



Executive Cabinet

Agenda and Reports

For consideration on

Thursday, 21st June 2012

In the Council Chamber, Town Hall, Chorley

At 6.00 pm

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:
Ruth Rimmington (Tel: 01257 515118; E-Mail: ruth.rimmington@chorley.gov.uk) or
Carol Russell (Tel: 01257 515196, E-Mail: carol.russell@chorley.gov.uk)
in the Democratic Services Section.

13 June 2012

Dear Councillor

EXECUTIVE CABINET - THURSDAY, 21ST JUNE 2012

You are invited to attend a meeting of the Executive Cabinet to be held in the Council Chamber, Town Hall, Chorley on Thursday, 21st June 2012 at 6.00 pm.

AGENDA

1. **Apologies for absence**

2. **Minutes (Pages 1 - 8)**

To confirm as a correct record the minutes of the meeting of the Executive Cabinet held on 29 March 2012 (enclosed).

3. **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.

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.

MATTERS REFERRED BY THE OVERVIEW AND SCRUTINY COMMITTEE (INTRODUCED BY THE CHAIR OF THE OVERVIEW AND SCRUTINY COMMITTEE, COUNCILLOR STEVE HOLGATE)

5. **Final Report of the Overview and Scrutiny Task Group - Private Rented Housing Inspection (Pages 9 - 16)**

To receive and consider the report of the Overview and Scrutiny Task Group - Private Rented Housing Inspection (enclosed).

6. **Final Report of the Overview and Scrutiny Task Group - Tourism and Promoting Chorley (Pages 17 - 36)**

To receive and consider the report of the Overview and Scrutiny Task Group - Tourism and Promoting Chorley (enclosed).

ITEM OF EXECUTIVE LEADER AND EXECUTIVE MEMBER FOR ECONOMIC DEVELOPMENT AND GOVERNANCE (INTRODUCED BY COUNCILLOR ALISTAIR BRADLEY)

7. **The Standards Regime after 1 July 2012 (Pages 37 - 58)**

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

ITEM OF DEPUTY EXECUTIVE LEADER AND EXECUTIVE MEMBER FOR RESOURCES, POLICY AND PERFORMANCE (INTRODUCED COUNCILLOR PETER WILSON)

8. **Land rear of 52-78 Fairview Drive, 3 and 4 Barn View and 11-17 Fairview Drive, Adlington - Notification of one objector to Disposal of Open Space (Pages 59 - 64)**

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

9. **Chorley Council Fourth quarter performance report 2011/12 (Pages 65 - 74)**

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

10. **Chorley Partnership Annual Report 2011/12 (Pages 75 - 96)**

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

11. **Provisional Revenue Outturn 2011/12 (Pages 97 - 110)**

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

12. **Capital Programme Provisional Outturn 2011/12 and Monitoring 2012/13 to 2014/15 (Pages 111 - 128)**

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

ITEM OF EXECUTIVE MEMBER (PEOPLE) (INTRODUCED BY COUNCILLOR BEV MURRAY)

13. **Update - Chorley Remembers Heritage Lottery Fund Project (Pages 129 - 138)**

To receive and consider the report of the Director of People and Places (enclosed).

ITEM OF EXECUTIVE MEMBER (PLACES) (INTRODUCED BY COUNCILLOR TERRY BROWN)

14. **Clean Environment and Neighbourhoods Act 2005 - Dog Control Orders (Pages 139 - 154)**

To receive and consider the report of the Director of People and Places (enclosed).

15. **Animal Welfare Act 2006 - Authorisation of Inspectors (Pages 155 - 158)**

To receive and consider the report of the Director of People and Places (enclosed).

ITEM OF EXECUTIVE MEMBER (LDF AND PLANNING) (INTRODUCED BY COUNCILLOR DENNIS EDGERLEY)

16. **Community Infrastructure Levy (Pages 159 - 162)**

To receive and consider the report of the Director of Partnerships, Planning and Policy (enclosed).

ITEM OF EXECUTIVE MEMBER (HOMES AND BUSINESS) (INTRODUCED BY COUNCILLOR ADRIAN LOWE)

17. **Chorley Council's Draft Tenancy Strategy (Pages 163 - 180)**

To receive and consider the report of the Director of Partnerships, Planning and Policy (enclosed).

18. **Exclusion of the Public and Press**

To consider the exclusion of the press and public for the following items of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

ITEM OF EXECUTIVE MEMBER (HOMES AND BUSINESS) (INTRODUCED BY COUNCILLOR ADRIAN LOWE)

19. **Review of Disabled Facilities Grant (DFG) Policy (Pages 181 - 190)**

To receive and consider the report of the Director of Partnerships, Planning and Policy (enclosed).

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

Yours sincerely



Gary Hall
Chief Executive

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માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپکی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون
کیجئے: 01257 515823

Executive Cabinet

Minutes of meeting held on Thursday, 29 March 2012

Present: Councillor Peter Goldsworthy (Executive Leader in the Chair), Councillor Ken Ball (Deputy Leader of the Council) and Councillors Eric Bell, Alan Cullens, Greg Morgan and John Walker

Also in attendance:

Lead Members: Councillor Stella Walsh

Other Members: Councillors Alison Hansford, Keith Iddon, Paul Leadbetter, June Molyneaux, Geoffrey Russell and Peter Wilson

Members of the public: One.

12.EC.91 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Kevin Joyce (Executive Member for Resources), Harold Heaton (Lead Member for Development Control), Rosemary Russell (Lead Member for Licensing), Henry Counce and Mick Muncaster.

12.EC.92 MINUTES

RESOLVED - The minutes of the meeting of the Executive Cabinet held on 23 February 2012 be confirmed as a correct record and signed by the Executive Leader.

12.EC.93 DECLARATIONS OF ANY INTERESTS

No Members declared an interest in respect of items on the agenda.

12.EC.94 PUBLIC QUESTIONS

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

12.EC.95 REVIEW OF COMMITTEES AND NEW STANDARDS REQUIREMENTS

The Executive Leader presented a report outlining a review Committees and the impact of the new Standards Regime proposed under the Localism Act 2011.

The proposals had been discussed in full at All Party Leaders Liaison and had cross Party support. The Monitoring Officer would submit a report to the next meeting of the Executive Cabinet on 21 June to propose a new Code of Conduct and supporting standards regime in order for there to be a scheme in place for 1 July 2012. Further Government guidance was expected shortly.

Decision made

- 1. To recommend Council not to pursue the Independent Remuneration Panel's request that a merger of the Overview and Scrutiny and Audit Committees be considered, in order to maintain compliance with CIPFA (Chartered Institute of Public Finance and Accountancy) best practice recommendations that scrutiny and audit should remain independent of each other.**
- 2. To recommend Council merge the Audit and Standards Committees to form a Governance Committee overseeing the Council's ethical framework. Under the new standards requirements the Council could operate both functions**

through one decision making body with Sub Committees established to deal with any standards cases.

3. That in view of the fact that the Council is awaiting further Government guidance on the introduction of a new standards regime, the Council agree that the Monitoring Officer should submit a report to the Executive Cabinet meeting on 21 June which proposes a new Code of Conduct and supporting standards regime in order for there to be a scheme in place for 1 July 2012 as required under the Localism Act 2011. This would require endorsement by Council on 17 July 2012.

Reasons for recommendation(s)

The recommendations ensure the continued independence of the Audit and Overview and Scrutiny Committees and seek to deal with changes to decision making structures under the new standards regime.

Alternative option(s) considered and rejected

An alternative option would be to ignore CIPFA best practice advice on the merger of committees proposed by the IRP. In relation to standards changes there is no provision for Standards Committees in future and it is essential that the Council addresses the changes to the standards regime.

12.EC.96 UPLIFT TIME CREDITS PROGRAMME

The Executive Member for People presented a report in relation to the Uplift time credits programme.

Lancashire County Council (LCC) had successfully bid to the Department for Health to become a 'showcase' area for a time credits system. The time credit system was a development of time banking schemes that aimed to encourage volunteering and the development of relationships between communities.

In the Uplift time credit programme, an individual would be given a credit for time that they gave to support the community. One credit would be received for each hour of time, and these could be exchanged for access to events, training and leisure services, or to "trade" time with neighbours. The model had been developed in response to the consequences of high unemployment and, amongst other things, had been shown to have improved community cohesion and reduced anti social behaviour.

To support the development and launch of the programme, Spice would appoint a local facilitator who would engage with local organisations to develop the time in and time out menus and oversee the launch of the scheme. Support would also be provided by Lancashire County Council and other employees of Spice as required. The SPICE scheme was a pilot and Chorley were the only Authority in Lancashire taking part. At present this was not a mainstream scheme.

Members noted the potential of this scheme.

Decision made

1. **Approval to Chorley Council's involvement in the Uplift time credits programme. This would include providing office accommodation to a local facilitator, who would be employed and paid for by other partners in the programme.**
2. **Approval to the development of a 'time out' menu which included activities offered by Chorley Council, and delegation for approval of the 'time out' menu to the Executive Member for People.**

Reasons for recommendation(s)

The time credits programme supported the council's long term outcomes of 'support the ageing population to be healthy and independent'; 'communities that residents actively take care of and improve'; 'cohesive communities where people get on well together' and 'an excellent community leader'.

In addition, involvement in the programme would ensure the borough would benefit from over £100,000 of funding from the Department of Health and Lancashire County Council. It also provided Chorley with an opportunity to be involved in innovative and groundbreaking work.

Alternative option(s) considered and rejected

To not be involved in the programme.

12.EC.97 CHANGES TO DEBTORS RECOVERY

The Head of Shared Financial Services presented a report which set out proposals to make changes to the way miscellaneous invoices (sundry debtors) were processed and collected by the Council.

Changes had been made over the last twelve months to enhance and improve the service which now included the use of barcodes to streamline receipting, simplified stationery and use of a new web desktop for users. Further changes were now being considered to enhance the service that would help improve productivity and cash flow in the medium to longer term.

Decision made

- 1. Removal of the due date from the invoice to state payment was due immediately although no recovery action would commence until 14 days had lapsed from the date of the invoice. This was a significant and important change as currently the implied suggestion was that customers had almost a month to pay for services which in the main had already been delivered by the Council. Removal of the due date was intended to encourage behavioural change so that action was taken to settle the bill immediately rather than prolong payment. These changes excluded Market invoices and garage rentals which were covered by the pay monthly scheme.**
- 2. Movement to a paperless direct debit scheme to align with the Revenues Service.**
- 3. To take advantage of the late payment legislation for commercial invoices although again in reality this would in the main act only to encourage prompt payment of invoices.**
- 4. Implementation of changes to improve the delivery of documents to customers through email by December 2012.**
- 5. The Corporate Debt Recovery Policy to be updated to reflect these changes.**

Reasons for recommendation(s)

The changes put forward would improve cash flow, productivity and use of resources in the collection of miscellaneous invoices by the Council and improve the flow of information to customers.

Alternative option(s) considered and rejected

None.

12.EC.98 PREVENTION OF HOMELESSNESS STRATEGY

The Executive Member for Partnerships and Planning presented a report which set out the legal responsibility placed on the Council to produce a Prevention of Homelessness Strategy and Review, provided an overview of the draft strategy and sought approval for consultation with partners and customers.

The review included detailed statistics on homelessness and a summary of the trends in each borough. These were translated into key priorities for the strategy and linked into the strategy action plan. Chorley and South Ribble Councils regularly work collaboratively on housing initiatives and shared best practice on housing matters. There were similarities in the issues in each respective housing market faces and in particular, relating to homelessness. It had been agreed that, in order to make best use of resources and to pool expertise in producing this strategy, colleagues at both Councils would work collaboratively to produce a shared document.

The strategy would be circulated to all partners engaged in housing or housing related functions, including internal and external, as well as customers. There would be a full integrated equality impact assessment undertaken and following this, feedback would be considered and any necessary changes made prior to the strategy being formally adopted and implemented.

Decision made

Approval to the draft Chorley and South Ribble Prevention of Homelessness Strategy and Review 2012-2016 for consultation purposes.

Reasons for recommendation(s)

The publication of a Prevention of Homelessness Strategy and Review was a statutory requirement and the previous strategy was in need of a refresh, alongside a renewed programme of prevention measures and interventions to improve performance and meet the Councils corporate objectives.

Alternative option(s) considered and rejected

Developing a Chorley only Prevention Strategy and Review was considered however given the opportunity for collaborative working, it was decided this was not the best approach.

12.EC.99 SUPPLEMENTARY PLANNING DOCUMENTS

The Executive Member for Partnerships and Planning presented a report updating Members of the progress in preparing a Design Guide Supplementary Planning Document (SPD).

The Design SPD focused on the way in which Central Lancashire authorities would encourage good design by setting out the key design principles that would be used in dealing with planning applications. It was one of five SPDs currently being finalised for public consultation. Officers clarified that the document supported the published Development Plan documents.

Decision made

- 1. Endorsement of the Design SPD for public consultation as detailed in Appendix 2, after which they would be reviewed and reported back to Cabinet in order to be approved and adopted for use.**
- 2. Delegation be granted to the Executive Member in liaison with the Director of Partnerships, Planning and Policy for approval of minor amendments to the documents, if needed, prior to formal consultation.**

Reasons for recommendation(s)

To approve the draft document for statutory public consultation.

Alternative option(s) considered and rejected

None.

12.EC.100 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED - That the press and public be excluded from the meeting for the following items of business on the ground that it involved 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.

12.EC.101 CONTRACT FOR PROVISION OF GENERALIST DEBT ADVICE AND SUPPORT SERVICES IN CHORLEY

The Executive Member for People presented a confidential report outlining the quote from Chorley, South Ribble and District Citizens Advice Bureaux for provision of generalist debt advice and support services in Chorley, to commence on 1 April 2012, in line with specified performance monitoring requirements.

Decision made

That the contract for provision of generalist debt advice and support services be awarded to Chorley, South Ribble and District Citizens Advice Bureaux.

Reasons for recommendation(s)

Awarding the contract for generalist debt advice and support services to the CAB would ensure that this service was maintained for the residents of Chorley and delivered by an organisation with evidence of providing good value for money. Last year the CAB demonstrated excellent performance in Core Funding monitoring and to date have delivered 270 advice appointments, well exceeding their YTD target of 120.

Alternative option(s) considered and rejected

The alternative option would be not to allocate this contract to the CAB however this would mean a lengthy tendering process to identify a suitable alternative provider. This would be counter-productive given that Chorley Council have developed a good working relationship with the CAB who have been delivering this crucial service successfully Chorley for a number of years and shown to be providing good value for money.

12.EC.102 CORE FUNDING 2012/13

The Executive Member for People presented a confidential report which outlined the Core Funding allocation for 2012/13.

Decision made

Approval to the recommendations in Appendix A, subject to agreeing and signing contracts and or grants with the organisations.

Reasons for recommendation(s)

To provide local voluntary, community and faith sector organisations with Core Funding for 2012/13, to enable them to deliver services in the borough which contribute towards the delivery of the Sustainable Community Strategy.

Alternative option(s) considered and rejected

Not to award Core Funding Grants in 2012/13.

12.EC.103 CATERING OPPORTUNITIES AT YARROW VALLEY COUNTRY PARK AND CORONATION RECREATION GROUND, CHORLEY

The Executive Member for People presented a confidential report updating Members on progress with investigations into opportunities for revenue generation at Yarrow Valley Country Park and Coronation Recreation Ground Chorley.

Decision made

1. Approval to declare Yarrow Valley Visitors Centre surplus to the Council's operational requirements to enable a commercial letting.
2. Authorisation for the Director of People and Places, in consultation with the Executive Member for People and Places, to identify the most appropriate tenant in line with the criteria identified within this report for the Yarrow Valley Visitors Centre and award a lease to them on terms to be agreed.
3. Authorisation for Liberata Property Services to negotiate terms with a view to the grant of a 10 year lease at Yarrow Valley Country Park, terms agreed to protect public access and to oblige the incoming tenant to work in partnership with the Council to maintain the level of customer service, education facilities, information and exhibition space and access to the public conveniences for all members of the public.
4. To report agreed terms and conditions to the Executive Member for People and Places for approval in due course.

Reasons for recommendation(s)

To declare the Yarrow Valley Country Park Visitors' Centre surplus to Council requirements in order to agree terms for the granting of a lease for the operation of catering facilities in Yarrow Valley Country Park. It was anticipated that the successful applicant would be responsible for the maintenance and upkeep of the premises, the costs for which would otherwise remain with the Council.

