home.

3.7 **Business Travel**

- 71% of staff use their car in the course of their work, with 19% using their car everyday.
- 57% of staff said they use their car for business travel as they travel to a lot of widely dispersed sites, 47% to make time savings, and 47% because sites are not accessible by public transport.
- 42% of staff use public transport for work trips.
- 2% of staff use a bicycle for work trips.
- 20% of staff would use pool bicycles for work trips if they were made available.
- 67% of staff would use pool cars for work trips if they were made available.

- 3.8 In light of the survey findings a number of actions appear more likely to achieve the travel plan objectives than others. The results highlighted that improvements in cycle parking, clothes lockers and showering facilities would encourage many staff to cycle to work. There are currently limited facilities available and increasing awareness and monitoring the use of existing facilities should be undertaken before any improvements are considered. The survey results also

indicated that negotiated staff discounts to purchase cycles and equipment from local retailers, as well as an interest free or low interest loan facility, would encourage staff to cycle to work.

Judging by the survey results, encouraging the use of public transport for travel to work purposes may prove difficult. Survey respondents highlighted issues with the rail and bus services and routes as some of the main issues preventing the use of public transport. The negotiation and promotion a discount public transport travel card would provide an incentive for staff to increase bus or train travel to work while providing up-to-date public transport information in the workplace would increase awareness of existing services.

The results of the survey indicate that the creation of a database to match suitable car-share partners would encourage staff to participate in an organised car-share scheme while many respondents, given the right equipment, could work from home.

- 3.9 Unfortunately, the need for staff to use their vehicle before, during or after work provides a major barrier to alternative travel options. Encouraging the use of public transport for business travel by introducing public transport travel cards would reduce the need to travel by car. In addition, the development of an information system to enable increasing combined officer travel would further reduce car use. It must be accepted that on many occasions there may be no viable alternative method of transport for business trips. For such circumstances the introduction of pool cars would eliminate the need for staff to travel to work by car if they require a vehicle for business travel. It may also be important to investigate the local authority's business fleet and explore opportunities to increase vehicle efficiency.

Other short-term actions may prove useful in raising awareness of alternative transport methods. These include the development of a 'green travel' information and advice page on the intranet, production of green travel directions for staff and visitors including provision of a comprehensive map showing suitable walking and cycle routes in and around Chorley, a green travel information pack for new starters and the promotion of national events such as Bike Week.

- 3.10 Making alternative transport methods more attractive and viable will increase their use, yet many staff members may still see car travel as the most effective and efficient travel method. If barriers to sustainable transport methods are reduced and only a minimal increase in sustainable transport usage is experienced then the local authority may wish to explore methods to reduce the attractiveness of car use. Such measures may include a revision of mileage rates, a revision of the lease car policy and the introduction of annual car parking charges to fund sustainable transport schemes or initiatives.

Car travel allowances, agreed nationally by the National Joint Council, allow staff to claim back the costs of travelling by car at a fixed rate per mile. Car travel allowances often encourage members of staff to travel by car when other modes of transport may be a reasonable alternative.

Objectives

4.1 Based on the survey results and research into other local authority green travel plans, we have identified the following objectives for our own Green Travel Plan. These are to:

- **O1** Reduce the overall amount of car travel, particularly single occupancy vehicle journeys to, from and at work
- **O2** Increase the use of alternative modes of transport to, from and at work
- **O3** Provide opportunities for reducing the need to travel for work purposes
- **O4** Ensure awareness of the green travel options available and the benefits of green travel
- **O5** Reduce the environmental impact of our travel and transport

4.2 Achieving these objectives will lead to the following outcomes:

- reduced in our contribution to greenhouse gas emissions
- improved staff health by encouraging active travel to work
- improved accessibility to Council sites for non drivers
- increased the economic efficiency of Council operations

Targets

5.1 To help us measure the success of our Green Travel Plan we have set some general targets that we feel are realistic, challenging yet achievable. The following are targets for the period 2010 to 2013.

- **T1** Reduce the number of single occupancy vehicle journeys to work by 9% by 2013.
- **T2** Increase cycling and walking journeys to work by 5% by 2013.
- **T3** Increase public transport journeys to work by 3% by 2013.
- **T4** Reduce the cost of business mileage claims by 10% by 2013.
- **T5** Ensure all staff have access to transport information by March 2011.
- **T6** Reduce CO₂ emissions produced by business and fleet travel by 10% by 2013.

Objective	Target	Mar 2010	Mar 2011	Mar 2012	Mar 2013
O1 Reduce the overall amount of car travel, particularly single occupancy vehicle journeys to, from and at work	T1 Reduce the number of single occupancy vehicle journeys to work by 9% by 2013.	93	90	87	84
O2 Increase the use of alternative modes of transport to, from and at work	T2 Increase cycling and walking journeys to work by 5% by 2013.	3	4.7	6.3	8
	T3 Increase public transport journeys to work by 3% by 2013.	1	2	3	4
O3 Provide opportunities for reducing the need to travel for work purposes	T4 Reduce the cost of business mileage claims by 10% by 2013.	£49,401	£47,754	£46,108	£44,461
O4 Ensure awareness of the green travel options available and the benefits of green travel	T5 Ensure all staff have access to transport information by March 2011.	-	Completion	-	-
O5 Reduce the environmental impact of our travel and transport	T6 Reduce CO ₂ emissions (kg) produced by business and fleet travel by 10% by 2013.	487,655	471,400	455,145	438,890

Actions

Target	Action
T1 Reduce the number of single occupancy vehicle journeys to work by 9% by 2013.	Promotion of national cycling events such a Bike Week.
	Green travel information pack for existing staff and new starters.
	Investigate opportunities to provide pool cars for work travel.
	Explore and consult with trade unions on flexible working arrangements such as home-working
	Explore and consult with trade unions on the introduction of car park charges
	Explore and consult on the introduction of a carbon cap based on company car tax to be applied to the car contract hire scheme.
	Set up a database to match suitable car-share partners.
T2 Increase cycling and walking journeys to work by 5% by 2013.	Produce green travel directions for staff and visitors including provision of a comprehensive map showing suitable walking and cycle routes in and around Chorley.
	Investigate opportunities to provide secure and convenient cycle parking, shower facilities and lockers for cycling equipment.
	Negotiated staff discounts to purchase cycles and equipment from local retailers, as well as an interest free or low interest loan facility.
	Access to free adult cycle training, refresher and maintenance courses.
	Explore and consult with trade unions on the introduction of cycling mileage allowance for work-related journeys.
T3 Increase public transport journeys to work by 3% by 2013.	Investigate opportunities to enhance safety and security for pedestrians by improving lighting and pedestrian access to buildings.
	Negotiate and promote a discount public transport travel card.
T4 Reduce the cost of business mileage claims by 10% by 2013.	Provide up-to-date public transport information on The Loop.
	Explore and consult with trade unions on the revision of mileage rates
T5 Ensure all staff have access to transport information by March 2011.	Development of information systems to enable combined officer travel.
	Develop a 'green travel' information and advice page on The Loop including the considerable health benefits of walking and cycling and the promotion of existing facilities.
T6 Reduce CO2 emissions (kg) produced by business and fleet travel by 10% by 2013.	Investigate opportunities to 'green' the local authority vehicle fleet.
	Investigate opportunities to make available public transport travel cards for business travel.