Alternative options considered and rejected

1. To offer the opportunity to run a catering service at both Yarrow Valley Country Park and Coronation Recreation Ground. This was originally advertised in the summer of 2011 when only one submission was received which made an offer to run a Yarrow Valley Country Park cafe only. Feed back from interested parties suggested that the investment required to fit out Coronation Recreation Ground would be too great for the anticipated returns.
2. For the Council to retain the day to day control of the Yarrow Valley Country Park Visitor Centre which would contain a kiosk type catering facility. There had been no proposals received for this following the advertising and as due to the lack of interest it was not felt this was a commercially viable option. In addition the Council would have continuing maintenance and cleaning responsibilities which would be avoided by a lease.
3. Not to have a catering facility in either location. This would not satisfy the needs identified by consultation with the public.

12.EC.104 REVIEW OF CLEANING SERVICES

The Executive Member for People presented a confidential report advising of a review current cleaning services within the Council.

Decision made

To approve the recommendations within the report.

Reasons for recommendation(s)

The recommendations should improve the quality of services and frequency of cleaning being delivered in some locations; they bring all staff back in house giving greater flexibility and value for money.

Alternative option(s) considered and rejected

The Superclean toilet cleaning contract could be reviewed, expanded and retendered but the additional service requirements will mean a significant increase in contract costs.

12.EC.105 DISPOSAL OF GARDEN EXTENSIONS AT LAND REAR OF FAIRVIEW DRIVE, ADLINGTON

The Monitoring Officer presented a confidential report the disposal of an area of land to individual occupiers as garden extensions.

Decision made

To approve the recommendations within the report.

Reasons for recommendation(s)

1. The sale of the garden extensions would alleviate the problems associated with the public using the land as a walk-through and dogs fouling on the site. The residents would benefit from enhanced garden areas. The creation of garden extensions should assist with controlling security issues.
2. There could potentially be receipts from the sale of the proposed garden extensions (subject to payment of consideration for release or modification of the open space covenant payable to Westbury Homes). In addition the Council might seek to recoup fees and any costs to be recharged including planning application fees and advertising of open space.
3. Chorley Borough Council would no longer be required to maintain this land. This would result in a saving for the Council's maintenance budget.
4. The above was subject to all the occupiers taking a piece of garden land and that there would be no irregular strips of land left over to maintain.

Alternative option(s) considered and rejected

1. A decision not to allow the parcel to be used for separate garden extensions would result in the land remaining open to the public for a walk-through with its associated safety issues with dog fouling which the residents have complained about.
2. Providing a tree wooded area had been considered as not viable pending proposals for the surface water sewer which would run along the rear of properties 52 – 72 Fairview Drive.
3. A Gating Order under the Highways Act was not available as the land was open space rather than a public highway. Such orders were only possible in relation to public highway. An alternative "alleygating" scheme to be funded by adjacent residents would involve enclosing the open space with keys provided to residents, the emergency services and United Utilities. This process was not completed by the resident carrying out the canvassing of all the other residents.

12.EC.106 SHARED FINANCIAL SERVICES BUDGET REVIEW

The Head of Shared Financial Services presented a confidential report which sought approval following a recommendation made at the Joint Management Committee for Shared Services with South Ribble Council on Monday 26 March 2012.

Decision made

To approve the recommendations within the report for consultation.

Reasons for recommendation(s)

The recommendations are aimed at achieving the following:-

- Succession planning and staff development.
- Review resources to match the service's future work programme.
- Responding to changing customer needs linked to achieving continued value for money through efficiencies.
- Review into two tier grading structure for Accountant's posts in the accountancy functions.

Alternative option(s) considered and rejected

The review process undertaken and the restructuring proposals put forward were considered to be the optimum solution to achieve the objectives of the review.

Executive Leader

Private Rented Housing Inspection

Report of Overview & Scrutiny Task Group

April 2012



1. PREFACE

The private rented housing inspection scrutiny task group has looked at the problem of poor housing conditions in some private rented property in the Borough. The Housing Stock Conditions Survey of 2010 identified that there are approximately 4100 private rented properties in the borough which represents 10% of the housing stock. Many of the low cost private rented properties are thought to have poor housing standards with some tenants afraid to complain because of the fear of eviction.

In looking at this issue, the Task Group has focussed on three main streams:

- identifying where the private rented housing stock is located in the borough;
- looking at current and potential housing condition inspection regimes; and
- potential landlord accreditation schemes and what they may bring towards the overall objective of improving private rented housing accommodation.

I would like to thank the Task Group Members and Officers for their contribution to this review and final report and hope the Executive will give their full consideration to the report findings and recommendations.

Councillor Bev Murray
Chair of the Private Rented Housing Inspection Scrutiny Task Group

2. MEMBERSHIP AND OBJECTIVES

Objective

The key objective of the Task Group was to identify and tackle poor housing standards in some private rented properties in the borough.

Desired Outcome

The desired outcome is improved housing conditions for tenants of private rented property in the borough.

Task Group Membership:

Councillor Bev Murray (Chair)
Councillor Hasina Khan, replaced by Councillor Matthew Crow
Councillor Alison Hansford
Councillor Harold Heaton
Councillor Steve Holgate
Councillor Paul Leadbetter
Councillor June Molyneaux

Officer Support:

Simon Clark, Head of Health, Environment and Neighbourhoods
Zoe Whiteside, Head of Housing
Chris Moister, Head of Governance
Kath Knowles, Housing Strategy Manager
Carol Russell, Democratic Services Manager

Meetings:

The meeting papers of the Group can be found on the Council's website:
www.chorley.gov.uk/scrutiny

This includes the inquiry project outline, reports and minutes of the Task Group.

3. RECOMMENDATIONS

The Executive Cabinet is asked to consider the following three recommendations which the Task Group feel will help towards improving private housing sector standards in the borough:

- 3.1 The Task Group asks the Executive to introduce a more proactive inspection regime for private rented sector housing within the borough beyond the existing service which is only able to respond to complaints received. This would be on the basis of one half time or fulltime post based in the neighbourhood team and providing expertise and capacity to undertake housing inspections on a more programmed basis, targeting hot spots and those areas known to have low standards of private rented property, based on current knowledge and other sources of information identified in the report. The cost of this provision is estimated at between £22,000 and £40,000 per annum.**
- 3.2 To support the above recommendation, the Task Group further recommends the development of a private rented housing standards policy, against which compliance can be measured.**
- 3.3 Having considered a range of landlord accreditation schemes and the views put forward by the Landlords Forum, the Task Group does not recommend that the Council introduces a Landlord Accreditation Scheme at the current time but that this be revisited in the longer term as Members feel there are benefits in landlords gaining accreditation in improving private rented housing standards.**

4. EVIDENCE AND FINDINGS

The Group received and considered several reports and presentations:

- A presentation on the current arrangements for the inspection of private rented housing in the borough including the formal role and powers of the Council under the Housing Act 2004. This included housing decency standards as set out in the DCLG's A Decent Home: Definition and Guidance for Implementation.

- A presentation on tenants rights in relation to security of tenure; illegal eviction and harassment, also including Council initiatives like the Rental Bond scheme and the Tenancy Deposit Protection scheme.
- A report on the use of data held by the Council to provide information on the location of the estimated 4100 private rented properties in the borough.
- Information on Landlord Accreditation Schemes
- A report on options for private rented housing inspection, accreditation and licensing.

The views of the Private Landlord Forum on the value and their likely take up of any Landlord Accreditation Schemes were also considered.

4.1 Identifying the problem

Complaints received by officers and Member casework evidence that there is a problem with some private rented housing property in the borough being of a very poor standard. This is generally at the low cost end of the market involving some of the most vulnerable tenants. Tenants are often afraid to complain because of the fear of eviction by their landlord.

4.2 The Council's role and powers in relation to private rented property

If tenants do complain to the Council regarding the standard of their private rented accommodation, the Council can undertake an inspection in line with powers under section 3 of the Housing Act 2004. The Council can take enforcement action against the landlord for any Category 1 defect. Category 1 defects are defined as hazards that cause harm eg serious leaking roofs, extensive mould growth, etc.

There is currently a statutory obligation for the Council to inspect Houses in Multiple Occupation (of which there are only a small number in the borough) but no obligation to undertake a programmed inspection of other private rented property.

Currently the service provided by the Council is a reactive one, responding just to complaints. Monitoring information for the last 3 years showed that around 500 service requests are received each year regarding housing matters. These are from private owned, private and social rented properties ranging across all aspects of housing/gardens, with around 50 to 60 resulting in full housing inspections and from that between 10 and 15 notices being served each year. There were concerns that an estimated 15% of the private rented housing stock had Category 1 hazards.

A more formal inspection regime would ensure that landlords knew that they were likely to be inspected, irrespective of any tenant concerns, and that poor housing standards would be challenged and addressed, with the threat of enforcement action.

Enforcement action, could take place under health and safety, environmental health or building regulation powers, depending on the defects identified. In addition the Task Group felt that it would be beneficial if a housing policy was developed for private rented housing providing minimum housing standards against which the Council could inspect.

4.3 Identifying rented housing in the Borough

The Council's Housing Conditions Survey undertaken in 2010 estimates that there are 4100 private rented properties in the borough which is around 10% of the housing stock. Around 30% of the property is based in the neighbourhood area of Chorley Town East, however the only accurate record of where properties are located is with Council Tax. Data protection legislation prevents other services within the Council from using that information but other sources could be used to build a register of private rented property which is seen as essential if the Council was to become more proactive in inspecting rented property.

Potential sources of information towards building a register were identified as:

- Current officer knowledge from complaints received from tenants
- Councillor ward information
- Potential use of the housing register and estate agents
- Housing benefit applications – with the consent of the claimant

4.4 Landlord and tenant rights

The Task Group considered the legal rights of both tenants and landlords. Private rented accommodation offers far less security of tenure compared to social housing with the landlord only being required to give a tenant 2 months notice to leave. There are a number of safeguards in place to help protect and assist tenants including a tenancy Deposit Protection Scheme and the Council's Rental Bond Scheme.

The Council's housing and health, environment and neighbourhoods teams work together to deal with issues around housing standards and repairs and illegal eviction and harassment. There is also a Private Landlords Forum meeting quarterly to support and advise private landlords.

4.5 Supply and demand for private rented housing

Currently the demand for private rented accommodation is greater than the supply in Chorley borough. Landlords do not necessarily have to address problems in order to rent out property, particular those at the lower end of the market.

Members acknowledged that the rented housing market was very sensitive and whilst a more proactive inspection regime could help improve housing conditions in the private rented sector, those landlords who did not provide good standards of accommodation could decide to move out of the borough. This could reduce the supply of rented housing available, particularly for those on the lowest incomes.

4.6 Options for a more proactive inspection regime

The Task Group looked at three options for an increased housing inspection service by the Council and the consequent financial implications:

- A fully proactive scheme with a full 5 or 10 year inspection programme costing between £40,000 and £75,000 per annum plus a cost for work undertaken in default. This would enable the development of a fully populated database of private rented properties. It would lead to improved housing standards and consistency in approach. However it could impact

on the availability of low cost rented properties with those landlords seeking to move outside the borough.

- A wholly reactive scheme as at present which just responds to complaints received from tenants, with no financial implications; but no improvement in housing standards.
- A partially proactive scheme which would use current intelligence and data sources previously identified by the Task Group to compile a register of private rented property. This would be reactive to tenant complaints and would provide a base service from which a full inspection programme could be developed. Resources would be limited to one half time or one fulltime post at a cost of £22,000 to £40,000 per annum, therefore it would not capture all poor housing standards but would target bedsit and multi occupied property and poor housing hotspots.

The Task Group felt that the third option of a partially proactive scheme offered an enhanced service with realistic financial implications. The introduction of an inspection scheme of any scale, would require the development of a private rented housing policy setting out accepted standards of housing conditions.

4.7 Landlord accreditation

Landlord Accreditation Schemes (LASs) provide a set of standards for the condition or management of privately rented accommodation. Landlords who join a scheme and meet the standards are then accredited. Joining a scheme is purely voluntary but there are some advantages for the landlord. Landlords can advertise themselves to tenants as accredited – showing their emphasis on good quality accommodation. There may be other incentives, depending on the scheme in operation.

The Task Group considered a number of LASs in operation in the northwest and also the position of neighbouring councils:

- Wigan has been part of the Greater Manchester LAS for 3 years and has 40 landlords accredited. Whilst there is no accurate figure for the total number of landlords it is thought to be in excess of 550 with around 6000 rented properties. The scheme is not available to authorities outside Greater Manchester.
- The Residential Landlords Association Accreditation Scheme (RLAAS) has been running for one year and has 5 local authorities in the scheme – Leeds, Fylde Coast (Blackpool, Wyre and Fylde) and West Lancashire. This is a web based scheme with landlords being required to undertake a self assessment of their properties and to undertake certain training and professional development. RLAAS inspect 10% of all accredited properties. The cost to the local authority varies depending on the size of housing stock, for Chorley it was estimated at £4000 per annum.
- In terms of neighbouring Councils, South Ribble do not have an accreditation scheme and Preston City Council operate their own scheme, but only 12 landlords are accredited. The scheme is free and all properties are inspected before being accredited, they do not however actively develop and promote the scheme but concentrate on monitoring higher risk areas of private sector housing.

- The National Landlords Association (NLA) run a LAS which accredits landlords rather than properties. Whilst this may be beneficial to landlords in demonstrating professional service and commitment, it doesn't actually monitor property standards.

Members debated the benefits of LASs in improving housing standards. Evidence showed that they tended to be attractive to the better landlords. Take up was optional and in some schemes appeared to be quite low – possibly linked to the ease with which property can be let in an area. However Members acknowledged that LASs were worthwhile and set a standard for acceptable property rental.

At a meeting of the Private Landlords Forum, landlords had been asked about their interest in joining a potential LAS. All 11 landlords present said they would not be interested and any scheme they did join, would lead to them passing on the membership costs to tenants in increased rents. On this basis Members felt the introduction of any LAS at the current time would not be successful but it should be revisited in future.

4.8 Selective Licensing

Selective licensing is a provision under the Housing Act 2004, and covers private rented property in specific areas which suffer from low housing demand and/or significant and persistent anti social behaviour problems. Once an area is designated, all landlords with property within the area are required to apply for a 5 year licence at a total cost of £500, with penalties for non compliance. All private rented property in that area is inspected. Selective licensing is often seen as a measure of last resort and can be used as a tactic to discourage private renting in an area with an over supply of poor quality privately rented accommodation. It was not seen as an appropriate measure in Chorley.

5. CONCLUSION

In putting forward the recommendation for an increased resource to inspect private sector rented properties, the Task Group feels that there will be a strong message going to those landlords who don't address housing problems and that ultimately this should lead to improvements in the condition of private rented housing in the borough. The proposal put forward provides an enhanced service with reasonable financial implications.

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Report of the Overview and Scrutiny Task Group – Tourism and Promoting Chorley

March 2012



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1. PREFACE

The Scrutiny inquiry into Tourism and Promoting Chorley was requested by Members of Chorley Council.

We collected evidence from a number of different sources including interviewing internal officers about Chorley Council's assets and events which contribute to the promotion of tourism within Chorley. We also spoke to representatives from external organisations to find out what they do in this area, to compare areas of best practice and find out how we could best work together in the future.

We also revisited the findings and recommendations of the Town Centre Vitality Scrutiny Review, particularly in relation to attracting more visitors to the town centre and its markets, to evaluate the progress made and to ascertain if there was anything that could be further improved on

The Group set out to identify Chorley's main assets for tourism around the Borough and the key events in the calendar that might attract people to visit Chorley. We sought to look at the opportunities, including partnership working that may exist to maximise the promotion of Chorley and encourage more visitors to its town centre and surrounding villages in the best possible way.

I would like to thank the Task Group Members for their deliberations, the Officers and external representatives who made a contribution to this report.



Councillor Peter Wilson
(Chair)

2. EXECUTIVE SUMMARY

The Overview and Scrutiny Committee asked the Task Group to undertake a scrutiny inquiry to look at Tourism and Promoting Chorley.

Objectives

To further develop Chorley as a tourist destination by promoting the Borough's key assets and events and identifying other opportunities for making the Borough more attractive to outside visitors.

Desired Outcomes

A corporate directive for promoting Tourism in Chorley.

Task Group Membership

Councillor Peter Wilson (Chair)
Councillor Matthew Crow
Councillor Marie Gray
Councillor Steve Holgate
Councillor Paul Leadbetter
Councillor Marion Lowe
Councillor June Molyneaux
Councillor Mark Perks
Councillor Geoffrey Russell

Officer Support:

Lead Officer

Chris Sinnott Head of Policy and Communications

Democratic Services

Dianne Scambler Democratic and Member Services Officer

Meetings

The meeting papers of the Group can be found on the Council's website:

www.chorley.gov.uk/scrutiny. This includes the inquiry project outline and other relevant information on policy and procedures.

Contribution of Evidence

The Task Group would like to thank all those who have provided evidence and contributed to the Inquiry, including:

Sandra Demsey – Camelot Theme Park
Andy Brown – Parks and Open Spaces Manager, Chorley Council
Chris Bryan – Astley Hall and Arts Officer, Chorley Council
Louise Finch – Events and Marketing Manager, Chorley Council
Conrad Heald – Town Centre and Markets Manager, Chorley Council
Ian Robinson – Chorley Little Theatre
Marianne Howell - Cultural Services, Lancashire County Council
Diane Scarborough, Cultural Services, Lancashire County Council
Ian Watson – Head of Cultural Services, Lancashire County Council
Jeanette Marshall – Park Hall
Hazel Gregory – Co-ordinating Ranger, United Utilities
Neville Kidd – Rivington Manager, United Utilities

Recommendations

The Executive Cabinet is asked to consider the following recommendations:

Town Centre/Markets:

- That the Council look into the feasibility of advertising at the local train stations.
- That the Markets page on the Chorley website be linked to various other pages, where shoppers are seeking information about different types of markets.
- The Council looks into ensuring that Chorley comes up as a top hit in the Lancashire area as a market destination on the various search engines on the web.

Astley Hall:

- That the Council be asked to examine the potential to improve car parking facilities for the park to encourage larger events, this to include working in partnership with Lancashire College/Woodlands regarding the use of their car parks as an overflow facility for Astley Park, on major events. In addition, to developing a traffic management plan for major events in the park.
- That the Council develop and monitor visitor demographics to Astley Hall and Park.
- That a development plan be devised for the Hall, complex and park to encourage the use of the park and increase visitor numbers.
- That the opening hours of Astley Hall be more flexible to be able to respond to seasonal changes in the weather.
- To improve the presence on the councils website with a distinct feel to promote the Hall, park and other attractions.
- Develop marketing materials for the Hall and complex to promote weddings, conferences and other events.
- To exchange our promotional leaflets with other authorities, to better advertise our key attractions in like for like venues.

Promotional:

- Examine options for better marketing attractions in the borough on the internet, for example through the Councils website.
- Review existing literature that promotes the borough and ensures that local attractions and accommodation have easy access to it so they can encourage visitors to stay in the area.
- To consider the provision of additional signage relating specifically to tourism across the borough.

- To exchange our promotional leaflets with other authorities, to better advertise our key attractions in like for like venues.
- That Chorley Council does more to promote itself at Rivington Barn and surrounding amenities, eg, distribution of the Chorley Smile magazine.
- That Chorley Council consider becoming a member of the Tourist Board under the new arrangements, in line with other district Councils.

Partnership Working:

- That the Council investigate the possibility of providing Council support to United Utilities following Good Friday to tidy around the Rivington Pike area.
- Work with partners to improve public transport links to the Rivington area to ease traffic problems.
- That the traders be encouraged to remain open for business during the Christmas Light Switch on event.
- That the schools across the Borough be contacted before the summer break to allow them to be more involved in the Christmas Lights Switch on event.
- That Chorley Council consider working with partners like United Utilities to encourage the use of the locality for one off events.

3. METHOD OF INVESTIGATION

Evidence

The Group received and considered several reports and documents, these included:

1. The Final Report of the Town Centre Vitality Review.
2. The Executive Cabinet's response to the suggested recommendations of the Town Centre Vitality Task Group.
3. The latest monitoring report providing an update on the implementation of agreed actions by the Executive Cabinet to the recommendations of the Town Centre Vitality Task Group.
4. List of key tourism assets and events in Chorley.
5. Comparative statistics between Chorley and other districts in Lancashire available on the Visit England website.

Received presentations on

1. Astley Hall, Park and Coach House Complex and Yarrow Valley Park
2. Chorley Town Centre and its markets
3. Chorley's major calendar events.

Witnesses

The Task Group interviewed:

Sandra Dempsey - Camelot
Andy Brown - Chorley Council.
Chris Bryan - Chorley Council.
Conrad Heald - Chorley Council
Ian Robinson - Chorley Little Theatre
Marianne Howell - Lancashire County Council
Diane Scarborough - Lancashire County Council
Ian Watson - Lancashire County Council
Jeannette Marshall - Park Hall
Neville Kidd - United Utilities
Hazel Gregory - United Utilities

4. FINDINGS AND RECOMMENDATIONS

4a) INTERNAL ASSETS AND EVENTS



Chorley Markets

Our thriving markets are a key part of the town's heritage, serving the people for more than 500 years and today the markets still continue to add a lot to the appeal of the town. There are two main areas which make up Chorley Markets:

- The famous Flat Iron (sometimes known locally as the cattle market) held on Tuesdays; and
- Chorley Covered Market, with static lock up stalls as well as casual availability.

On the Flat Iron, the old fashioned stalls have been replaced with brand new gazebo's that have red and white striped tops with pelmets saying 'Welcome to Chorley Markets'. The Gazebo's had been a recommendation of the Town Centre Vitality Inquiry and the take up by stall holders has been excellent, providing a much improved display and feel for shoppers.

Chorley also holds a monthly Farmers Market to bolster business for existing traders and hosts a wide variety of specialised markets, from continental to Christmas markets. All the markets are advertised regularly in a number of publications and the Tuesday Market attracts coach tours to the Town.

Anecdotal feedback from traders gives an idea of where customers are visiting from and it would seem that the residents of St Anne's' consider Chorley as a destination to visit. Events like the Christmas Light Switch on also attract people to the town and this year had been advertised on the roundabout near the Botany Bay complex. The town centre and its markets are also placed in good proximity to Astley Park.

The Group looked into whether more could be done to advertise the markets by using the web and social networking sites like facebook and twitter. The markets does have its own page on the Chorley website but Members thought that more could be done around linking this page to pages on other sites that shoppers may view and exploring the possibilities of Chorley coming up as a top hit when people are searching for markets information on web search engines such as google.

Advertising at the local train stations was also considered to be an effective way of attracting visitors and although this had proved to be costly on the past, the Group felt, it was worth revisiting this option to see if this could be achieved at a more competitive price.

Recommendations:

- **That the Council look into the feasibility of advertising at the local train stations.**
- **That the Markets page on the Chorley website be linked to various other pages, where shoppers are seeking information about different markets.**
- **The Council looks into ensuring that Chorley comes up as a top hit in the Lancashire area as a market destination on the various search engines on the web.**

Chorley Council Events

Chorley has two major events in the calendar:

- Chorley Smile Picnic in the Park.
- Christmas Lights Switch on

The Chorley Smile picnic in the park is an annual free summer event that attracts between, 1,500 to 4,000 people depending on the weather. The event delivers a mixture of entertainment including street theatre, sports activities, cartoon characters and local performers.

The event gets positive feedback from the attendee's who are mostly from within the Borough with some travelling from other parts of Lancashire or Wigan and results in an increase in visitors to Astley Hall.

The Christmas Light Switch on, is the annual town centre winter event that usually takes place at the end of November. It attracts between 1,000 – 2,000 people and is well received by the town traders, who also help to plan the event. The traders also arrange activities on the Saturdays in the run up to Christmas.

A survey conducted at the 2010 Christmas Lights Switch on event showed that attendee's:

- Mostly came from communities surrounding the town centre.
- Don't spend large amounts in the town centre during the event.
- Mostly found out about the event through the local paper.
- Travelled in the car or walked to the event.
- Liked all aspects of the event.

The Group felt that these results were disappointing, particularly in view of the fact that people were attending the event but not spending any money in the shops. The main reason for this was due to the shops not remaining open, during the event. So, although there was support from the traders for the event they are not helping to boost the economy of the town on this particular evening.

This year the range of Christmas lights had been extended and through an exchange scheme with Fylde Borough Council, lights had been erected around the town that had last year been displayed around the town of St Anne's. A night market was also held, to attract some shoppers to the event.

The Council continued to encourage the schools and voluntary groups across the Borough to participate in the event and a greater emphasis had been given to those projects. The Group commented that for schools to get involved more effectively they needed more time to plan and asked if they could be approached as early as the start of the new school year in September.

Recommendations:

- **That the traders be encouraged to remain open for business during the Christmas Light Switch-on event.**
- **That the schools across the Borough be contacted before the summer break to allow them to be more involved in the Christmas Lights Switch on event.**

Astley Hall and Park

The ‘Jewel in Chorley’s Crown’, Astley Hall is one of the most historical buildings in the North West of England. The magnificent 400 year old stately home is notable for its astonishing mid-17th century interior. Astley Hall provides a fascinating history of the families who lived there and is consistently rumoured to be haunted. It is also believed that Oliver Cromwell stayed at the Hall during the Battle of Preston in the 1600s. Astley Hall is located just minutes away from the town centre and is set in the beautiful grounds of Astley Park.

Since the re-opening of the refurbished Coach House and Walled Garden this area of Astley Park has become a popular visitor attraction for local people. Astley Hall and Coach House also acts as a tourist attraction and is well visited by people outside the area. The Hall and Coach House Gallery is generally open two days per week. April to December and typically welcomes around 13,000 visitors a year.

Café Ambio is the onsite café operating 7 days a week all year round, serving a wide range of hot and cold food the majority made using local produce (many seasoned by herbs from the walled garden).

Since the refurbishment there has been an increase in the number of visitors who reside in the outlying areas of Chorley. Although they may not be tourists in the traditional sense, they are people who previously were not regularly visiting or being involved in central Chorley activities.

The main draw for the more traditional tourist, ie. somebody who resides outside the Borough, is largely Astley Hall and some cultural events. The Hall itself gets visitors from across the North West, some from other parts of the County and around 200 people a year from overseas. Largely our overseas visitors are people with family or past connections in the area. The same can also be generally said from those visiting from other counties in the country; largely they are visiting friends and family in the area and are brought to the Hall for a day trip.

The Hall does attract a number of visitors from other areas of the North West who come to the area to specifically visit the Hall. It is largely people who have an interest in historic houses, who will research first and then plan their visit. The Hall is featured with in Simon Jenkins' 'England's 1000 Best Homes', where he opens with "Astley Hall is the most exhilarating in Lancashire". It is also great publicity for the Council amongst this particular group of people. Simon Jenkins is the current Chairman of the National Trust, so his recommendation carries particular credibility.

There is a need to increase the quality of the visitor experience, the profile of the Hall and to increase its publicity surrounding it and the Council has the potential to develop links with Lancashire Life and to improve the content on the Council's website.

The Tourist Board looked at heritage across Lancashire on the basis that if people are interested in one historic house they are interested in others. The Group felt that there was an opportunity here to exchange our promotional literature with other authorities. Research found that visitors tend to stay longer if there is a coffee shop, although most attractions in Lancashire do not retain the visitor for the whole day.

Lancashire County Council have also considered the production of one publicity booklet to advertise all the various attractions across Lancashire, or a number of theme booklets, for example, walking, and historic houses.

There have been some recent successes in jointly marketing the coach trips to visit both the Markets and the Hall as part of a combined day trip. The team are also in the early stages of collating an email list from visitors to the Hall in order to promote things better in the future. Although there is a forward plan, there is currently no business plan for the Hall.

Now that the coach house and walled garden have been refurbished, there is now the potential to cater more for weddings as the whole event can be held within the Park. There is also the potential for customers to hold their reception in the Lancastrian Room at the Town Hall. The Council's wedding package is currently being redesigned to better promote the facilities that are now available.

The majority of the 25 private guided tours that are run each year when the Hall is closed to the public are to groups from outside the Borough. The Hall also welcomes around 30 schools per year, which come from across the Chorley Borough and Lancashire.

Events such as the Big Drum Day, Nutcrack Night and Derian House's Winter Sparkle also attract a significant number of visitors from outside the area. The Council is also looking to develop its events programme to increase the number of quality events that are staged or hosted.

The art exhibition programme is a fine balance between providing a space for local artists to exhibit and also producing a programme of quality and interest that attracts people to want to visit. The Council stages around 10 exhibitions each year, aiming to concentrate on the best artistic talent in Chorley and the surrounding areas. The addition of the Coach House Gallery has enabled us to double our capacity in this area and the perfect setting of the gallery has made it a well sought after space for artists from around the North West.

Apart from coverage in some books and guides such as the one already mentioned and promotional activities associated with certain events at the site, the Council does very little in way of marketing to outside visitors from outside the Borough.

Car parking for events within the Astley complex is an on-going issue which needs further investment but there is scope to develop this side of the facilities of the park.

Recommendations:

- **That the Council be asked to examine the potential to improve car parking facilities for the park to encourage larger events, this to include working in partnership with Lancashire College/Woodlands regarding the use of their car parks as an overflow facility for Astley Park, on major events. In addition, to developing a traffic management plan for major events in the park.**
- **That the Council develop and monitor visitor demographics to Astley Hall and Park.**
- **That a development plan be devised for the Hall, complex and park to encourage the use of the park and increase visitor numbers.**
- **That the opening hours of Astley Hall be more flexible to be able to respond to seasonal changes in the weather.**

- **To improve the presence on the councils website with a distinct feel to promote the Hall, park and other attractions.**
- **Develop marketing materials for the Hall and complex to promote weddings, conferences and other events.**
- **To exchange our promotional leaflets with other authorities, to better advertise our key attractions in like for like venues.**

Yarrow Valley Park

Yarrow Valley has significant ecological value and interest. It's most important feature is the presence of large areas of mature ancient woodland which makes up more than a third of the park (130ha) and Biological Heritage sites make up 60% of the park (180ha). The park is also home to a number of rare/nationally scarce plants and animals.

2011/12 has seen a significant increase in visitor numbers which coincided with the opening of the new natural play facility, Yarrow Rocks. This facility was brought together by contributions from several partners and is widely regarded to be the finest example of natural play in the region.

The last visitor survey in 2009 revealed that 26% of visitors came from outside the Borough of Chorley, generally in our neighbouring boroughs of South Ribble, Bolton and Wigan. These figures are based on the car park counts for the Birkacre Car Park, so therefore excludes visitors on foot and via public transport, or users of alternative car parks at Euxton, Dob Brow and Duxbury.

Yarrow Valley has held the Green Flag award for the past 7 years and always receives outstanding feedback from the judges and has accredited "Country Parks status" from Natural England which is valid for 3 years.

4b) EXTERNAL ASSETS AND EVENTS

Camelot Theme Park/ Park Hall Hotel

Camelot Theme Park is located on a 140-acre site near the village of Charnock Richard, 3 miles west of Chorley and set within the grounds of the Park Hall Hotel complex. The hotel offers visitors to the park the chance to stay overnight to make the most of their experience. The park is home to medieval shows, birds of prey and many rides, taking a target audience of families and younger children; the park also boasts numerous thrill rides and a rollercoaster.

Visitor numbers for 2011 were around 225,000, which had been down on the previous year, this was mainly down to a poor summer and there had been a trend for a decline in visitor numbers over the years.

Camelot have no plans to change the offer, as such to their target market as it has spent many years establishing itself as a 'family attraction'. They do not presently

promote any other places of interest within the borough, although they do work closely with Park Hall Hotel to offer the overall stay package, including the attraction Battlefield Live who are based at the same site.

Camelot had detailed records of where visitors come from by postcode, with their prime catchment area being an hour to an hour and half drive time away.

In previous years when Chorley Council had a designated Tourism Department, they had worked closely together to promote Camelot and Chorley whether this was in guides, at exhibitions or joint promotions. Camelot also felt that a more prominent presence on the Chorley website would be helpful as they had struggled recently to get any presence.

Along with Camelot Theme Park, the Hotel does promote other attractions available in the North West areas, although admittedly not many are Chorley based. The company felt that a better working relationship could be maintained between the local hoteliers and Chorley Council if better links were provided on their website.

Chorley Little Theatre



Originally opened as Chorley' first electric cinema in 1910, Chorley Little Theatre has become a thriving arts venue in the centre of the town. Since 1960 it has been owned and operated by the amateur dramatics group CADOS, who have been putting on high-quality productions for over 75 years.

The theatre has recently undergone major restoration work that has seen a £150,000 face lift.

The majority of people that attend the performances at the theatre are largely from across the Lancashire area, although they do have visitors from as far as Wales.

The theatre has been recently successful in attracting a number of well known touring comedians, this has helped to put the theatre on the map and people are now coming from further afield for these shows. The theatre sends out information about up and coming shows and events to previous customers via email.