Monitoring

- 7.1 An annual staff travel survey will be conducted and regular reports will be required from those responsible for the implementation of the identified actions. As part of annual performance planning there will be a review of the initiatives in place across the council to inform changes or developments to the Green Travel Plan. Setting up a Green Travel Working Group would allow all interested parties to discuss progress against actions at regular intervals. Close monitoring and review of the Green Travel Plan is essential in several areas including:
- Follow up surveys to be conducted annually to identify changes in staff travel patterns.
 - Take-up of travel schemes and initiatives to be monitored so that their success can be reviewed continually.
 - Monitor car mileage claims and emissions to identify any reductions.



Report of	Meeting	Date
Corporate Director of Governance (Introduced by Executive Member for Resources)	Executive Cabinet	7 January 2010

E-MAIL, INTERNET AND TELEPHONE ACCEPTABLE USE POLICY

PURPOSE OF REPORT

To secure approval to new policies for Members and Officers acceptable usage of the Council's computer and telephony systems

RECOMMENDATION(S)

1. That the revised policies referred to in the report be adopted.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

2. The Council's existing acceptable use policy is several years old and no longer reflects best practice.

CORPORATE PRIORITIES

3. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	✓

4. BACKGROUND

- 4.1 Every user of the Council's IT and telephony systems signs up to an acceptable use policy. The current policy is several years old, it has not kept pace with changes in technology, changes in legal requirements and changes in best practice. It is therefore due for review.



- 4.2 Members will also be aware of the increased emphasis placed on security in recent times. A robust, up to date usage policy is a defined criterion for approval to use the GovConnect network connection which provides the Council with a secure communication channel with other Councils and government agencies such as the DWP, Police and NHS etc.
- 4.3 Acceptable use policies need to apply to every user. However, it is accepted that the requirements for elected Members are slightly different from those expected of staff. For that reason two policies have been prepared. The policies are in most respects identical but they recognise the fact that:
- Breaches of the policy by staff may result in disciplinary action whereas breaches by Members may give rise to Code of Conduct issues.
 - It is unacceptable for staff to use the systems for political purposes whereas for Members some such use is integral to the proper running of the Council e.g. use for communication within political groups. Other uses though would be unacceptable e.g. using the mail system for mass mailings in support of a campaign.
 - References to being “clocked off” are only relevant to staff
- 4.4 The policy attached to this report is the proposed Members’ version. The Officers’ version is available on theloop, or on request from Democratic Services.
- 4.5 Both policies:
- Set out general rules for the acceptable use of the systems
 - Point out that the way the facilities are used reflects on the Council and can commit the Council legally
 - Remind us of our responsibilities to handle personal and sensitive information properly and that customers’/constituents’ e-mail addresses themselves may be personal information
 - Requires users to contact IT services before sending confidential or sensitive information via email
 - Describes how and when personal use of e-mail, Internet and telephones is permissible
 - Require us to remove personal e-mail from the Council’s systems
 - Prohibit private use of Council provided mobile phones (where the facility to have a private Line 2 is available)
 - Prohibit the use of Council e-mail addresses on public websites for non business purposes e.g. for shopping
 - Make the link between the policy and the Information Security Framework
- 4.5 The Standards Committee have been consulted on and support the introduction of the policies. Likewise staff have been consulted through the “Staff Matters” group and various comments made have been used to improve on earlier drafts.

IMPLICATIONS OF REPORT

12. This report has implications in the following areas and the relevant Corporate Directors’ comments are included:

Finance		Customer Services	
Human Resources	✓	Equality and Diversity	
Legal	✓	No significant implications in this area	

COMMENTS OF CORPORATE DIRECTOR (HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT)

13. As detailed within Paragraph 4.3, breaches by Officers of the Acceptable Use Policy, may Result in disciplinary action being taken against an individual or group of individuals. There be also be situations where concerns are raised and this necessitates monitoring of individual users which would be undertaken in accordance with relevant legislation, including the RIPA legislation.

**ANDREW DOCHERTY
CORPORATE DIRECTOR GOVERNANCE**

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Andy Docherty	5102	07 December 2009	***

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Email, Internet and Telephone Acceptable Usage Policy – for Councillors



Document Control

Organisation	Chorley Council
Title	Email, Internet & Telephone Acceptable Usage Policy
Author	Andrew Docherty/Tim Murphy
Filename	AUP.doc
Owner	Corporate Director (Human Resources & Organisational Development)
Subject	Information Security
Protective Marking	Unclassified
Review date	19th st November 2010

Revision History

Revision Date	Reviser	Previous Version	Description of Revision
	Corporate Directors Governance & (ICT)	N/A	Version submitted to Cabinet

Document Approvals

This document requires the following approvals:

Sponsor Approval	Name	Date
Executive Cabinet		

Document Distribution

This document will be distributed to Members via the Council's intranet.

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Foreword

This is an important policy. It aims to protect the Council and protect you. Please take time to read it.

It is closely linked to the corporate Information Security Framework which details how Members and employees of the Council, must work to ensure we maintain the security of our information assets. Although the Framework considers wider security issues, it recognises the key role this document plays in supporting us all to secure our workplace. This policy only applies to elected Members. A similar policy which recognises the different positions of staff and Members applies to the Council's staff.

This policy and that for staff:

- Set out general rules for the acceptable use of the system
- Point out that the way we use the facilities made available to us reflects on the Council and can commit the Council legally
- Remind us of our responsibilities to handle personal and sensitive information properly and that customers'/constituents' e-mail addresses themselves may be personal information
- Requires users to contact IT services before sending confidential or sensitive information via email
- Describes how and when personal use of e-mail, Internet and telephones is permissible
- Requires us to remove personal e-mail from the Council's systems
- Prohibits private use of Council provided mobile phones (where the facility to have a private Line 2 is available)
- Prohibits the use of Council e-mail addresses on public websites for non business purposes

The policy also sets out the circumstances in which the Council may monitor our communications.