Another success has been the showing of 'An Inspector Calls'. This has been on the school GCSE syllabus and the show has generated a large number of school based coach trips. It is not always possible to run this type of show, due to a number of different factors, but the theatre are considering showing Romeo and Juliet next season.

The theatre have tried to negotiate a deal with the local restaurants, whereby they will offer a nominated discount if the theatre recommended them. People often ask for this kind of information when attending one of the theatres performances, however after many efforts on behalf of the theatre, the take-up from the restaurants has been poor.

They also commented that they thought that the Councils website tourism content was poor and that more could be done to promote the town assets around the town, particularly around the use of the community noticeboards.

Botany Bay

Botany Bay is a unique mix of retail and heritage, just off junction 8 of the M61. Botany Bay is the sister mill to Bygone Times: a renovated and restored cotton mill, harking back to the Crimean War. Today, it offers five floors of independent retail outlets, complete with a garden centre, various restaurants and a coffee bar. For the kids who don't find shopping as entertaining as their parents, there's Puddletown Pirates, a large indoor play centre. If you're in the mood for a party, you can hire a barge from Boatel Party Cruises and take a trip down the canal.

The Waterways

The Leeds-Liverpool Canal runs through the heart of the borough and once upon a time was the lifeblood of the industrial revolution — carrying supplies to and from the mills. Today it is transformed. Rich in wildlife, the canal has some lovely tow paths to explore. A popular destination during the summer months is the Johnson's Hillock Locks. It is a series of seven consecutive locks and watching the narrow boats negotiating them all is an impressive event. The Leeds-Liverpool is the longest canal in the country and is linked to 2,000 miles of inland waterways. The recently opened Ribble Link joins the Leeds-Liverpool to the Lancaster Canal.

Rivington County Park

Rivington Country Park is easily accessible for all residents and visitors to the North West region and is approximately 4 miles from junction 6 of the M61. Rivington is steeped in history and has many areas of interest including Rivington Terraced Gardens,

Liverpool Castle and Rivington Pike. There are many footpaths and bridleways enabling a variety of recreational pursuits from easy family walks, gentle bike rides through to rambling on the moors and the recently established Go Ape course. The Park also has toilets, café and parking facilities.

As Rivington is extremely popular with visitors, the area cannot cope with the vehicular traffic that already visits. As a result, United Utilities who are responsible for the Park do not actively promote the area to attract additional visitors. Information is available on their website on all of their sites, including Rivington and they are in the process of updating the information available at Rivington, both in terms of onsite interpretation and on the website.

Public transport is poor and it was felt that the provision of a regular bus service to the area would vastly improve access for those without their own transport and help reduce the number of cars in the area.

United Utilities works closely with all the Local Authorities within the West Pennine Moors Partnership, including Chorley. They provide reports and attend the various Local Advisory Group meetings. United Utilities reported that they worked extremely close with the Council's Conservation Officer at Chorley and the Neighbourhoods Team, to deal with any lost dogs, dog fouling and fly tipping issues.

The Public Rights of Way in the area are the responsibility of the Council to maintain and more work on these would improve the visitor experience and make it safer for visitors. Rivington Pike is also owned by Chorley Council and this is visited by thousands of people on Good Friday every year, yet it was noted that there are no staff from the Council present on the day to assist with the clean up that is involved on the Saturday.

Recommendations:

- **Examine options for better marketing attractions in the borough on the internet, for example through the Councils website.**
- **Review existing literature that promotes the borough and ensures that local attractions and accommodation have easy access to it so they can encourage visitors to stay in the area.**
- **That the Council investigate the possibility of providing Council support to United Utilities following Good Friday to tidy around the Rivington Pike area.**
- **Work with partners to improve public transport links to the Rivington area to ease traffic problems.**
- **That Chorley Council does more to promote itself at Rivington Barn and surrounding amenities, eg, distribution of the Chorley Smile magazine.**
- **That Chorley Council consider working with partners like United Utilities to encourage the use of the locality for one off events.**

4c) LANCASHIRE COUNTY COUNCIL

The Tourism Boards hold a lot of data that can be provided upon request to Lancashire County Council. Although the various Boards have now been dissolved the focus will be on marketing Lancashire as a whole. This fits in with the Lancashire Enterprise Board and its aim of raising the profile and visibility of Lancashire.

Chorley is fortunate to be situated just south of the M6 motorway with the use of the brown signposts, of which Chorley has a good provision. There are lots of potential visitors to be won and it was recognised that extra signage could benefit visitors upon their arrival at their destination and needed to be more widely targeted to include pedestrians and cyclists.

There are three tiers of information given at a Tourism Information Centre (TIC), information, advice and guidance. Lancashire County Council is planning to move Chorley's Tourism Information Centre into the local town library. The staff would need to receive training as the role of the library assistant differs from that of the tourist information assistant, but as the visitor economy is becoming more important this is necessary to ensure good service provision.

Recommendations:

- **To consider the provision of additional signage relating specifically to tourism across the borough.**
- **That Chorley Council consider becoming a member of the Tourist Board under the new arrangements, in line with other district Councils.**

5. CONCLUSION

Chorley has a good range of attractions that provides the variety needed to attract tourists. However, there is a need to be sensible about targeting these visitors, to realise our strengths and capitalise on them effectively. Chorley is more likely to be a secondary location for a day trip or a weekend away.

Chorley has the potential to lend itself to niche activities, like cycling or adrenaline sports and this is something that the Council may wish to consider exploring.

By improving on the content and providing better links, It is anticipated that the current redevelopment of the Councils website will help to improve our relationships with external providers and organisations that have a key stake in tourism within the Borough and help us to build on and create new partnerships to better work together to promote Chorley.

Chorley Council



2008-2009
*Transforming Services:
Citizen Engagement
and Empowerment*



2009-2010
Cohesive and resilient communities



2009-2010
Better outcomes for people and places

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Report of	Meeting	Date
Monitoring Officer (Introduced by the Executive Leader)	Executive Cabinet	21 June 2012

THE STANDARDS REGIME AFTER 1 JULY 2012

PURPOSE OF REPORT

1. To advise Members of the proposed Code of Conduct and complaints procedure to be adopted from 1 July 2012.

RECOMMENDATION(S)

2. That the Executive Cabinet adopt the draft Code of Conduct attached at Appendix 1 to this report for the Council to comply with from 1 July 2012, such adoption to be ratified by Full Council on 17 July.
3. That the Executive Cabinet adopt the proposed complaints procedure attached at Appendix 2 to this report for the administration of complaints made to the Council from 1 July 2012, such adoption to be ratified by Full Council on 17 July.
4. That the Executive Cabinet delegate to the Executive Leader the authority to amend the Code of Conduct to reflect any alteration, addition or amendment introduced by Regulations issued under the Localism Act 2011.
5. That the recruitment procedure for Independent Members to the Standards Sub-Committees be noted.

EXECUTIVE SUMMARY OF REPORT

6. The Localism Act 2011 revokes the existing standards regime and replaces it with a lighter touch more localist scheme. The model Code of Conduct which Councils were obliged to adopt has gone, Councils are required only to have a code of conduct which is compliant with the Nolan Principles.
7. Standards for England has been closed and there is no longer a central body who coordinates standards matters, the localist agenda dictating this is a matter for each authority to consider themselves.
8. These changes have been reported to Council before and some action has already been taken on them with the Standards Committee merging with the Audit Committee to become the Governance Committee. Standards will largely be the dealing of complaints only and this will be a function of a sub-committee of Governance.
9. There are a number of issues however which have been delayed in their progress or indeed remain outstanding and for which we have yet to have definitive guidance or Regulations issued by Central Government. We have recently been issued with a draft Code of Conduct which has been prepared by the LGA. However, the Regulations concerning what constitutes a pecuniary interest remain outstanding.
10. Neither has any guidance been issued on an appropriate approach to the administration of complaints.
11. The documents appended for approval are done so to ensure compliance with the legislation, and should be adopted prior to the 1 July. This is however, a Council decision and is subject to ratification at Full Council on 17 July next. It has to be noted that the issue of Regulations will impact on these document and the resolution to delegate authority to the

Executive Leader to make consequential amendments will ensure the continued compliance by the Council.

Confidential report Please bold as appropriate	Yes	No
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Key Decision? Please bold as appropriate	Yes	No
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REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

- Under the terms of the Localism Act 2011 and Statutory Instruments issued under it the Council are obliged to adopt a Code of Conduct that is compliant with the Nolan Principles and a process for the administration of complaints made under the code.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- That the form of Code of Conduct issued by the Department of Communities and Local Government be adopted. This is not felt appropriate as the form of this code is directive in nature, it is in terms of “you will do” as opposed to “I will do”. This makes it less personal to the Members having the appearance of being imposed.

CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

Strong Family Support		Education and Jobs	
Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	
Safe Respectful Communities		Quality Community Services and Spaces	
Vibrant Local Economy		Thriving Town Centre, Local Attractions and Villages	
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			

BACKGROUND

- It has previously been reported to Council that it will be obliged to adopt a new Code of Conduct and process for the administration of complaints by 1 July 2012. It was accepted by all members that whilst the approval of a Code of Conduct was a Full Council decision given the timings it would be appropriate for this to be considered by the Executive, with a view to the decision being endorsed by Full Council in July.
- The Code of Conduct attached at Appendix 1 is in the form of a declaration by each member to uphold the Nolan Principles of Selflessness, integrity, objectivity, accountability, openness, honesty and leadership. It goes on to specifically explain how the member will discharge these obligations.
- It is recommended that this Code of Conduct is preferable to the one issued by the Department for Communities and Local Government (attached at Appendix 3). By making the Code a personal commitment by the Member it is seen as an obligation being taken on rather than a burden being imposed.
- That is not to say the CLG code should be wholly dismissed. The wording relating to the registration of interests has been adapted and used within the body of the Code at Appendix 1.
- At present the definition of “pecuniary interest” has not been provided by regulation. This will be circulated to Members as soon as it is received.

20. The procedure for administering complaints contained at Appendix 2 mimics in part the current process. There is still an initial assessment process undertaken by the Council's Monitoring Officer in consultation with an Independent Member, although this assessment is within a defined framework.
21. There is a discretion for the Monitoring Officer and Independent Member to elect to deal with minor matters at this stage, and again the considerations to be taken into account are prescribed within the procedure. It should be noted though that where the Monitoring Officer and Independent Member disagree, the view of the Independent Member is paramount as they are intended to be the views of the public.
22. The complainant may request that their complaint be anonymised. These requests will only be entertained on limited grounds relating to any risk to the complainants health, safety or employment. In assessing this the Monitoring Officer will be reluctant to pass an anonymous complaint without very compelling evidence of need.
23. If a matter is referred for investigation, this will be undertaken by an officer of this Council who will undertake a proportionate but thorough investigation. The investigating officer will prepare a report which will make a finding as to whether there was a breach and provide copies to the subject of the complaint and the complainant for comment.
24. The final report will be forwarded to the Monitoring Officer. Where the report makes a finding of no breach, the MO will consider the report and if it is found to be satisfactory make a Confirmation Decision and notify the subject of the complaint and complainant. If the report is not found to be satisfactory, the MO will refer it back to the investigating officer for reconsideration.
25. Where the report finds there was a breach of the Code, the MO will consider the severity of the breach. If the breach is minor, the MO may in consultation with the Independent Member seek a Local Resolution. This will require the engagement of the complainant and the subject of the complaint and may be in the form of an apology or other remedial action. All parties must agree to the process and undertake any agreed action at its conclusion. Failure to do so will mean the matter is referred to a Hearing Sub-Committee.
26. If the breach is sufficiently severe this will also warrant referral by the MO to a Hearing Sub-Committee.
27. The Hearing Sub-Committee will be drawn from Members of the Governance Committee. There will be at least 2 groups represented on each sub-committee. Although political balance is not required, as a members duty when serving on the sub-committee is to compliance with the Code of Conduct, every effort will be made when assembling a sub-committee to ensure all political views are represented. An Independent Member will also be invited to sit with the Hearing Sub and their views must be taken into account when a decision is reached, both in connection with the determination on breach and on sanction.
28. Independent Members must not have served on the Council in the preceding 5 years either as a Member, a co-opted Member or an officer.
29. If the Hearing Sub-Committee find that there was no breach then no further action will be taken and all parties will be notified of this. If the finding is that the subject of the complaint breached the code of conduct then they will consider the severity of the breach found and consider the appropriate sanction to attach.
30. If a finding of breach of the code of conduct is made it will be usual for the Hearing Sub to publish this finding in a local newspaper and to report it to the Governance Committee for reporting to Full Council. It is open for the Hearing Sub-Committee to conclude that the finding and reporting is sanction enough.
31. Under the regime the sanctions which may be imposed will be less onerous than those under the previous scheme. The Hearing Sub may
 - a. Recommend to a group leader that the subject of the complaint is removed from any or all committees or sub-committees of the Council;
 - b. Recommend that the member be removed from the Executive or lose any portfolio responsibilities;
 - c. Instruct the MO to arrange training for the member;
 - d. Remove the member from all outside body appointments;
 - e. Withdraw Council facilities such as access to a computer, email or intranet be for a period of time; or

- f. Exclude the member from Council offices or other premises other than for the purposes of attending Council, Committee and Sub-Committee meetings for a period of time.
32. Members are asked to note that they are not obliged to adopt all the sanctions available and are not required to adopt them all. However, Members are reminded that these are intended as a sanction for behaviour that has fallen below the adopted standard. The harsher sanctions that interfere with the Members ability to discharge their democratic duties (sanctions e and f above) are only likely to be used for the more serious matters.
33. Sanctions (a) and (b) can only be recommendations as these are matters for the groups and the Executive Leader, however, there is an expectation that unless there is a good reason the recommendations will be adopted. The remaining matters are for full council and can properly be delegated to the Hearing Sub-Committee for a binding decision.
34. There is a right of appeal against a finding of the Hearing Sub-Committee. The process is set out in the Arrangements document. Any challenge to the appeal decision should be by way of Judicial Review or to the process a complaint should be made to the Local Government Ombudsman. This is to try to ensure that the complaints are dealt with quickly and there is certainty at the outcome.
35. The Council are responsible for receiving standards complaints relating to the Parish Councils within the Borough. Whilst each Parish may adopt their own code of conduct it is expect this will mirror the code adopted by this Council. The process for dealing with the complaints will be the same. It is not envisaged that any Parish Members will be appointed to sit on the Standards Sub-Committees this will be reviewed to ensure they process and systems are sufficient to meet the Council's needs.
36. Complaints that do not progress through initial assessment will be reported (in an anonymised form) to Governance Committee. This is to enable feedback to be provided on the approach taken by the MO and the Independent Member and ensure that the complaints are being properly dealt with.
37. There has been no guidance issued by central government either on the nature of pecuniary and special interests nor on the expected process to be followed when a complaint is received. The complaints process is therefore subject to amendment if such regulation is issued.
38. It should be noted that recently the LGA have made representations to the CLG concerning the commencement date of the new standards regime. As no guidance has been given concerning the definition of pecuniary interest it is unreasonable to expect members to be bound by a code which references them. No response has yet been received to this representation and at present the timetable to the 1 July stands.

CRIMINAL LIABILITY

39. Whilst this does not form part of the new Code of Conduct, members should be aware of the criminal liability imposed in connection with failure to comply with their obligations in relation to the disclosure of pecuniary interests and their participation in relation to matters in which they have a pecuniary interest. The following are offences punishable by summary conviction:-
 - a. Failing to
 - i. **Register** a disclosable pecuniary interest with the MO within 28 days of election
 - ii. **Disclose** an none registered pecuniary interest in an issue being considered at a meeting of the Council
 - iii. **Register** a disclosable pecuniary interest within 28 days of its disclosure at a Council meeting
 - iv. **Register** a disclosable pecuniary interest within 28 days of it becoming apparent to the member that the interest exists.

It is also an offence, to knowingly or recklessly provide information a member knows to be false in registering or disclosing a pecuniary interest.
 - b. Participating in a discussion and/or vote at a Council meeting on an issue in which the member has a disclosable pecuniary interest.

- c. Taking any steps in relation to a matter in which the member has a disclosable pecuniary interest.
 - i.

40. The Council will not pursue these criminal matters under the standards regime (although they will pursue standards complaints on these issues) but will refer any such complaint to the police for investigation.