There can be serious consequences for failing to follow this policy but we do not want to catch anyone out. If you need any clarification of anything in this policy please ask your Group Leader and/or the Monitoring Officer.

Donna Hall
Chief Executive

1. OVERVIEW

1.1. INTRODUCTION

Communication plays an essential role in the conduct of the Council's business. How you communicate with people not only reflects on you as an individual but also on the Council as a whole. In some cases the Council will be legally liable for statements made or actions taken through its communication facilities.

We value our ability to communicate with colleagues, customers, Councillors and partners and the Council invests substantially in information technology and communications systems which enable you to do so more efficiently. We rely on you to use those resources responsibly and this policy sets out the Council's requirements. Please read it carefully.

1.2. WHO DOES THIS POLICY APPLY TO?

This Policy applies all Members, using the Council's ICT equipment or systems.

1.3. WHAT FACILITIES DOES THIS POLICY COVER?

The facilities covered by this document includes access to all communication facilities provided by the Council including Internet and e-mail services, telephones, fax machines, copiers and scanners.

1.4. PERSONAL USE OF FACILITIES

The Council's communications facilities are provided for the purposes of Council business. A certain amount of limited and responsible personal use by users is also permitted.

1.5. WHAT HAPPENS IF THE POLICY IS BREACHED?

If our rules and procedures are not followed, then use of the Council's facilities may be curtailed or withdrawn. Serious breaches of this policy may amount to a breach of the Code of Conduct and could result in a complaint to the Standards Committee and/or in the withdrawal of permission to use the Council's equipment for personal purposes. Less serious breaches may result in formal or informal action being taken dependent upon the nature of the breach.

Some aspects of this policy also deal with matters which amount to criminal offences under the Computer Misuse Act.

If there is anything in this policy that you do not understand, please discuss it with your Group Leader or the Monitoring Officer.

IMPORTANT

Please note that the procedures and policies outlined in this policy, and in any related policy, may be reviewed or changed at any time. You will be alerted to important changes. The most up to date copy of the policy will be published on theloop.

2. GENERAL PRINCIPLES

- 2.1. You must use the Council's information technology and communications facilities sensibly, professionally and lawfully.. You must use them with respect for your colleagues and for the Council and other Members and in accordance with this policy and any other relevant rules and procedures.
- 2.2. We regularly deal with personal information or with our own or partners' confidential or sensitive information. While the Council strives for openness in its dealings you must treat information which we hold with utmost care.
- 2.3. Modern communication facilities and particularly the Internet allow for easy copying of material. Please remember that most material on the Internet belongs to someone and reusing it may breach their copyright.
- 2.4. Particular care must be taken when using email. E-mail can be produced in court in the same way as other kinds of written statements. You can enter contracts, bind the Council to certain action or defame a third party by e-mail in just the same way as you can by letter and so create liabilities both for the Council and for you personally.
- 2.5. All messages sent externally using Council systems should demonstrate the same professionalism as that which would be taken when writing a letter. For some internal purposes the Council accepts that the style of correspondence may be less formal. However, you should remember that e-mail may have to be disclosed in legal proceedings or in response to a request under the Data Protection Act or Freedom of Information Act. The golden rule is therefore never to send a message which would embarrass you or the Council if it became public.
- 2.6. Under no circumstances should users communicate material (either internally or externally), which is defamatory, obscene, or breaches the Council's equal opportunity policies. Any user who is unclear about the appropriateness of any material should consult their line manager before sending it.

3. USE OF ELECTRONIC MAIL

3.1. GENERALLY

- 3.1.1. Users should note that the following disclaimer is added automatically to all external e-mail sent by the Council:

This e-mail and any attached files are confidential and may also be legally privileged. They are intended solely for the intended addressee. If they have come to you in error you must not use, copy or communicate them to anyone. Please advise the sender and permanently delete the e-mail and attachments.

Please note that while Chorley Council has policies in place requiring its staff to use e-mail in an appropriate manner, any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Chorley Council.

Chorley Council may monitor e-mails sent or received.

- 3.1.2. Do not amend any messages received and, except where specifically authorised by the other person, do not access any other person's in-box or other email folders nor send any email purporting to come from another person.

- 3.1.3. External e-mail is not a secure form of communication. It is easy to send e-mail to the wrong person. In addition once e-mail has left the Council's systems it is susceptible to interception. For that reason, if you need to send confidential information or personal information which could cause distress if disclosed you should contact IT Services and ask for the email to be encrypted. It is, in any event, good practice to re-read and check an email before sending and to confirm that you are sending the e-mail to the right person.
- 3.1.4. If you copy an email to others, it may breach the Data Protection Act if it reveals all the recipients' email addresses to each recipient. This is most likely to apply in the case of mailing lists and similar sent to external parties. It could though apply if internal e-mail is being sent relating to personal rather than work matters.
- 3.1.5. In these cases it may be appropriate to use the 'Bcc' (blind carbon copy) field instead of the 'Cc' (carbon copy) field when addressing an email to more than one recipient. If in doubt, seek advice from the Monitoring Officer .

3.2. BUSINESS USE

- 3.2.1. If the email message or attachment contains information which is time-critical, bear in mind that an email is not necessarily an instant communication and consider whether it is the most appropriate means of communication.
- 3.2.2. If you have sent an important document, always telephone to confirm that the email has been received and read.
- 3.2.3. In light of the security risks inherent in some web-based email accounts, you must not email business documents to your personal web-based accounts. You may send documents to a customer's web-based account if they have asked you to do so.

3.3. PERSONAL USE

- 3.3.1. Although the Council's email facilities are provided for the purposes of Council business, you may occasionally want to use them for your own personal purposes. This is permitted on the condition that all the procedures and rules set out in this policy are complied with. Be aware, however, that if you choose to make use of our facilities for personal correspondence, you can expect very little privacy because the Council may need to monitor communications.
- 3.3.2. Under no circumstances may the Council's facilities be used in connection with the operation or management of any other business or for commercial activity. The facilities should also not be used by Members for general party political activity and, in particular must not be used for campaigning or election activities. They may, however, be used for correspondence within the political group, general political research, casework as a Councillor and similar activities. If you have any doubt contact your Group Leader and/or the Monitoring Officer.
- 3.3.3. You must also ensure that your personal email use:
- does not take priority over your responsibilities as a Councillor;
 - is minimal;
 - does not cause unwarranted expense or liability to be incurred by the Council;
 - does not have a negative impact on the Council in any way; and;
 - is lawful and complies with this policy.
- 3.3.4. The Council has limited storage space on its servers. You should therefore not store e-mail on the Council's systems unless it is work related. After being read, personal email should be either deleted or forwarded to a personal email account and then deleted. You should note

though that email is backed up on a regular basis and deleting it from the live system will not necessarily result in it being deleted for good.

- 3.3.5. If you make personal use of our facilities for sending and receiving email you will be treated as having agreed to abide by the conditions imposed for their use, and consented to the Council monitoring your personal email in accordance with this policy. If you do not agree or consent to this then you must not use the system to send or receive personal e-mail.

4. USE OF INTERNET, INTRANET AND OTHER COUNCIL NETWORKS

- 4.1. We trust you to use the Internet sensibly. Bear in mind at all times that when visiting a website, information identifying your PC may be logged. Therefore any activity you engage in via the **Internet** may affect the Council.
- 4.2. We recognise that individuals may have to carry out some personal tasks during working hours, e.g. for Internet banking or online shopping, and this is permitted subject to the same rules as are set out for personal email use in item 3.3 of this policy. However, any personal use is entirely at your own risk. The Council accepts no responsibility for any losses you may suffer.
- 4.3. You must not use your Council email address when using public websites for non-business purposes, such as online shopping. Doing so results in you and the Council receiving substantial amounts of unwanted email.
- 4.4. Access to certain websites is blocked. If you have a particular business need to access such sites, please contact the IT help desk. Access will only be permitted for work purposes.
- 4.5. You must not:
- seek to gain access to restricted areas of the Council's network;
 - access or try to access data which you know or ought to know is confidential;
 - introduce any unauthorised software to the Council's systems. In particular you should not open any attachments with an .exe extension or open any attachments which appear to be programs, or download any browser "plug-ins" or programs except under the guidance of IT Services.
 - intentionally or recklessly introduce any form of spyware, computer virus or similar malware.
 - carry out any hacking activities
 - use personal e-mail accounts (hotmail, googlemail etc.) on Council equipment (this does not prevent you using personal e-mail addresses as an identifier when using external websites).
- 4.6. You must:
- Inform the ICT Helpdesk immediately if you suspect your computer may be infected with a virus or you have received an email which is malicious in any way, i.e. virus, spyware, fraudulent, etc. This will allow the extent of any damage to be limited.
 - Inform ICT if you suspect that you have, or may have, unintentionally accessed a website which may breach the Council's Policy.

5. USE OF TELEPHONES AND MOBILE PHONES

- 5.1. Where the Council provides a separate home phone line for members this should only be used to make calls on Council business. These requirements also apply if the Council makes a mobile phone available.

- 5.2. The Council's mobile phone arrangements allow for a Line 2 to be available. Calls made on Line 2 are charged directly to the individual whereas the cost of calls on Line 1 is borne by the Council. Consequently no personal calls should be made on Line 1.
- 5.3. If the mobile telephone provided by the Council also allows access to the Internet and the corporate email system, the requirements of this policy still apply. In addition, members of staff using these phones should ensure they are familiar with the Mobile Computing and Teleworking Policy that forms part of the Information Security Framework and ensure compliance with it.

6. MISUSE OF THE COUNCILS FACILITIES AND SYSTEMS

- 6.1. Misuse of the Council's facilities and systems, including its telephone, email and Internet systems, in breach of this policy will be treated seriously and may result in a referral to the Standards Committee. In particular, viewing, accessing, transmitting, posting, downloading, uploading, storing or communicating any of the following materials in the following ways, will amount to gross misconduct capable of resulting in summary dismissal (this list is not exhaustive):
- material which is sexist, racist, homophobic, xenophobic, pornographic, paedophilic or similarly discriminatory and/or offensive;
 - offensive, obscene, derogatory or criminal material or material which is liable to bring the reputation of the Council and any of its staff or its Members into disrepute;
 - any defamatory material about any person or organisation or material which includes statements which are untrue or of a deceptive nature;
 - any material which, by intent or otherwise, harasses the recipient;
 - any other statement which is designed to cause annoyance, inconvenience or anxiety to anyone;
 - any material which violates the privacy of others or unfairly criticises or misrepresents others;
 - confidential information about the Council and any of its staff or Members ;
 - any other statement which is likely to create any liability (whether criminal or civil, and whether for you or the Council);
 - material in breach of copyright and/or other intellectual property rights;
 - material which appears to be designed to affect support for a particular political party or candidate for election;
 - online gambling; or
 - chain letters or other junk mail of any kind.

7. WORKING REMOTELY

The Council has a Mobile Computing and Teleworking Policy which applies to your use of our laptops and other mobile computer equipment (including smartphones and PDA's), and also to your use of your own computer equipment or other computer equipment whenever you are working on Council business away from our offices (working remotely). If you work remotely or take equipment off the Council's premises you must ensure that you are familiar with that policy.

8. MINI WEBSITES AND OTHER MATTERS

- 8.1. Every member of the Council is entitled to be provided with a mini website. Members who take up this opportunity will be provided with separate guidance on appropriate content. However, this policy applies equally to mini websites as it does to other facilities provided by the Council.

- 8.2. You must not set up an account or group or publish anything on a social networking site or any other website on behalf of the Council or in the name of the Council or any of its services. Only the Council's communications team have authorisation to do this.
- 8.3. Some Members may choose to publish content on the Internet without using Council facilities. This policy will not generally apply to privately published material. However, Members should be aware that the Code of Conduct applies whenever they are conducting or giving the impression that they are conducting the business of the Authority.
-

8. MONITORING OF COMMUNICATIONS BY THE COUNCIL

- 9.1. The Council is ultimately responsible for all business communications but subject to that will, so far as possible and appropriate, respect your privacy and autonomy while working. The Council may monitor your business and personal communications for reasons which include:
- providing evidence of business transactions;
 - ensuring that the Council's business procedures, policies and contracts with staff are adhered to;
 - complying with any legal obligations;
 - monitoring standards of service;
 - preventing or detecting unauthorised use of the Council's communications systems or criminal activities; and
 - maintaining the effective operation of the Council's communications systems.
- 9.2. The Council will monitor telephone, email and Internet traffic data (i.e. sender, receiver, subject; non-business attachments to email, numbers called, the time and duration of calls; domain names of websites visited, the time and duration of visits, and files downloaded from the Internet) at a network level (but covering both personal and business communications) for the purposes specified in this policy. For the purposes of your maintenance of your own personal privacy, you need to be aware that such monitoring might reveal sensitive personal data about you. By carrying out such activities using the Council's facilities you consent to our processing any sensitive personal data about you which may be revealed by such monitoring.
- 9.3. All incoming email is scanned by Messagelabs on behalf of the Council, using virus-checking software. The software will also block unsolicited marketing email (spam) and email which have potentially inappropriate attachments. If there is a suspected virus in an email which has been sent to you, the sender will automatically be notified and you will receive notice that the email is not going to be delivered to you because it may contain a virus.