PREDETERMINATION

- 41. Predetermination is not a standards issue and does not fall to be regulated by the Code of Conduct. The Localism Act has however, extinguished the common law rule and introduced a statutory approach. Members are entitled to have a predisposition to an issue. It is recognised that in many matters it would be impossible not to form your own view and indeed, some decisions may relate to specific issues a member has campaigned on to be elected in the first place.
- 42. A Member is not entitled to have a closed mind on an issue. In other words, they are not allowed to approach any decision in a frame of mind where nothing would change their view.
- 43. Further guidance will be provided to Members on this matter.

IMPLICATIONS OF REPORT

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

Finance	X	Customer Services	
Human Resources		Equality and Diversity	
Legal	X	Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

45. There are no financial implications in budgetary terms associated with this report.

COMMENTS OF THE MONITORING OFFICER

46. As per the report. Since the drafting of the report, draft regulations concerning pecuniary interests has now been circulated. Additional information will be provided to members in the near future.

CHRIS MOISTER
MONITORING OFFICER

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Monitoring Officer	5160	28 May 2012	***

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Code of Conduct

As a member or co-opted member of Chorley Council I have a responsibility to represent the community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.

In accordance with the Localism Act provisions, when acting in this capacity I am committed to behaving in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in this authority.

SELFLESSNESS: Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

INTEGRITY: Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

OBJECTIVITY: In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

ACCOUNTABILITY: Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

OPENNESS: Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

HONESTY: Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

LEADERSHIP: Holders of public office should promote and support these principles by leadership and example.

As a Member of Chorley Council, my conduct will in particular address the statutory principles of the code of conduct by:

Championing the needs of residents – the whole community and in a special way my constituents, including those who did not vote for me - and putting their interests first.

Dealing with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.

Not allowing other pressures, including the financial interests of myself or others connected to me, to deter me from pursuing constituents' casework, the interests of the Borough or the good governance of the authority in a proper manner.

Exercising independent judgement and not compromising my position by placing myself under obligations to outside individuals or organisations who might seek to influence the way I perform my duties as a member/co-opted member of this authority.

Listening to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.

Being accountable for my decisions and co-operating when scrutinised internally and externally, including by local residents.

Contributing to making this authority's decision-making processes as open and transparent as possible to enable residents to understand the reasoning behind those decisions and to be informed when holding me and other members to account but restricting access to information when the wider public interest or the law requires it.

Behaving in accordance with all our legal obligations, alongside any requirements contained within this authority's policies, protocols and procedures, including on the use of the Authority's resources.

Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.

Always treating people with respect, including the organisations and public I engage with and those I work alongside.

Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this authority.

I will also comply with my obligations under the Act in relation to the registration and disclosure of interests and in Chorley Council this will be done as follows:

I will, within 28 days of taking office as a member or co-opted member, notify Chorley Council's Monitoring Officer of any disclosable pecuniary interest as defined by Regulations made by the Secretary of State, where the pecuniary interest is mine, my spouse's or civil partner's or is a pecuniary interest of someone with whom I am living as husband and wife or as if we were civil partners.

In addition, I will, within 28 days of taking office as a member or co-opted member, notify Chorley Council's Monitoring Officer of any disclosable pecuniary or non-pecuniary interest which Chorley Council has decided should be included in the register.

If an interest has not been entered onto Chorley Council's register, then I will disclose the interest to any meeting of the authority at which I am present, where I have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'.¹

Following any disclosure of an interest not on the authority's register or the subject of pending notification, I will notify the Monitoring Officer of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, I will not participate in any discussion of, vote on, or discharge any function related to any matter in which I have a pecuniary interest as defined by Regulations made by the Secretary of State. Additionally, I will observe the restrictions Chorley Council place on my involvement in matters where I have a pecuniary or non pecuniary interest as defined by your authority.

¹ A 'sensitive interest' is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.

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CHORLEY BOROUGH COUNCIL**ARRANGEMENTS FOR DEALING WITH COMPLAINTS
ABOUT THE CONDUCT OF MEMBERS****Introduction**

1. This procedure applies when a complaint is received that a Member, Co-opted Member or Parish Member has or may have failed to comply with the relevant Code of Conduct for Members.
2. The person making the complaint will be referred to as “the Complainant” and the person against whom the complaint is made will be referred to as the “Subject Member.”
3. No Member or Officer will participate in any stage of the arrangements if he or she has, or may have, any personal conflict of interest in the matter.

4. Making a complaint

A complaint must be made in writing by post or email to: –

The Monitoring Officer
Chorley Council
Town Hall
Market Street
Chorley
PR7 1DP

OR

chris.moister@chorley.gov.uk

The Monitoring Officer will acknowledge receipt of the complaint within 5 working days of receiving it and, at the same time, write to the Subject Member with details of the allegations (subject to any representations from the Complainant on confidentiality, which are accepted as valid by the Monitoring Officer). The Subject Member may, within 5 working days of receipt, make written representations to the Monitoring Officer which he must take into account when deciding how the complaint will be dealt with. Representations received after this time may be taken into account, at the discretion of the Monitoring Officer, but will in any event not be considered after the Monitoring Officer has issued his Initial Complaint Assessment.

5. Complaint Initial Assessment

The Monitoring Officer will review the complaint and, after consultation with the Independent Person, take a decision (a Complaint Initial Assessment) as to

whether it merits formal investigation, or another course of action. This decision will normally be taken within 21 days of receipt of a complaint.

If the complaint fails one or more of the following tests, it will be rejected:

- The complaint must be against one or more named Members or co-opted Members of the Council or a parish council within its district;
- The Subject Member must have been in office at the time of the alleged conduct and the Code of Conduct was in force at the time;
- The complaint, if proven, would be a breach of the Code of Conduct under which the subject Member was operating at the time of the alleged misconduct.

If appropriate, the Monitoring Officer will then go on to apply the following criteria in deciding whether a complaint should be accepted for investigation, dealt with informally, or rejected:

- Whether a substantially similar allegation has previously been made by the Complainant, or the complaint has been the subject of an investigation by another regulatory authority;
- Whether the complaint is about something that happened so long ago that those involved are unlikely to remember it clearly enough to provide credible evidence, or where the lapse of time means there would be little benefit or point in taking action now;
- Whether the allegation is anonymous;
- Whether the allegation discloses a potential breach of the Code of Conduct, but the complaint is not serious enough to merit any action and:-
 - (i) the resources needed to investigate and determine the complaint are wholly disproportionate to the allegations;
 - (ii) whether, in all the circumstances, there is no overriding public benefit in carrying out an investigation;
- Whether the complaint appears to be malicious, vexatious, politically motivated or tit-for-tat;
- Whether the complaint although in itself minor in nature suggests that there is a wider problem throughout the authority;

- Whether it is apparent that the subject of the allegation is relatively inexperienced as a Member, or has admitted making an error and the matter would not warrant a more serious sanction;

- Whether training or conciliation would be the appropriate response;

6. Additional Information

The Monitoring Officer may obtain additional factual information to come to a decision and may request information from the Subject Member. Where the complaint relates to a Parish Councillor, the Monitoring Officer may also inform the Parish Council of the complaint and seek the views of the Parish Council before deciding whether the complaint merits formal investigation or other action. In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for an investigation. Such informal resolution may involve the Subject Member accepting that his/her conduct was unacceptable and offering an apology, or taking other steps. Where the Subject Member or the authority (in appropriate cases) make a reasonable offer of Local Resolution, but it is rejected by the Complainant, the Monitoring Officer will take account of this in deciding whether the complaint merits formal investigation.

If the complaint identifies criminal conduct or breach of other regulations by any person, the Monitoring Officer is authorised to report this to the Police or other prosecuting or regulatory authorities.

7. Confidentiality

If a Complainant has asked for their identity to be withheld, this request will be considered by the Monitoring Officer at the Complaint Initial Assessment stage.

As a matter of fairness and natural justice, the Subject Member should usually be told who has complained about them and receive details of the complaint. However, in exceptional circumstances, the Monitoring Officer may withhold the Complainant's identity if on request from the Complainant, or otherwise, they are satisfied that the Complainant has reasonable grounds for believing that they or any witness relevant to the complainant may be at risk of physical harm, or his or her employment may be jeopardised if their identity is disclosed, or where there are medical risks (supported by medical evidence) associated with the Complainant's identity being disclosed.

If the Monitoring Officer decides to refuse a request by a Complainant for confidentiality, they will offer the Complainant the option to withdraw the complaint, rather than proceed with his or her identity being disclosed. The Monitoring Officer will balance whether the public interest in taking action on a complaint will outweigh the Complainant's wish to have his or her identity withheld from the Subject Member

8. Investigation

If the Monitoring Officer decides that a complaint merits formal investigation, they will appoint an Investigating Officer, who may be a Council officer, an officer of another Council, or an external investigator.

The Investigating Officer will follow guidance issued by the Monitoring Officer on the investigation of complaints. The guidance will follow the principles of proportionality and the cost-effective use of Council resources and shall be interpreted in line with these principles.

The Investigating Officer will ensure that the Subject Member receives a copy of the complaint – subject to a Monitoring Officer decision on Confidentiality.

At the end of their investigation, the Investigating Officer will produce a draft report and will send copies of that draft report to the Complainant and to the Subject Member, for comments. The Investigating Officer will take such comments into account, before issuing their final report to the Monitoring Officer.

9. Investigating Officer finding of insufficient evidence of failure to comply with the Code of Conduct

The Monitoring Officer will review the Investigating Officer's report and, if they are satisfied that the Investigating Officer's report is satisfactory, will make a Confirmation Decision to confirm the finding of no failure to comply with the Code of Conduct.

The Monitoring Officer will write to the Complainant and the Subject Member (and to the Parish Council, where the complaint relates to a Parish Councillor), with a copy of the Confirmation Decision and the Investigating Officer's final report.

If the Monitoring Officer is not satisfied that the investigation has been conducted satisfactorily, he may ask the Investigating Officer to reconsider their report and conclusion.

10. Investigating Officer finding of sufficient evidence of failure to comply with the Code of Conduct

The Monitoring Officer will review the Investigating Officer's report and will then either send the matter for local hearing before the Hearings Panel or, after consulting the Independent Person, seek Local Resolution.

11. Local Resolution

If the Monitoring Officer considers that the matter can reasonably be resolved without the need for a hearing, they will consult with the Independent Person and the Complainant and seek to agree a fair resolution. Such resolution may include the Member accepting that their conduct was unacceptable and offering

an apology, and/or other remedial action. If the Member accepts the suggested resolution, the Monitoring Officer will report the outcome to the Standards Committee and the Parish Council (if appropriate) for information, but will take no further action. If the Complainant or the Subject Member refuses Local Resolution in principle or to engage with the agreed outcome, the Monitoring Officer will refer the matter for a Local Hearing without further reference to the Complainant or the Subject Member.

12. Local Hearing

Where, in the opinion of the Monitoring Officer, Local Resolution is not appropriate or the Complainant and/or Subject Member refuse to co-operate, then the Monitoring Officer will report the Investigating Officer's report to the Hearings Panel which will conduct a Local Hearing before deciding whether the Member has failed to comply with the Code of Conduct and, if so, whether to take any action in respect of the Member.

The Council has agreed a procedure for local hearings, which is attached as Appendix A to these arrangements.

13. Constitution of the Hearings Panel

The Hearings Panel is a Sub-Committee of the Council's Governance Committee. The Council has decided that a Hearings Panel will be comprised of a maximum of three Members, and comprising Members should be drawn from at least 2 different political parties. There is no requirement for political proportionality and Members who sit on a Hearings Panel have a duty to the Council's Code of Conduct and will be expected to consider matters accordingly.

The Independent Person is invited to attend all meetings of the Hearings Panel and their views are sought and must be taken into consideration before the Hearings Panel takes any decision on whether the Member's conduct constitutes a failure to comply with the Code of Conduct and as to any action to be taken following a finding of failure to comply with the Code of Conduct.

The Hearings Panel are not bound by the views of the Independent Member but where they depart from the view their decision should contain reasons why.

14. Who is the Independent Person?

The Independent Person is a person who has applied for the post following advertisement of a vacancy for the post, and is appointed by a positive vote from a majority of all the Members of Council.

A person cannot be "independent" if he/she –

14.1 Is, or has been within the past 5 years, a Member, co-opted Member or officer of the authority;

14.2 Is or has been within the past 5 years, a Member, co-opted Member or officer of a parish council within the authority's area, or

14.3 Is a relative, or close friend, of a person within paragraph 14.1 or 14.2 above. For this purpose, "relative" means –

14.3.1 Spouse or civil partner;

14.3.2 Living with the other person as husband and wife or as if they were civil partners;

14.3.3 Grandparent of the other person;

14.3.4 A lineal descendent of a grandparent of the other person;

14.3.5 A parent, sibling or child of a person within paragraphs 14.3.1 or 14.3.2;

14.3.6 A spouse or civil partner of a person within paragraphs 14.3.3, 14.3.4 or 14.3.5; or

14.3.7 Living with a person within paragraphs 14.3.3, 14.3.4 or 14.3.5 as husband and wife or as if they were civil partners.

15. Action the Hearings Panel may take where a Member has failed to comply with the Code of Conduct

Where a Hearings Panel find that a member has failed to comply with the Code of Conduct, the Council has delegated to the Hearings Panel such of its powers to take action in respect of individual Members as may be necessary to promote and maintain high standards of conduct. Accordingly the Hearings Panel may –

15.1 Publish its findings in respect of the Member's conduct;

15.2 Report its findings to Council (or to the Parish Council) for information;

15.3 Recommend to the Member's Group Leader (or in the case of ungrouped Members, recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council;

15.4 Recommend to the Leader of the Council that the Member be removed from the Executive, or removed from their Portfolio responsibilities;

15.5 Instruct the Monitoring Officer to (or recommend that the Parish Council) arrange training for the Member;

15.6 Remove (or recommend to the Parish Council that the Member be removed) from all outside body appointments to which they have been appointed or nominated by the Council (or by the Parish Council);

15.7 Withdraw (or recommend to the Parish Council that it withdraws) facilities provided to the Member by the Council, such as a computer, website and/or email and Internet access; or

15.8 Exclude (or recommend that the Parish Council exclude) the Member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.

16. Revision of these arrangements

The Council may by resolution or delegation to the Monitoring Officer agree to amend these arrangements and has delegated to the Chair of the Hearings Panel the right to depart from these arrangements where they consider that it is expedient to do so in order to secure the effective and fair consideration of any matter.

17. Appeals

The subject of the complaint has the right to appeal both against findings of breach of the code and against sanction.

The appeal must be in writing and received by the Monitoring Officer within 7 days of the date of the Hearing Sub-Committee decision being made. The appeal must state whether the challenge is against the finding of breach or against the sanction imposed only.

The Monitoring Officer will arrange for an Appeal Sub-Committee to be convened within 7 days of the receipt of any appeal. The Appeal Sub-Committee comprising of 3 Members will be drawn from the Governance Committee and will not include Members who sat on the Hearing Sub-Committee. A different Independent Member will also be used. The Appeal will follow the procedure used for Hearing Panels.

Subject to Judicial Review, or a decision of the Local Government Ombudsman, there is no further right of appeal against a decision of the Monitoring Officer or of the Appeals Panel.

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Stage 1: Setting the scene

1. After all the everyone involved has been formally introduced, the Chair will explain how the Committee is going to run the hearing.
2. The Chair will introduce the Independent Member and advise the Member that whilst they do not have a decision making role they are present to provide an independent view which the Committee are obliged to consider.
3. The Chair will ensure that the Member is ready and happy to proceed. If the Member indicates that they are not ready, they must give reasons why. The Committee will decide whether the hearing should proceed and must act reasonably in coming to that decision. Where the Member has indicated they are not ready but the Committee decide to proceed they should given reasons why.

Stage 2: Making findings of fact

4. The Committee will ask the Member whether there are any significant disagreements about the facts contained in the Investigating Officer's report. If there is no disagreement about the facts, the Committee can move on to the next stage of the hearing.
5. If there is a disagreement, the Investigating Officer, will be invited to make representations on the challenged facts, but these are to be confined to matters contained within the report.
6. The Member will then have the opportunity to make representations to support their stated position.
7. At any time, the Committee may question the Investigating Officer or the Member.
8. If the Member disagrees with most of the facts, the Committee may invite the Investigating Officer to make representations on all the relevant facts, instead of discussing each fact individually.
9. If the Member disagrees with any relevant fact in the Investigating Officer's report, without having given prior notice of the disagreement, they must give good reasons for not mentioning it before the hearing.
10. After considering the Member's explanation for not raising the issue at an earlier stage, the Committee may then:
 - continue with the hearing, relying on the information in the Investigating Officer's report
 - allow the Member to make representations about the issue, and invite the Investigating Officer to respond
 - postpone the hearing to allow the Investigating Officer to consider and investigate the new issue.
11. The Committee will usually move to another room to consider the representations and evidence in private also present will be the clerk to the Committee and the Independent Member. On their return, the Chair will announce the Committee's findings of fact.