10. DATA PROTECTION AND FREEDOM OF INFORMATION

- 10.1. As a member of the Council who uses our communications facilities, you will inevitably be involved in processing personal data as part of your role. Data protection is about the privacy of individuals, and is governed by the Data Protection Act 1998. This Act defines, among others, terms as follows:
- "data" generally means information which is computerised or in a structured hard copy form;
- "personal data" is data which can identify someone, such as a name, a job title, a photograph;
- "processing" is anything you do with data – just having data amounts to processing; and

"data controller" is the person who controls the purposes and manner of processing of personal data –Councillors, are each registered individually with the Information Commissioner as data controllers.

- 10.2. Whenever and wherever you are processing personal data you must keep it secret, confidential and secure, and you must take particular care not to disclose them to any other person (whether inside or outside the Council) unless authorised to do so. If in doubt get help from the Monitoring Officer or the Information Manager.
- 10.3. The Data Protection Act gives every individual the right to see all the information which any data controller holds about them. The Freedom of Information Act gives general rights to access most other information which the Council holds. It is another reason why personal remarks and opinions must be made or given responsibly, and they must be relevant and appropriate as well as accurate and justified.
- 10.4. To help you understand and comply with the Council's obligations Data Protection and Freedom of Information Acts you may be offered, and you may also request, training. Whenever you are unsure of what is required or you otherwise need guidance in data protection, you should consult our Information Manager. Information about our data protection policies can be found on theloop.

11. SYSTEM SECURITY

The Council has an Information Security Framework which you should also ensure that you are familiar with.

Authorised User Agreement

I have received a copy of the following Chorley Council documents

- **Internet, e-mail and telephone acceptable use policy**
- **Information Security Framework.**

I understand that the Councils Information and Communications Technology (ICT) systems and associated equipment are to be used for conducting Council business or for personal use only as stated in the policy documents.

I have read the policy documents and agree to abide by all the terms and conditions set out in the documents for the duration of my employment or association with the Council.

I am aware that the Council may where it considers it to have reasonable grounds to do so, and without notice to me, monitor or examine all or any telephone, e-mail or Internet traffic and documents or files initiated, manipulated, stored, responded to or examined by me.

I am aware that violations of the policies may amount to a breach of the Code of Conduct and could result in a complaint to the Standards Committee. I understand that I may be personally liable for any criminal offence, which I may commit in relation to these policies.

I further understand that my Internet usage and telephone and e-mail communications must at all times reflect the good name and character of Chorley Council.

I understand that the policies and this document may be amended at any time and that I will be informed of changes in the manner described in the policy. I accept that I am responsible for ensuring my personal knowledge and understanding of any change to the policy.

Signature **Date**

Printed name

Report of	Meeting	Date
Assistant Chief Executive (Business Transformation) (Introduced by the Executive Member for Resources)	Executive Cabinet	7 th January 2010

CAPITAL PROGRAMME MONITORING 2009/10 TO 2011/12

PURPOSE OF REPORT

1. To update the capital programme for 2009/10 to 2011/12.

RECOMMENDATION(S)

2. That the revised capital programme for 2009/10 presented in Appendix 1 be approved.
3. That the amendments to the provisional capital programme figures for 2010/11, presented in Appendix 1, be noted.
4. That the inclusion of additional restructuring costs in the December 2009 applications for directions to capitalise redundancy and pension strain costs in 2009/10 be noted.
5. That budget holders continue to review their uncommitted 2009/10 budgets in order to identify whether any further expenditure could be rephased to a later financial year.

EXECUTIVE SUMMARY OF REPORT

6. A number of changes to the capital programme for 2009/10 are recommended. In December 2009 the Council applied for permission to capitalise all redundancy payments and pension strain arising from the restructuring of directorates this year. The success of the applications for capitalisation directions will not be known until late January 2010, but it is recommended that the costs be included in the 2009/10 capital programme on the assumption that the applications are approved. The estimated additional cost arising from the corporate services and senior management restructures is £932,880, which takes capitalised restructuring costs to a total of £1,150,000. The application to capitalise the Icelandic investment impairment was £39,000 less than previously estimated, because the figure was recalculated to take account of the latest guidance available at the time. Rephasing of other capital schemes to 2010/11 offsets part of the net increase in expenditure. Increased borrowing of £550,280 is required to finance the 2009/10 programme, mainly as a consequence of adding the capitalised restructuring costs. The cost of this increased borrowing has been taken into account in the net savings included in the draft revenue estimates for 2010/11 onwards. The revenue savings arising from restructuring exceed £600,000 per year. Budget holders will continue to review their projects this year to establish whether expenditure could be rephased to 2010/11 in order to reduce the borrowing required in 2009/10 and the revenue cost in 2010/11. Such rephasing will be reported as soon as project managers confirm which expenditure can be delayed until next year.

7. Other additions to the programme are to be financed with external resources. The estimated phasing of the use of the S106 contribution held by Chorley Council for the development of Buckshaw Village Railway Station by Lancashire County Council and Network Rail is that £80,250 will be spent in 2009/10 and £3,455,550 in 2010/11. A budget for the financing of capital schemes yet to be agreed with Housing and Planning Delivery Grant carried forward from 2008/09 has been added at £51,240. The budget is included in Appendix 1 with the corporate 'match funding pot', to be reallocated to specific projects at a later date. The grant is not 'ring-fenced' and therefore an alternative use would be to finance the existing programme rather than new schemes. A small project for contaminated land site investigations, financed with a DEFRA grant of £9,140, has been added in 2009/10. Chorley Council's estimated share of Lancashire's Performance Reward Grant to finance capital schemes is £158,340 each year from 2009/10 to 2011/12. A £100,000 S106 contribution will finance play facilities at Fairview Farm, Adlington in 2010/11.
8. A number of other virements, rephasing of expenditure and savings are indicated in Appendix 1.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

9. To update the 2009/10 capital programme to add, rephrase and vire budgets and to reflect the estimated availability of capital resources.
10. To update the provisional capital programme figures for 2010/11 and 2011/12 to take account of rephasing of expenditure and the resources estimated to be available.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

11. If the Council had not applied to capitalise redundancy and pension strain costs arising from restructuring, or if the applications are not successful, these would be charged to the revenue budget in 2009/10.

CORPORATE PRIORITIES

12. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	✓

BACKGROUND

13. The revised capital programme for 2009/10 was approved at a total of £7,487,400, and the provisional totals for 2010/11 and 2011/12 were £3,660,380 and £2,141,110 respectively. Financing of the 2009/10 programme took account of the rephasing of sales of surplus assets to 2010/11 and the estimated reduction in Preserved Right To Buy income from Chorley Community Housing.

2009/10 CAPITAL PROGRAMME

14. The applications for permission to capitalise redundancy and pension fund costs arising from restructuring of directorates, required to achieve efficiency savings, were increased to include the additional costs relating to the corporate services and senior management restructures. These were estimated to be £932,880, bringing the capitalised restructuring costs in 2009/10 to £1,150,00 in total. Taking into account the latest guidance available at the time of making the application, the figure for capitalised Icelandic investment impairment was £39,000 less than previously estimated. The result of the capitalisation applications will be known only in January 2010 and there is no guarantee of success. However, the majority of this Council's applications in recent years have been approved. Capitalisation of revenue expenditure in such circumstances is worthwhile when cashable efficiency savings are achieved and the payback period is relatively short. The draft revenue estimates for 2010/11 onwards have been prepared on the assumption that the permission to capitalise the restructuring costs will be granted and take account of savings less associated capital financing costs. The annual revenue savings from this year's restructuring exceed £600,000 from 2010/11 onwards. Rephasing of other capital expenditure to 2010/11 has helped to offset the increase in expenditure, but estimated borrowing in 2009/10 has been increased by £550,280. To reduce the need for financing by borrowing, I recommend that budget holders consider whether further expenditure can be rephased. Additional capital receipts generated from disposal of surplus assets could also be used to finance the capital programme instead of borrowing.
15. Project managers will continue to review their budgets in order to identify whether further expenditure can be rephased to 2010/11. Though this is not yet reflected in the revised estimate for 2009/10 presented in Appendix 1, the budgets that will be reviewed include the Climate Change Pot, Planned Improvements to Fixed Assets, and Duxbury Park Golf Course Improvements, plus some smaller projects. Rephasing of the expenditure and the effect on borrowing will be reported at the earliest opportunity.
16. The estimated phasing of the implementation by Lancashire County Council and Network Rail of the Buckshaw Village Railway Station has been identified. Chorley Council holds a S106 contribution to finance the development of the station, £80,250 of which is estimated to be required in 2009/10 and £3,455,550 in 2010/11. The balance of the cost of the station is to be financed with a grant receivable by LCC.
17. Other additions to the programme include a £51,240 budget for projects yet to be agreed, which would be financed with Housing and Planning Delivery Grant. This grant has been carried forward from 2008/09. It is not 'ring-fenced', and could be used to finance the existing capital programme if suitable new schemes are not identified. DEFRA funding of £9,140 has been achieved to finance a small contaminated land site investigations project. An estimated budget of £158,340 has been included, to finance schemes with Chorley Council's share of Lancashire's Performance Reward Grant. The figure is based on the standard requirement to split the total grant allocation 50/50 between revenue and capital purposes. It is being investigated whether the split can be varied with the co-operation of other councils, so that the share of the grant available to finance revenue expenditure could be increased. In addition, it might be possible to release resources for revenue budget projects by using part of the PRG to finance suitable existing capital schemes, with the agreement of the Chorley Partnership. When further information is available, it will be reported at the earliest opportunity.
18. A number of virements in 2009/10 are recommended. The £39,000 budget for 'investment in assets' should be combined with the larger 'planned improvements' budget, as the two budgets are essentially for the same purpose. From the Invest To Save budget, it is recommended that £31,980 be vired to finance implementation costs in respect of the new internet service provider (ISP) and an improved network link to Astley Hall. Annual revenue budget savings arising are estimated to be £16,000. Of the remaining Invest To Save budget, it is estimated that £100,000 can be rephased to 2010/11 to help avoid further borrowing this year. It would be required for further investment in information technology schemes in 2010/11 and such schemes would generate revenue budget savings.

19. Budget holders have identified a number of other projects that should be rephased. Expenditure of £64,550 in respect of the Thin Client implementation needs to be brought forward from 2010/11. This is more than offset by the rephasing of £189,550 of the 'server virtualisation' budget to next year. It is estimated that £108,600 of the 'planned improvements' budget can be rephased to 2010/11 to help avoid increasing borrowing in 2009/10.
20. One budget saving has been estimated: £10,000 in respect of the Legal Case Management System.

DRAFT CAPITAL PROGRAMME 2010/11 AND 2011/12

21. The addition of the S106-financed Buckshaw Village Railway Station budget to the 2010/11 capital programme, and the rephasing of expenditure from and to 2009/10, have been discussed above. The only other expenditure additions recommended in 2010/11 are a project for play facilities at Fairview Farm, Adlington, which would be financed with a £100,000 S106 contribution received recently during 2009/10, and a budget of £158,340 for schemes to be financed with Performance Reward Grant, the use of which will be reported when suitable schemes are identified.
22. The only addition to the draft capital programme for 2011/12 is a budget of £158,340 for schemes to be financed with Performance Reward Grant.
23. The budget for Website Development is reduced by £10,000 in both 2010/11 and 2011/12, to match the assumptions included in the draft revenue estimates.
24. In the previous monitoring report (Executive Cabinet 12th November and Council 15th December) I indicated that Regional Housing Pot resources available to the North West for 2010/11 had reduced by 39% compared to 2009/10. Furthermore, the method of allocating grant to authorities was being reviewed so that the grant available in 2010/11 could differ from the provisional figure of £500,000 included in the draft programme. The provisional allocation for 2010/11 is £397,000, which is £103,000 less than estimated. This reduction in housing capital grant has been taken into account in the revised figures for 2010/11. To mitigate the effect of this grant reduction, I recommend the rephasing of the use of part of this year's housing capital grant, so that £721,710 would be used in 2010/11 rather than 2009/10. Housing-related budgets including affordable housing projects need not be reduced in 2009/10, but the expenditure would be financed instead with developers' contributions that previously had been included in the draft programme for 2010/11. The housing capital grant transferred to 2010/11 would be a more flexible resource than the developers' contributions, because it could be used to finance affordable housing, and housing renewal activities such as mandatory Disabled Facilities Grants (DFGs), in accordance with priorities. The draft programme for 2010/11 includes a Government grant of £180,000 to finance DFGs, but the Council has applied for an increased allocation. Even if the allocation is increased, it will be necessary to increase the budget by using RHP grant in order to meet the high level of demand for DFGs.