Stage 3: Did the Member fail to follow the Code of Conduct?

12. Having made the finding on the facts the Committee will then consider whether the Member has failed to follow the Code.
13. The Member should be invited to give relevant reasons why the Committee should decide that they have not failed to follow the Code.
14. The Committee should then consider any verbal or written representations from the Investigating Officer.
15. The Committee may, at any time, question anyone involved on any point they raise on their representations.
16. The Member should be invited to make any final relevant points.

17. The Committee will then move to another room to consider the representations. The Independent Member will accompany them and their views should be sought and considered by the Committee. Where the Committee depart from the view of the Independent Member they should record the reasons why.
18. On their return, the Chair will announce the Committee's decision as to whether the Member has failed to follow the Code.

If the Member has not failed to follow the Code of Conduct

19. If the Committee decides that the Member has not failed to follow the Code, the Committee will notify the Member accordingly and record the decision.

If the Member has failed to follow the Code of Conduct

20. If the Committee decides that the Member has failed to follow the Code, it will consider any verbal or written representations from the Investigating Officer and the Member as to:
 - whether the committee should apply a sanction
 - what form any sanction should take
21. The Committee may question the Investigating Officer and Member, and take legal advice, to make sure they have the information they need in order to make an informed decision.
22. The Committee will then deliberate with the Independent Member in private to consider whether to impose a sanction on the Member and, if so, what sanction it should be. As previously the Independent Member will not be able to participate in making the decision (ie vote) but their views must be considered by the Committee. Where the Committee depart from the Independent Members views they must record reasons why.
23. The Committee will be limited to the sanctions listed in the procedure for the administration of complaints. The Committee must ensure that any sanction is reasonable and proportionate to the breach.
24. On their return, the Chair will announce the Committee's decision.

Illustrative text for code dealing with the conduct expected of members and co-opted members of the authority when acting in that capacity

You are a member or co-opted member of the [name] council and hence you shall have regard to the following principles – selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Accordingly, when acting in your capacity as a member or co-opted member -

You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.

You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.

You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.

You must be as open as possible about your decisions and actions and the decisions and actions of your authority and should be prepared to give reasons for those decisions and actions.

You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out in the box below.

You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.

Registering and declaring pecuniary and non-pecuniary interests

You must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.

In addition, you must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary or non-pecuniary interest which your authority has decided should be included in the register.

If an interest has not been entered onto the authority's register, then the member must disclose the interest to any meeting of the authority at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'.¹

Following any disclosure of an interest not on the authority's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your authority places on your involvement in matters where you have a pecuniary or non pecuniary interest as defined by your authority.

¹ A 'sensitive interest' is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.



Report of	Meeting	Date
Liberata Property Services (introduced by Executive Member for (Resources, Policy and Performance))	Executive Cabinet	21 June 2012

**LAND REAR OF 52 – 78 FAIRVIEW DRIVE
3 AND 4 BARN VIEW AND 11 TO 17 MAYTREE COURT, ADLINGTON
NOTIFICATION OF ONE OBJECTION TO DISPOSAL OF OPEN SPACE**

PURPOSE OF REPORT

1. Following on from the Executive Cabinet on the 29 March 2012, to advise Members of one objection received to the disposal of open space as garden extensions which has been received from a local dog-walker who regularly uses the land to the rear of properties 52 – 80 Fairview Drive, 3 & 4 Barnview and 11 – 17 Maytree Court.
2. To advise Members that all residents at the above location have each responded, requesting that they are able to purchase a parcel of land. Where a resident has not responded or does not wish to acquire a garden extension neighbouring residents with appropriate access have requested to buy the relevant parcel instead. A notice advertising the disposal of the open space was posted on the site and in the local press on 2 May 2012 and on 9 May 2012 in order to give any potential objectors the opportunity to object by 23 May 2012.

RECOMMENDATION(S)

3. (i) That the previous decision to offer the land currently designated as open space and offer to each individual occupier who has expressed an interest is progressed as approved at the Executive Cabinet on the 29 March 2012;
- (ii) That the previous authority for the Head of Governance being authorised to approve the terms and arrange completion of the sale of each parcel of land proceeds; and to approve the terms of a deed of release or modification with Westbury Homes Limited (a dormant subsidiary of Persimmon Homes who own a covenant restricting the use of the land to public open space) is progressed and a planning application submitted as previously approved;
- (iii) The objection received as detailed later in the report is noted.

EXECUTIVE SUMMARY OF REPORT

4. It was approved at the Executive Cabinet on the 29 March 2012 for all the area of land shown edged red on the attached plan to be divided into garden extensions and offered to each individual occupier of the above properties and would therefore no longer serve as Public Open Space. The land will become enclosed by the garden extensions and prevent dog walkers from using the land as a walk way if the decision for the garden extensions is to proceed.
5. The original intention of the developer, Persimmon Homes was to provide a buffer landscaped zone which was not progressed as reported in the Cabinet Report on the 29 March 2012. The reason being was because it was thought that the land would be required

for a surface water sewer by United Utilities. The land has instead now become a haven for dog walkers with concerns over dog-fouling and security issues.

6. As the residents have all since responded positively it means that if the garden extensions proceed, the site as a whole will become fenced in at both ends up to the railway fence. The site would become secure and no longer have any detrimental environmental impact for adjoining residents.
7. When the Executive Cabinet gave its approval on the 29 March 2012 it was not known if any objections would be received, and the Head of Governance was given authority to approve the details of any sales of individual garden extensions, subject to consideration by members of any responses received to the statutory advertisement of the proposed disposal.
8. The current position is that one written objection has now been received from Mr. Roger Smith of 10 Heathfield, Heath Charnock. Mr. Smith has stated in his letter dated 10th May 2012 that he regularly uses this land for dog walking and finds this parcel of amenity land to be a valuable part of a larger circular walk. He suggests that improved security measures to the homes could be provided such as alarms and security lighting rather than the land being sold to residents. He does not mention any issues with dog-fouling in his letter.

Confidential report Please bold as appropriate	Yes	No
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Key Decision? Please bold as appropriate	Yes	No
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REASONS FOR RECOMMENDATION(S)

9. The sale of the garden extensions will alleviate the problems associated with the public using the land as a walk-through with dogs fouling on the site and alleviating security issues, as previously approved. All residents have responded so there should not be any landlocked gaps left over.
10. There could potentially be receipts from the sale of the proposed garden extensions and costs as described in the previous report (subject to payment of consideration for release or modification of the open space covenant payable to Westbury Homes).
11. Chorley Borough Council will no longer be required to maintain this land. This will result in a saving for the Council’s maintenance budget.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

The following have already been mentioned in the previous Cabinet Report:

12. A decision not to allow the parcel to be used for separate garden extensions will result in the land remaining open to the public for a walk-through with its associated safety issues and dog fouling;
13. Providing a tree wooded is no longer proceeding since the surface water sewer was subsequently not provided in this location and the residents have chosen to request garden extensions.
14. A Gating Order under the Highways Act is not available as the land is open space rather than a public highway. Such orders are only possible in relation to public highway. An alternative “alleygating” scheme to be funded by adjacent residents would involve enclosing the open space with keys provided to residents, the emergency services and United Utilities. This

process was not completed by the resident carrying out the canvassing of all the other residents.

CORPORATE PRIORITIES

15. This report relates to the following Strategic Objectives:

Strong Family Support		Education and Jobs	
Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	√
Safe Respectful Communities	√	Quality Community Services and Spaces	
Vibrant Local Economy		Thriving Town Centre, Local Attractions and Villages	√
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			

BACKGROUND

- 16. The residents of 52-78 Fairview Drive, 3 and 4 Barn View and 17 Maytree Close have all responded positively to the offer of garden extensions prior to the Executive Cabinet Report of the 29 March 2012. As part of the first stage of the process following this approval, notices have been provided on site in addition to advertising under S123 (2A) of the LGA 1972 for a three week period in a local newspaper with a closing date of 23 May 2012.
- 17. Only one objection has been received from Mr. Roger Smith, of 10 Heathfield, Heath Charnock who has sent in a detailed letter dated 10 May 2012 expressing his wishes that this land remains as Public Open Space and is therefore still able to be used as a walkway for the public and owners of pets. He has stated that this land has been used by the general public and provides a valuable section of a very popular, secure, circular dog walk through the land, over the railway crossing and then the A6 highway and via Allanson Hall Farm. This then provides access back along the Leeds Liverpool canal town path to Heath Charnock. Mr. Smith goes onto state that if this land was not available then local pet owners would have to walk through the estate roads instead before being able to join the Public Open Space at Fairview Community Centre.

IMPLICATIONS OF REPORT

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

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

COMMENTS OF THE DIRECTOR OF PEOPLE AND PLACES (all as noted in the previous report)

19. The strip of land in question is not particularly suitable as a public open space amenity and currently provides a narrow passage for dog walkers. Additionally due to its location adjacent to a railway embankment the area has encouraged the congregation of groups of youths from time to time leading to low level anti-social behaviour reports and a reduction of feelings of safety reported by some residents.

Disposal of the land into parcels of garden extension for householders who adjoin the land will not adversely impact on public open space provision in the area and will reduce the

Council's maintenance commitment on the estate. In addition the disposal will remove the strip as an area for dog walkers and the congregation of youths.

COMMENTS OF THE STATUTORY FINANCE OFFICER

20. At the moment terms for the sale have not been agreed. Anything agreed will be over and above what we have in budget and as such will be a windfall, but is only likely to be a small sum.

COMMENTS OF THE MONITORING OFFICER (HEAD OF GOVERNANCE)

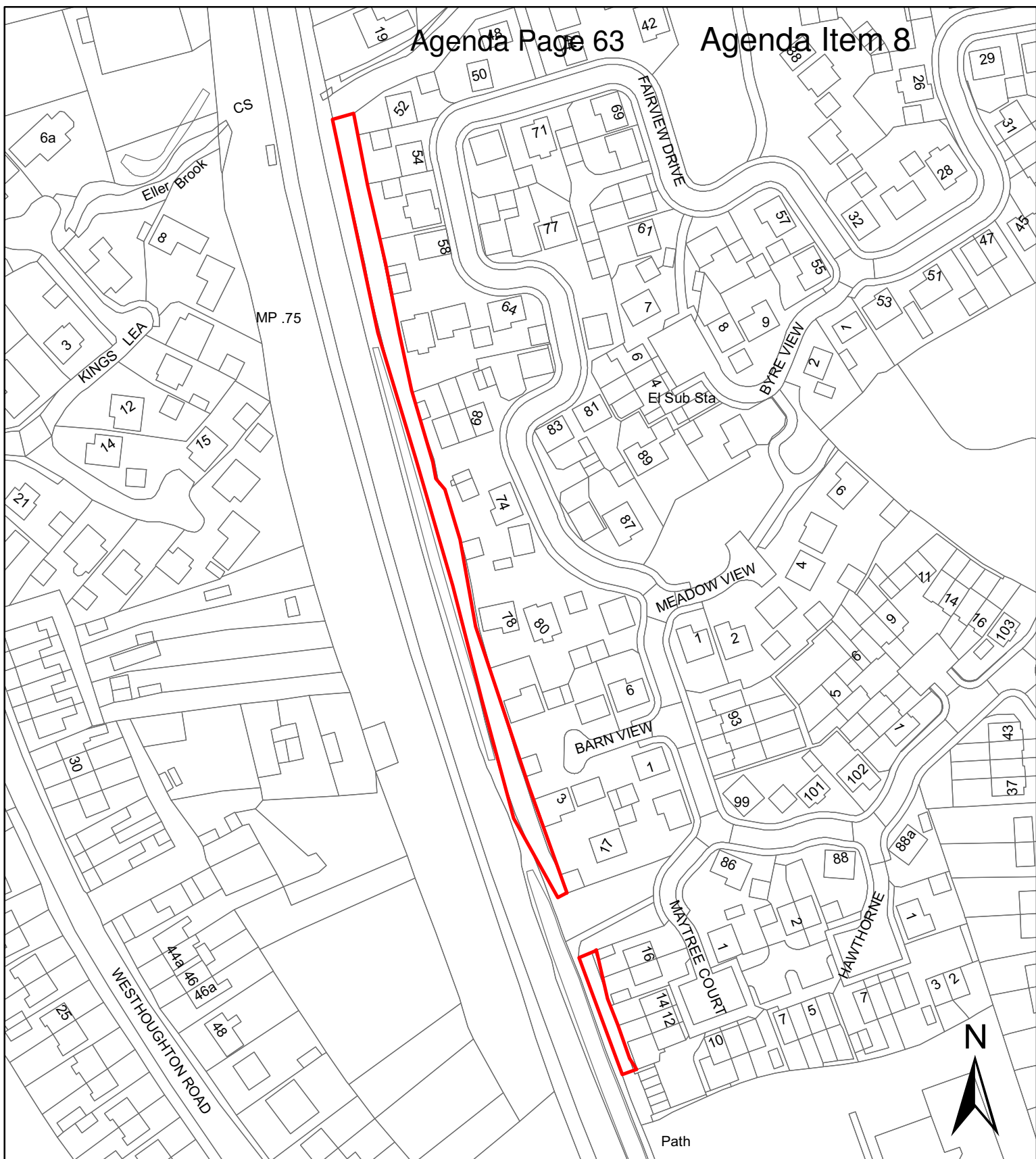
21. There are no legal reasons why this transfer cannot take place but it would be subject to any encumbrances registered against the title. The requirement to advertise the proposed disposal of open space under section 123[2A] of the Local Government Act 1972 is addressed within the body of the report. The purpose of this report is to report this objection to members to decide whether to proceed with the same proposal or in an amended form or to withdraw it completely.

CHRIS MOISTER
HEAD OF GOVERNANCE

BACKGROUND PAPERS:

Representation from Mr Roger Smith which can be inspected at the Town Hall during normal working hours

Report Author	Ext	Date	Doc ID
Alison Davenport	515233	13 June 2012	***



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Description

Land rear of Fairview Drive,
Adlington, Chorley.

For Information Purposes Only

Scale
1:1,500

Drawing Number

Drawn By
HP

Date
April 2012

CAD Reference

LIBERATA
outsourcing work flows™

Property Services
17-23 Gillibrand Street,
Chorley,
Lancashire
PR7 2EJ

Tel. 01257 515273
Fax. 01257 515279
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Chorley
Council

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Report of	Meeting	Date
Chief Executive (Introduced by the Executive Member for Resources, Policy and Performance)	Executive Cabinet	21 June 2012

FOURTH QUARTER PERFORMANCE REPORT 2011/2012

PURPOSE OF REPORT

1. This monitoring report sets out the performance against the delivery of the Corporate Strategy and key performance indicators during the fourth quarter of 2011/12, 1 January to 31 March 2012.

RECOMMENDATION(S)

2. That the report be noted.

EXECUTIVE SUMMARY OF REPORT

3. This report sets out performance against the Corporate Strategy and key performance indicators for the fourth quarter of 2011/12, 1 January to 31 March 2012. Performance is assessed based on the delivery of key projects, against the measures in the Corporate Strategy and key service delivery measures.
4. Overall performance of key projects remains good, with a majority of the projects on track. One project, the website refresh has been rated red due to on-going delays, however final deployment is due to happen by the end of the second quarter 2012/13.
5. Overall performance on the key measures in the Corporate Strategy and key performance indicators is strong, with 95% of the Corporate Strategy measures performing above target or within the 5% tolerance. One indicator, the % of 16-18 year olds who are not in education, employment or training (NEET) is below target, however a NEET Task and Finish Group has met, and a set of actions have been identified to improve delivery.
6. One of the key service delivery measures is below target, the number of families in temporary accommodation; an action plan has been developed to outline what action will be taken to improve performance.

Confidential report Please bold as appropriate	Yes	No
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Key Decision? Please bold as appropriate	Yes	No
--	-----	----

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

7. To facilitate the ongoing analysis and management of the Council's performance in delivering the Corporate Strategy.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

8. None

CORPORATE PRIORITIES

9. This report relates to the following Strategic Objectives:

Strong Family Support	✓	Education and Jobs	✓
Being Healthy	✓	Pride in Quality Homes and Clean Neighbourhoods	✓
Safe Respectful Communities	✓	Quality Community Services and Spaces	✓
Vibrant Local Economy	✓	Thriving Town Centre, Local Attractions and Villages	✓
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			✓

BACKGROUND

10. The Corporate Strategy is the key strategic document for the authority and includes performance indicators and key projects which focus on delivering the Council's nine strategic objectives. The Corporate Strategy mirrors, and outlines the Council's contribution to, the Sustainable Community Strategy, delivery of which is taken forward by the Chorley Partnership.
11. This report includes an update on the new key projects and targets set out in the 2011/2012 – 2014/15 Corporate Strategy.