IMPLICATIONS OF REPORT

25. This report has implications in the following areas and the relevant Corporate Directors' comments are included:

Finance	✓	Customer Services	
Human Resources		Equality and Diversity	
Legal		No significant implications in this area	

Financial implications are indicated in the body of the report.

GARY HALL

ASSISTANT CHIEF EXECUTIVE (BUSINESS TRANSFORMATION AND IMPROVEMENT)

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Michael Jackson	5490	8 th December 2009	Capital programme Monitoring 2009-10 – 2011-12 Jan 10.doc

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Capital Programme - 2009/10 to 2011/12**Scheme****Town Centre Investment**

Chorley Covered Market - Improvement Scheme
 Chorley Covered Market - Rainwater Harvesting
 Town Centre Investment

Town Centre Investment Total**Affordable Housing**

Homelessness Prevention Central Lancs Sanctuary Scheme
 Affordable Housing Halliwell Street Project 2007-2010
 Choice Based Lettings
 Affordable Housing New Development Projects
 Purchase and Repair

Affordable Housing Total**Sustainability & Climate Change**

Climate Change Pot

Sustainability & Climate Change Total**Matched Funding Pot**

Matched Funding Pot / Invest To Save
 Housing & Planning Delivery Grant funded schemes

Matched Funding Pot Total**Assistant Chief Executive (Business Transformation)**

Planned Improvements to Fixed Assets
 Investment in Council Assets
 Capitalised restructuring costs
 Capitalisation of Icelandic Investment Impairment

Assistant Chief Executive (Business Transformation)

2009/10 Current Estimate (1) £	Other Changes (2) £	2009/10 Revised Estimate (3) £	2010/11 Current Estimate (4) £	Other Changes (5) £	2010/11 Revised Estimate (6) £	2011/12 Current Estimate (7) £	Other Changes (8) £	2011/12 Revised Estimate (9) £	Total 2009/10 to 2011/12 (10) £
87,910		87,910	0		0	0		0	87,910
30,440		30,440	0		0	0		0	30,440
41,550		41,550	1,025,000		1,025,000	0		0	1,066,550
159,900	0	159,900	1,025,000	0	1,025,000	0	0	0	1,184,900
28,500		28,500	0		0	0		0	28,500
79,000		79,000	0		0	0		0	79,000
20,000		20,000	0		0	0		0	20,000
15,500	430	15,930	722,140	(430)	721,710	690,000		690,000	1,427,640
787,730		787,730	0		0	0		0	787,730
930,730	430	931,160	722,140	(430)	721,710	690,000	0	690,000	2,342,870
170,000		170,000	0		0	0		0	170,000
170,000	0	170,000	0	0	0	0	0	0	170,000
175,000	(131,980)	43,020	100,000	100,000	200,000	0		0	243,020
0	51,240	51,240	0		0	0		0	51,240
175,000	(80,740)	94,260	100,000	100,000	200,000	0	0	0	294,260
499,990	(69,600)	430,390	200,000	108,600	308,600	200,000		200,000	938,990
39,000	(39,000)	0	0		0	0		0	0
217,120	932,880	1,150,000	0		0	0		0	1,150,000
379,000	(39,000)	340,000	0		0	0		0	340,000
1,135,110	785,280	1,920,390	200,000	108,600	308,600	200,000	0	200,000	2,428,990

Capital Programme - 2009/10 to 2011/12

Scheme	2009/10 Current Estimate (1) £	Other Changes (2) £	2009/10 Revised Estimate (3) £	2010/11 Current Estimate (4) £	Other Changes (5) £	2010/11 Revised Estimate (6) £	2011/12 Current Estimate (7) £	Other Changes (8) £	2011/12 Revised Estimate (9) £	Total 2009/10 to 2011/12 (10) £
<u>Assistant Chief Executive (Policy & Performance)</u>										
Project Management Support Capitalisation	40,000		40,000	40,000		40,000	40,000		40,000	120,000
Performance Management	10,000		10,000	0		0	0		0	10,000
Performance Reward Grant (PRG) funded schemes	0	158,340	158,340	0	158,340	158,340	0	158,340	158,340	475,020
Assistant Chief Executive (Policy & Performance)	50,000	158,340	208,340	40,000	158,340	198,340	40,000	158,340	198,340	605,020
<u>Corporate Director (Business)</u>										
Disabled Facilities Grants	427,880		427,880	376,000		376,000	378,000		378,000	1,181,880
Housing Renewal				304,000	(103,000)	201,000	302,000		302,000	503,000
- Home Repair Grants	105,000		105,000	0		0	0		0	105,000
- Energy Grants	200,000		200,000	0		0	0		0	200,000
- Handyperson Scheme	12,000		12,000	0		0	0		0	12,000
Project Design Fees	41,440		41,440	41,440		41,440	41,440		41,440	124,320
Eaves Green Link Road - contribution to LCC scheme	80,000		80,000	0		0	0		0	80,000
Buckshaw Village Railway Station (S106 financed)	0	80,250	80,250	0	3,455,550	3,455,550	0		0	3,535,800
Chorley Strategic Regional Site	481,330		481,330	0		0	0		0	481,330
Corporate Director (Business)	1,347,650	80,250	1,427,900	721,440	3,352,550	4,073,990	721,440	0	721,440	6,223,330
<u>Corporate Director (Governance)</u>										
Legal Case Management System	31,750	(10,000)	21,750	0		0	0		0	21,750
Corporate Director (Governance)	31,750	(10,000)	21,750	0	0	0	0	0	0	21,750
<u>Corporate Director (Human Resources & Organisational Development)</u>										
Integrated HR, Payroll and Training System	10,000		10,000	68,200		68,200	0		0	78,200
Corporate Director (Human Resources) Total	10,000	0	10,000	68,200	0	68,200	0	0	0	78,200
<u>Corporate Director (Neighbourhoods)</u>										
Replacement of recycling/litter bins & containers	98,700		98,700	85,000		85,000	85,000		85,000	268,700
Highway improvements - Gillibrand estate/Southlands	90,000		90,000	0		0	0		0	90,000
Alleygates	42,580		42,580	30,000		30,000	0		0	72,580
Refuse and Recycling Contract Purchase of Bins	1,201,150		1,201,150	0		0	0		0	1,201,150
Contaminated land site investigations (DEFRA grant)	0	9,140	9,140	0		0	0		0	9,140
Corporate Director (Neighbourhoods)	1,432,430	9,140	1,441,570	115,000	0	115,000	85,000	0	85,000	1,641,570