PERFORMANCE OF KEY PROJECTS

12. Following the refresh of the Corporate Strategy in November, there are 17 key projects for 2011/2012 – 2014/15. Overall performance of key projects is excellent. 15 of the 17 projects (88%) are either on track or scheduled to start later in the year.
13. At the end of the fourth quarter, ten projects (59%) were rated green, meaning that they are progressing according to timescale and plan:
 - Deliver the Lex s106 open spaces scheme
 - Deliver the allotment project
 - Provide start up support for local businesses
 - Deliver phase two of the support for high quality independent businesses
 - Deliver a Jubilee weekend event

- Develop and deliver a bus shelter improvement plan
- Develop an action plan to tackle social isolation in the borough
- Implementation of the customer services migration plan
- Undertake the streetscene modernisation project
- Relocate the council’s depot

14. Four projects (23%) had not started by the end of the fourth quarter, as they are scheduled to start later in the year in order to balance out project work with core business and manage staff capacity.
15. One project (6%) has been completed during the last quarter, and the initial outputs of this project are detailed below:

Project Title		Project Status
Migrate the regulatory services to a single ICT platform		Complete
Key Outcomes	<p>The project has successfully replaced the Civica (Flare) system for environment and health and LALPAC for licencing with IDOX and is expected to save £100,000 over a 5 year period. IDOX is already successfully used in the development and building control, and more recently land charges and consolidation of IT systems is in line with the Council’s IT Strategy.</p> <p>The IDOX system provides increased functionality including; online consultation and submissions of applications (licencing); automatic integration of modules such as Environmental Health and Land changes, thereby reducing the need for manual input, and the reporting function will enable better case management and management information which up until now would have been very laborious to calculate manually. While the project is completed, some additional training is being planned, to ensure that staff know how to make the best use of the system and its functionality.</p>	

16. One project (6%) are currently rated as ‘amber’, which is early warning that there may be a problem with these projects.

Project Title		Project Status
Deliver the Sharepoint EDMS project		Amber
Explanation	<p>Due to the complexity of this project, its close association with the Information Management project and the absence of the project manager which had an impact in terms of the capacity available to work on the project, delays have occurred. A revised project plan is expected to be agreed with the suppliers by 1 June 2012.</p>	
Action Required	<p>Plans are now in place for a concerted team effort to progress and complete the project as quickly as possible, Full delivery of the Information management module is expected in the next quarter. A minimum of a full test site for EDRMS is expected in the next quarter. Go live to be decided when UAT and training is complete.</p>	

17. One project (6%) is currently rated as 'red', which indicates more serious problems such as falling behind schedule or exceeding budgets.

Project Title		Project Status
Refresh the Council's website		Red
Explanation	<p>As previously reported, the project to refresh the council's website is behind the planned schedule. The project is closely linked with the development of a series of innovative application developments that will make handling customer enquiries more effective and efficient.</p> <p>The concentration of development has been on ensuring that the solution works properly for the key applications that are used by frontline services such as streetscene, waste collection and customer services. This work has already been mostly implemented, and the remaining work is in the final stages of testing. This initial testing and deployment will complete by the end of May 2012.</p>	
Action Required	<p>At that point, the second phase of the website refresh will begin. Project documentation has been completed for this. The project will include finalising and implementing the look and feel of the website, reviewing and uploading content, testing and user testing before final deployment. The final deployment is due to happen by the end of the October 2012.</p>	

PERFORMANCE OF CORPORATE STRATEGY KEY MEASURES

18. At the end of the fourth quarter, it is possible to report on 20 of the key performance indicators within the Corporate Strategy. Performance in those indicators is good, with 17 (85%) performing on or better than target. The full outturn information for the performance indicators is included at Appendix A.

19. The following indicators are performing better than target:

- Overall employment rate
- Under 18 Conception Rate
- Number of affordable homes delivered
- Street and environmental cleanliness - Litter
- Street and environmental cleanliness - detritus
- Street and environmental cleanliness - graffiti
- Street and environmental cleanliness - flyposting
- New businesses established
- New businesses established and sustained for 12 months
- New businesses established and sustained for 24 months
- Vacant Town Centre Floor Space
- Working age people receiving out of work benefits
- Median workplace earnings in the borough
- Achieve a balanced budget over the MTFS period
- The level of avoidable contact
- % of staff satisfied with the Council

- % of customers satisfied with the way they were treated by the Council
20. Two indicators (10%) are performing slightly below target, but are within the 5% tolerance threshold:
- Town Centre Visits: Performance is at 33,339 visits against a target of 34,814. This is only very slightly below target, with 1,475 (4.2%) fewer visits than the target.
 - Percentage of household waste sent for reuse, recycling or composting: Performance is at 48.78% against the 50% target, 1.22% off target. This figure is provisional and may be subject to a minor change when final confirmed figures for waste processed by Lancashire County Council are received.
21. One indicator (5%) performed below target, this is the percentage of 16-18 year olds who are not in education, employment or training (NEET). Figures for April 2012 show that this figure has fallen again to 5.2%, which makes Chorley the 3rd lowest in Lancashire, and below the County average of 6.3%:

Performance Indicator		Target	Performance
The % of 16-18 year olds who are not in education, employment or training (NEET)		5.1%	5.5%
Reason below target	<p>The nature of NEET amongst young people is split into two areas:</p> <ol style="list-style-type: none"> 1. Young people with high academic levels (at least 5 A-C GCSEs) who are unable to access, or have left, College/Work Based Training. 2. Young people who have no qualifications on leaving school, which is a barrier to gaining education, employment and training opportunities. <p>The NEET Task and Finish Group have now met three times, and considerable progress has been made in reducing the levels of NEET.</p>		
Action required	<p>Chorley Council has increased the number of apprentice placements that it will make available directly and in local businesses to 20. 13 apprentices have been recruited to work for the council and work is now being undertaken to create placements for a further seven.</p> <p>A set of actions have been identified to improve delivery without the need for additional funding, such as:</p> <ul style="list-style-type: none"> • An offer from LCC to take a NEET client quota of 10 for the future horizons programme. • North Lancs Training Group increasing payments to clients from £25 to £35 per week for those undertaking foundation learning. • Lancashire County Council's Young People Service establishing a provider meeting to support the referral of NEET clients amongst partners. <p>As a result of this initial work and using the NEET provider meetings to communicate information about opportunities, the NEET figure recorded in November 2011 at 6.6% had reduced to 5.5% by March.</p> <p>The following gaps in service requiring funding have been identified:</p> <ol style="list-style-type: none"> 1. Partnership based leaflet to co-ordinate message on services for NEET clients. 2. In-school publication with labour market information, supporting career 		

	<p>choices and reality check with the employment world to temper expectations.</p> <p>3. Top-up funding to promote apprenticeships take-up by NEET clients in the private sector.</p> <p>4. Promoting a social responsibility for private sector to increase the number of apprenticeship placements.</p> <p>LSP funding has been awarded to support items (1) and (2) which will be delivered via an electronic phone/internet application. We continue to work with our partners to address items (3) and (4); including LCC who is committed to supporting apprenticeships and work is currently underway to develop and enhance existing apprenticeship programmes and to develop new programmes in business sectors with specialist demands.</p>
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PERFORMANCE OF KEY SERVICE DELIVERY MEASURES

22. There are some important indicators that are not included within the Corporate Strategy, but are measured locally as indicators of service performance. There are five indicators that can be reported at the end of the fourth quarter. The full outturn information for this is included at Appendix B: Key Service Delivery Measures.
23. The following are performing better than target:
- Processing of planning applications as measured against targets for 'minor'
 - Processing of planning applications as measured against targets for 'other' application types
 - Average time taken to process Housing Benefit and Council Tax Benefit change events
24. There is currently one indicator that is performing slightly worse than target but within the 5% threshold:
- Processing of planning applications as measured against targets for 'major' application types. This is currently 69.81% against a target of 70%, processing is 0.3% off target.
25. There is currently one indicator that is performing worse than target. This indicator relates to the number of families owed a statutory duty in temporary accommodation. The table below gives the reasons for this worse than anticipated performance, and the steps that are being taken to improve performance:

Performance Indicator	Target	Performance
Number of families in temporary accommodation	13	22
Reason below target	Despite increasing the number of homeless preventions, the recession means there are more people who we owe a legal homelessness duty to. Welfare benefit reforms and the economic climate have also impacted upon the number of people seeking housing advice and there has been an increase in the proportion of these people presenting as homeless.	

Actions required	<p>Places For People have agreed to join the Selectmove choice based lettings scheme. The sign-up will take place in May/June 2012. Places for People will contribute 100% of its housing stock for relets.</p> <p>We are currently exploring the development of a social lettings agency to increase access and supply into the private rented sector for single homeless people. A meeting has been arranged with Methodist Action to explore the development of a social lettings partnership for private sector rented opportunities.</p> <p>We are currently engaged in contributing to the review of the sub regional Housing Allocation Policy via Community Gateway and our Selectmove partners.</p> <p>The advice surgery at the Young Persons Service which was established to prevent homelessness amongst 16 and 17 year olds is progressing very well. This follows on from a successful pilot scheme and provides housing advice to young people before they reach housing crisis point. The service provides advice running from the Connexions service on a Tuesday and Friday afternoon. The lease of the premises expires at the end of June and alternative premises are now being sought.</p> <p>Chorley Council is currently exploring the options available with partner authorities and agencies prior to signing up for the government sponsored 'No Second Night Out' programme. The programme provides emergency bed spaces for homeless people.</p> <p>The housing options team will liaise with CCH properties by reducing the amount of time period between advertising a property and the date available for re-let.</p> <p>The Housing Options Team will explore the delivery of a tenancy training course to vulnerable people and those who experience difficulty sustaining a tenancy whilst they reside at Cotswold House. A training course will include training on personal responsibility and how to obtain help, support and advice which will include domestic household chores – cleaning and washing, basic financial planning and budgeting, cookery skills, property maintenance, tenancy sustainment skills, citizenship and good neighbour issues.</p>
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IMPLICATIONS OF REPORT

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

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		Integrated Impact Assessment required?	
No significant implications in this area	✓	Policy and Communications	


GARY HALL
CHIEF EXECUTIVE


There are no background papers to this report.

















Report Author	Ext	Date	Doc ID
Louise Wingfield	5061	1 June 2012	Fourth Quarter Performance Report 2011/12

Appendix A: Performance of Corporate Strategy Key Measures

 Performance is better than target

 Worse than target but within threshold

 Worse than target, outside threshold

Indicator Name	Polarity	Target Value	Performance Value	Symbol
The % of 16-18 year olds who are not in education, employment or training (NEET)	Smaller is better	5.1%	5.5%	
Overall employment rate	Bigger is better	68%	76.6%	
Under 18 Conception Rate	Smaller is better	38.7 per 1,000	35.2 per 1,000	
Number of affordable homes delivered	Bigger is better	50	170	
Street and environmental cleanliness - Litter	Smaller is better	4.6%	1.85%	
Street and environmental cleanliness - detritus	Smaller is better	6%	3.72%	
Street and environmental cleanliness - graffiti	Smaller is better	1.5%	0.615%	
Street and environmental cleanliness - flyposting	Smaller is better	1%	0%	
% of household waste sent for reuse, recycling or composting	Bigger is better	50%	48.78%*	
New businesses established	Bigger is better	53	70	
New businesses established and sustained for 12 months	Bigger is better	91%	95%	
New businesses established and sustained for 24 months	Bigger is better	89%	91%	
Town Centre Visits	Bigger is better	34814	33339	
Vacant Town Centre Floor Space	Smaller is better	7.5%	6.83%	
Working age people receiving out of work benefits	Smaller is better	14.95%	10.05%	
Median workplace earnings in the borough	Bigger is better	£457.30**	£458	


Achieve a balanced budget over the MTFS period	Target is best	Yes	Yes	
The level of avoidable contact	Smaller is better	20%	10.85%	
% of staff satisfied with the Council	Bigger is better	85%	88%	
% of customers satisfied with the way they were treated by the Council	Bigger is better	80%	97.8%	


*This figure is provisional and may be subject to a minor change on receipt of final confirmed figures from Lancashire County Council.






* *This figure is the current regional average

Appendix B: Performance of key service delivery measures

 Performance is better than target

 Worse than target but within threshold

 Worse than target, outside threshold

Indicator Name	Polarity	Target Value	Performance Value	Symbol
NI 181 YTD Time Taken to process HB/CT benefit new claims and change events	Smaller is better	10Days	9.08Days	
(NI 157a) Processing of planning applications as measured against targets for 'major' application types	Bigger is better	70%	69.811%	
(NI 157b) Processing of planning applications as measured against targets for 'minor'	Bigger is better	65%	71.428%	
(NI 157c) Processing of planning applications as measured against targets for 'other' application types	Bigger is better	80%	89.552%	
Number of households living in Temporary Accommodation (NI 156)	Smaller is better	13	22	



Report of	Meeting	Date
Chief Executive (Introduced by the Executive Member for Resources, Policy and Performance)	Executive Cabinet	21 June 2012

CHORLEY PARTNERSHIP ANNUAL REPORT 2011/12

PURPOSE OF REPORT

1. This report provides a summary of the progress made by the Chorley Partnership throughout 2011/12. The report includes partnership performance information and projects delivered in 2011/12 and the work undertaken to deliver the Sustainable Community Strategy.

RECOMMENDATION(S)

2. Members are asked to note the contents of the report, before it is presented to the LSP Executive.

EXECUTIVE SUMMARY OF REPORT

3. The Chorley Partnership Annual Report is attached to this report as an appendix. Below is a summary of the key headlines from this year's report.
 - Unemployment in Chorley is lower than the Lancashire, Regional and National percentage
 - Crime is down overall by 0.9% compared to last year
 - Serious Acquisitive Crime is down by 10.6% and Vehicle Crime is down by 13.4%
 - Teenage pregnancies across the borough have been reducing in numbers and as a borough our figures are lower than the National, Regional and North West average at 35.2 per 1,000.
 - The rate of alcohol admissions has reduced and is now lower than the North West average and compared with 2010/11 is down by 4%.
 - There have been 70 new business start ups in the last year compared to a target of 53
 - The number of deliberate and accidental primary fires has decreased since last year.
 - Although house prices in Chorley have reduced slightly over the past 12 months, they are 6.6% above the Lancashire average and 3.35% above the regional average.
 - The median workplace earnings for the borough at the end of 2011/12 remain above the regional average.

Confidential report Please bold as appropriate	Yes	No
--	-----	----

Key Decision? Please bold as appropriate	Yes	No
--	-----	----

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

- 4. To facilitate the efficient working of the Local Strategic Partnership.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 5. N/A

CORPORATE PRIORITIES

- 6. This report relates to the following Strategic Objectives:

Strong Family Support	✓	Education and Jobs	✓
Being Healthy	✓	Pride in Quality Homes and Clean Neighbourhoods	✓
Safe Respectful Communities	✓	Quality Community Services and Spaces	✓
Vibrant Local Economy	✓	Thriving Town Centre, Local Attractions and Villages	✓
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			✓

IMPLICATIONS OF REPORT

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

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		Integrated Impact Assessment required?	
No significant implications in this area	✓	Policy and Communications	

GARY HALL
CHIEF EXECUTIVE

There is one background paper attached to this report.

Report Author	Ext	Date	Doc ID
Vicky Willett/Louise Wingfield	5061	31 May 2012	Chorley Partnership Annual Report 2011/12

Chorley Partnership Annual Report

2011/12



Annual Report 2011/12



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- Achievements
- Key Projects
- Performance

You and Your Community pages 7 - 10

- Introduction
- Achievements
- Key Projects
- Performance

You and Chorley pages 11 - 14

- Introduction
- Achievements
- Key Projects
- Performance

Looking Forward pages 15 - 16

Working
Together
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Chorley
Partnership



Meet the Champions

Introducing the Chorley Partnership Champions

The Chorley Partnership Champions are key representatives for each theme in the Sustainable Community Strategy, scrutinising performance and acting as ambassadors for their theme which they will introduce in this report.