Capital Programme - 2009/10 to 2011/12**Scheme****Corporate Director (ICT)**

Website Development (incl. ICT salary capitalisation)
Thin Client/Citrix (started 2007/08)
Server Virtualisation / Data Storage Solution
Web Accessibility
New ISP Implementation
Astley Hall network link

Corporate Director (ICT)**Corporate Director (People)**

Leisure Centres/Swimming Pool Refurbishment
Duxbury Park Golf Course capital investment
Improvements to Sports Pitches
Astley Park Improvements - Construction
Astley Hall/Park CCTV
Ulnes Walton Play/Leisure Schemes (S106 funded)
Clayton Brook Play Area (lottery funded)
Lighting at Coronation Recreation Ground
Eaves Green Play Development (S106 funded)
Fairview Farm Play Facilities (S106 funded)
Village Hall & Community Centres Projects
Cemetery Development
Memorial Safety
Common Bank - Big Wood Reservoir
Groundwork Projects
CRM Implementation
On-line Booking System
Project Design Fees

Corporate Director (People)**Capital Programme Total**

2009/10 Current Estimate (1) £	Other Changes (2) £	2009/10 Revised Estimate (3) £	2010/11 Current Estimate (4) £	Other Changes (5) £	2010/11 Revised Estimate (6) £	2011/12 Current Estimate (7) £	Other Changes (8) £	2011/12 Revised Estimate (9) £	Total 2009/10 to 2011/12 (10) £
30,000		30,000	30,000	(10,000)	20,000	30,000	(10,000)	20,000	70,000
44,850	64,550	109,400	64,550	(64,550)	0	94,800		94,800	204,200
219,550	(189,550)	30,000	0	189,550	189,550	0		0	219,550
10,080		10,080	0		0	0		0	10,080
0	23,980	23,980	0		0	0		0	23,980
0	8,000	8,000	0		0	0		0	8,000
304,480	(93,020)	211,460	94,550	115,000	209,550	124,800	(10,000)	114,800	535,810
386,180		386,180	244,180		244,180	250,000		250,000	880,360
86,560		86,560	0		0	0		0	86,560
0			275,000		275,000	0		0	275,000
468,290		468,290	0		0	0		0	468,290
34,000		34,000	0		0	0		0	34,000
10,630		10,630	0		0	0		0	10,630
96,780		96,780	0		0	0		0	96,780
11,430		11,430	0		0	0		0	11,430
212,480		212,480	0		0	0		0	212,480
0		0	0	100,000	100,000	0		0	100,000
71,670		71,670	0		0	0		0	71,670
13,280		13,280	0		0	0		0	13,280
50,000		50,000	25,000		25,000	0		0	75,000
19,160		19,160	0		0	0		0	19,160
18,230		18,230	0		0	0		0	18,230
206,790		206,790	0		0	0		0	206,790
25,000		25,000	0		0	0		0	25,000
29,870		29,870	29,870		29,870	29,870		29,870	89,610
1,740,350	0	1,740,350	574,050	100,000	674,050	279,870	0	279,870	2,694,270
7,487,400	849,680	8,337,080	3,660,380	3,934,060	7,594,440	2,141,110	148,340	2,289,450	18,220,970

Capital Programme - 2009/10 to 2011/12

Scheme	2009/10 Current Estimate (1) £	Other Changes (2) £	2009/10 Revised Estimate (3) £	2010/11 Current Estimate (4) £	Other Changes (5) £	2010/11 Revised Estimate (6) £	2011/12 Current Estimate (7) £	Other Changes (8) £	2011/12 Revised Estimate (9) £	Total 2009/10 to 2011/12 (10) £
<u>Financing the Capital Programme</u>										
Prudential Borrowing - budgeted	1,866,360		1,866,360	0	323,600	323,600	94,800	(10,000)	84,800	2,274,760
- unbudgeted	900,480	550,280	1,450,760	0		0	576,310	0	576,310	2,027,070
Unrestricted Capital Receipts	199,120		199,120	527,170		527,170	0		0	726,290
Capital Receipt earmarked for Strategic Regional Site	481,330		481,330	0		0	0		0	481,330
Preserved RTB Capital Receipts from CCH	50,000		50,000	150,000		150,000	100,000		100,000	300,000
Revenue Budget - Specific Revenue Reserves or Budgets	59,790		59,790	0		0	0		0	59,790
Revenue Budget - VAT Shelter income	1,369,630		1,369,630	556,070		556,070	0		0	1,925,700
CBC Resources	4,926,710	550,280	5,476,990	1,233,240	323,600	1,556,840	771,110	(10,000)	761,110	7,794,940
Ext. Contributions - Developers	451,770	802,390	1,254,160	1,747,140	2,833,410	4,580,550	690,000		690,000	6,524,710
Ext. Contributions - Lottery Bodies	324,210		324,210	0		0	0		0	324,210
Ext. Contributions - Other	119,300	158,340	277,640	0	158,340	158,340	0	158,340	158,340	594,320
Government Grants - Disabled Facilities Grants	180,000		180,000	180,000		180,000	180,000		180,000	540,000
Government Grants - Housing Capital Grant	1,468,110	(721,710)	746,400	500,000	618,710	1,118,710	500,000		500,000	2,365,110
Government Grants - Housing & Planning Delivery Grant	0	51,240	51,240	0		0	0		0	51,240
Government Grants - Other	17,300	9,140	26,440	0		0	0		0	26,440
External Funding	2,560,690	299,400	2,860,090	2,427,140	3,610,460	6,037,600	1,370,000	158,340	1,528,340	10,426,030
TOTAL CAPITAL FINANCING	7,487,400	849,680	8,337,080	3,660,380	3,934,060	7,594,440	2,141,110	148,340	2,289,450	18,220,970