“

Working in Partnership to deliver more for Your Family, for Your Community and for Chorley

”

Gail Porter: You and Your Family Champion

Gail works for Lancashire County Council on key projects to help vulnerable families across the County, ensuring they get all of the help and support that they need as well as making sure children and young people get the best possible start in life. As well as providing strong support for families, Gail's other big priorities focus on education and jobs and being healthy, linking the Partnership with the work of local health providers.

Geraldine Moore: You and Your Community Champion

As Chief Officer of Age UK Chorley, Geraldine is committed to improving the lives of older people across the borough as well as being a big supporter of the wider Voluntary, Community and Faith sector. Geraldine makes sure that the voices of all local groups are heard as well as keeping an eye on targets relating to community services.

Allan Jones: You and Chorley Champion

Allan is Chairman of Porter Lancastrian and passionate about making Chorley a thriving economic centre, with a vibrant local economy and sustainable places and transport. As Champion for Chorley, Allan connects the Partnership with local businesses and also works with our Economic Regeneration team to bring new business to Chorley.

Annual Report 2011/12

Pages
1&2

Introduction

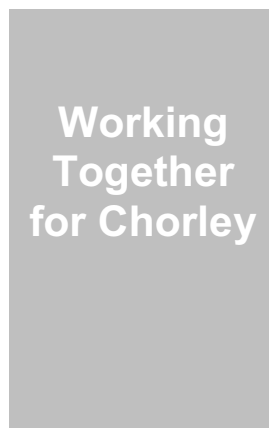
Welcome to the Chorley Partnership Annual Report which looks back over the work of the Chorley Partnership in 2011/12, a year that has seen huge success for Partnership working in a time of complex challenges for many organisations.

This year we have been working to achieve the new Sustainable Community Strategy following its refresh in 2010/11 and it has proved to be very effective in guiding the work of the Partnership towards achieving our shared vision and priorities for the communities of Chorley.

Sustainable Community Strategy 2010 - 2020										Chorley Partnership																	
Vision										Chorley will smile as the most attractive and supportive place in the North West to live, work, invest, play and visit. People will be healthy and happy in safe communities where they can achieve their ambitions																	
Themes										You and Your Family		You and Your Community		You and Chorley													
Priority										Strong Family Support		Education and Jobs		Being Healthy		Pride in Quality Homes and Clean Communities		Safe Respectful Communities		Quality Community Services and Spaces		Vibrant Local Economy		Thriving Town Centre, Local Attractions and Villages		Sustainable Places and Transport	
Long term outcome										<ul style="list-style-type: none"> Ensure early intervention and prevention of health and wellbeing problems Use a whole family approach to address problems and provide support Support the ageing population to be healthy and independent 		<ul style="list-style-type: none"> Improve skills across the family Improve links from good quality education to employment Promotion and uptake of local job prospects 		<ul style="list-style-type: none"> Improve the quality of local health services Reduced Health Inequalities Families enabled to make healthy lifestyle choices 		<ul style="list-style-type: none"> Provision of quality affordable housing Clean streets Communities that residents actively take care of and improve 		<ul style="list-style-type: none"> Safe communities Cohesive communities where people get on well together Reduce death and injuries from fire 		<ul style="list-style-type: none"> High quality coordinated public services Clean, safe and well used open spaces Empowered local people managing community assets 		<ul style="list-style-type: none"> Promote knowledge based inward investment Support a strong, indigenous business base Ensure families and communities reach their full economic potential 		<ul style="list-style-type: none"> A contemporary market town with good quality shops Places to visit, play, and enjoy as a tourist destination Thriving local villages 		<ul style="list-style-type: none"> Reduce energy consumption Ensure sustainable modes of transport 	
Reducing Public Expenditure by Working Together																											
www.chorleypartnership.org.uk																				chorleypartnership@chorley.gov.uk							

The Chorley Partnership Delivery plan translates the priorities of the Sustainable Community Strategy into specific projects and actions that our key partners commit to delivering. Delivery of the 2011/12 plan has been very successful with 47 key projects/priorities being delivered by six of the key partners of the Chorley Partnership. Over 90% of the priorities have consistently rated as green throughout the year, demonstrating a high level of partner commitment and achieving substantial progress towards the overall priorities of the SCS strategy.

This document describes and highlights what we have achieved through working in Partnership this year both through the Partnership delivery plan and the continued, invaluable commitment of the wider Chorley Partnership Network.





You and Your Family

“

In 2011/12 the level of residents claiming Job Seekers Allowance was lower than the Lancashire Regional and National average

”

Priority: Strong Family Support

- Ensure early intervention and prevention of health and wellbeing problems
- Use a whole family approach to address problems and provide support
- Support the ageing population to be healthy and independent

Priority: Education and Jobs

- Improve skills across the family
- Improve links from good quality education to employment
- Promotion and uptake of local job prospects

Priority: Being Healthy

- Ensure early intervention and prevention of health and wellbeing problems
- Use a whole family approach to address problems and provide support
- Support the ageing population to be healthy and independent



Gail Porter, You and Your Family Champion said:

“The Chorley Partnership have continued to provide strong leadership and effective delivery around work with families. Their work has helped to put in place a range of services in the area, boosting support and helping families to improve their health and happiness.”

**Strong Family Support
Education and Jobs
Being Healthy**

Pages
3&4

What has partnership working achieved for You and Your Family in 2011/12?

- A programme of early support initiatives focussing on family intervention, reducing risk taking behaviour and school mentoring is in progress and delivering early support to children and families 0-19 in a range of settings and will be now be extended and rolled out to other areas in Chorley.
- Over 2000 young people in Chorley were able to access development opportunities using music, art and sport including the MACY 'making MACY matter' project, Astley Buckshaw Juniors and The Arts Partnership, enabling them to develop personal skills, interact socially and engage with the community. 40 young people and adults with learning disabilities were also supported to achieve accredited awards.
- The Fire and Rescue service carried out 2536 home fire safety checks in Chorley in 2011/12 and accidental dwelling fires have reduced by 7.8% compared with 2010/11.
- The One Stop Health Shop was successful in raising awareness of healthy lifestyle issues amongst Chorley residents with 35% of health checks carried out resulting in a referral to further health services including, smoking, weight management and exercise as well as a range of other interventions.
- A wide range of services have been delivered to address the needs of local families:
 - 170 families incorporating 270 children have accessed the services of HomeStart resulting in increased skills, knowledge, motivation, confidence and support networks
 - Over 200 older people in Chorley have attended sessions or activities through the Lifestyle centre with wide ranging health benefits
- The Total Family project was successfully delivered and the model will now be rolled out across Lancashire with the aim of improving outcomes and developing more resilient families.

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Partnership



You and Your Family

Key projects: Total Alcohol



Between 2005 and 2010 teenage pregnancy across the borough has reduced by 22.3%



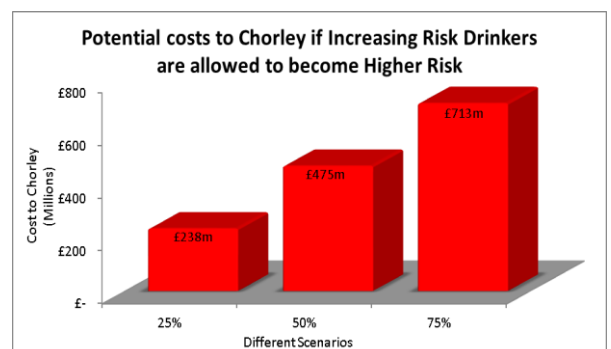
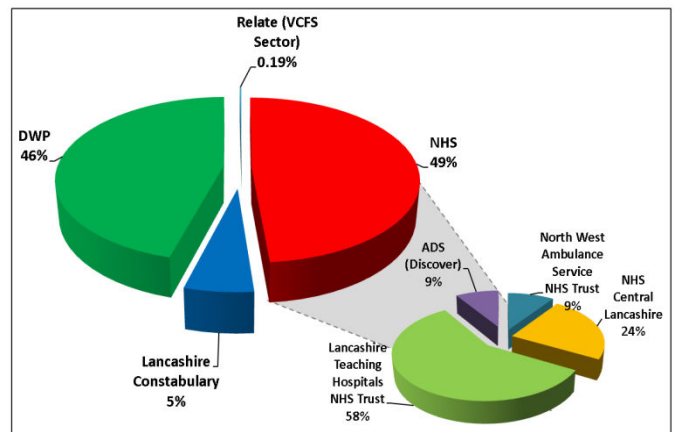
The Total Alcohol Project was initiated to address the concerns of the Chorley Partnership around the increasing problem of alcohol related harm in Chorley with the aim of reducing the social and financial costs associated with this issue. The project was carried out in two phases and involved a range of partners including healthcare professionals, support service providers as well as service users.

Phase one of the project sought to understand the needs and services required by customers around alcohol and defined recommendations to improve the system and solve more issues at the first point of contact.

Phase two of this project looked at the costs associated with alcohol

related harm, calculated the total cost that a higher risk drinker has on public services taking into account potential wider related issues and the broader impact on family members. This cost was then quantified across the population to identify the estimated cost to public services as a whole.

This process indicated an overall estimated cost per high risk drinker over the period of most critical need to be £40,443 (not including ongoing future costs) which could have significant consequences for partner organisations in the future given the high number of increasing risk drinkers in Chorley.



The project delivered recommendations which included using this research to influence future service design and policy, practical improvements to service delivery and updates to organisational policy. The recommendations were translated into a structured action plan for partners in a proactive approach to reducing the future impact of alcohol issues in Chorley.

**Strong Family Support
Education and Jobs
Being Healthy**

Pages
5&6

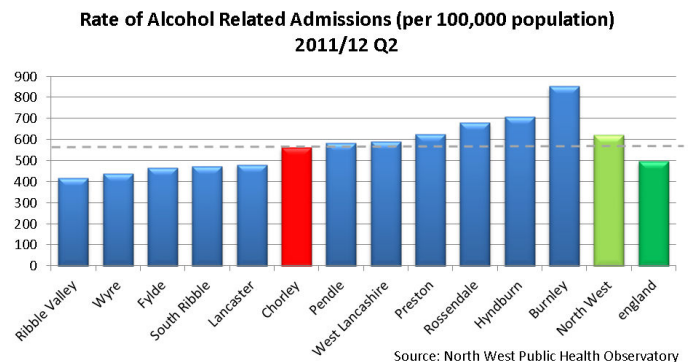
Performance: You and Your Family

Alcohol Related Admissions: Latest figures released show that in quarter two 2011/12 the rate of alcohol related admissions for Chorley was 562 per 100,000 population, and compared with 2010/11 is a decrease of 4%.

Chorley’s rate of alcohol related admissions is lower than the North West average with rates per 100,000 of 624 this equates to 10% lower than the regional average.

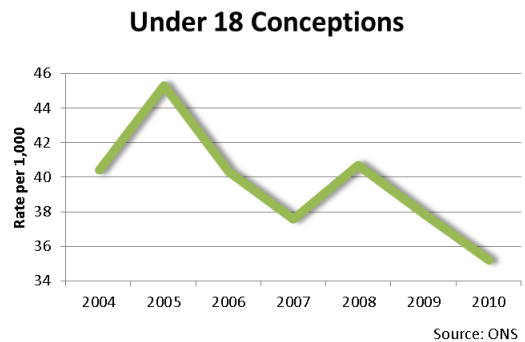
Chorley is now the sixth best district in Lancashire for alcohol related admissions, compared to the second worst in 2009/10.

Although alcohol related admissions are 13% higher than the national average, this is an improvement compared with 28% last year.



Under 18 Conceptions: Teenage pregnancies across the borough have been reducing and, as a borough, latest figures from 2010 show that Chorley is lower than the National, Regional and North West average at 35.2 per 1,000. Between 2005 and 2010 teenage conceptions across the borough have reduced by 22.3%.

In 2010 a variety of Chorley Partnership actions were being undertaken to tackle teenage pregnancy; including further roll out of the Girls Allowed and Boys Own projects and re-commissioning of the young persons sexual health service in Chorley.



Unauthorised Absence in Chorley Schools: In 2010/11 the percentage of unauthorised absence in secondary schools in the Chorley area was 0.6%, this is lower than the Lancashire, Regional and National average and part of the early intervention project aims to sustain or improve this performance.

Unemployment: Figures for the end of March 2012 show that in Chorley 2.8% of the resident population (aged 16-64) claimed Job Seekers Allowance. This level is lower than the Lancashire, Regional and National average.

Working
Together
for Chorley





You and Your Community

“

Community Clean up Days in 2011/12 have helped bring people together to take pride in their area

”

Priority: Pride in Quality Homes and Clean Communities

- Provision of quality affordable housing
- Clean Streets
- Communities that residents actively take care of and improve

Priority: Safe Respectful Communities

- Safe communities
- Cohesive communities where people get on well together
- Reduce death and injuries from fire

Priority: Quality Community Services and Spaces

- High quality coordinated public services
- Clean, safe and well used open spaces
- Empowered local people managing community assets



Geraldine Moore, You and Your Family Champion said:

“During the year and despite challenges, a lot has been achieved for local communities in Chorley. The focus on working together and the support of the Chorley Partnership has demonstrated a strong commitment towards healthy, happy and safe communities. The input from the Voluntary, Community and Faith sector along with other partners has been tremendous and will continue to deliver stronger communities for the future.”

Geraldine Moore

Pride in Quality Homes and Clean Neighbourhoods
Safe Respectful Communities
Quality Community Services and Spaces

Pages
7&8

What has partnership working achieved for You and Your Community in 2011/12?

- Fantastic play and recreation facilities have long been top of the priority list for many families across Chorley and over the last year many areas have seen dramatic enhancement thanks to a cash injection of more than £300,000 and a range of improvement projects.
- Lancashire County Council and Chorley Council have worked together to improve facilities and access to open spaces including the environmental enhancement scheme at Buttermere Green and projects in Clayton Brook to design village signs with the local school and to support a graffiti project at the community centre.
- Through delivering prevention activities, protection activities and response arrangements, Lancashire Fire and Rescue have worked to ensure that Chorley was one of only two districts in Lancashire that met all targets set for a number of major fire related key performance indicators.
- A series of community clean up days have been successful in getting people together to improve their local surroundings:
 - ♦ Chorley Council held a clean up day at Devonport Way, Chorley East in partnership with Chorley Community Housing on 1st April 2012
 - ♦ A community clean up at Fell View as well as a community day for local residents delivered by working in partnership with Chorley Council and Places for People
 - ♦ Community Clean Up days held in October 2011 in Clayton Brook and on 5th March 2012 in Astley Village
 - ♦ Coppull Parish Council Community Clean Up held in March 2012 and assisted by a Chorley Council Neighbourhood Officer
 - ♦ Partnership working between Chorley Council and Chorley Community Housing helped to deliver a Community Clean up in Chorley Moor on 28th March 2012
 - ♦ Chorley Council have also supported some local volunteer groups with clean up by provision of equipment & removal of waste for them.

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Chorley
Partnership



You and Your Community

Key Projects

Review of Local Advice Project

The project reviewed customer facing services provided by key public and voluntary agencies around the remit of advice and support to ensure the most efficient joined up delivery of services for customers.

Working with the main local providers including CAB, Help Direct, Welfare Rights and Chorley Council, a mapping exercise was carried out taking into account a number of factors around specific advice areas such as benefits, debt, legal and housing. The project also considered the impact of future national policy changes.

Findings showed that in terms of local advice provision, each organisation takes a largely different role with no major duplication. However, as a result of the review a number of areas were identified where improvements could be made for a better customer experience as well as actions in preparation for future national changes.

Development of a VCFS forum

In 2010, the Chorley Partnership identified the need to formalise the role of the VCF sector through the development of a forum that would enable the sector to share information, good practice and generally work together better for the benefit of Chorley's communities.

A Consortium of organisations joined together to create the Chorley VCFS Network and over the past 12 months this group have been working to become an established, sustainable voice for the sector in Chorley as well as implementing initiatives to address the needs of voluntary, community and faith groups in Chorley.

“

Chorley remains one of the safest places to live in Lancashire

”

Pride in Quality Homes and Clean Neighbourhoods
Safe Respectful Communities
Quality Community Services and Spaces

Pages
9&10

Performance: You and Your Community

Crime: In 2011/12 overall crime fell in Chorley by 0.9% since last year. This table shows the number of incidents of crime by type in Chorley and how it compares with last year's figures.

Category	2010/11	2011/12	% change
All Crime	5,687	5,637	-0.9%
Serious Acquisitive Crime	753	673	-10.6%
Burglary Dwelling	231	236	+2.2%
Vehicle Crime	484	419	-13.4%
Robbery	38	18	-52.6%
All Violent Crime	1,424	1,455	+2.2%
Violence Against the Person	1,310	1,352	+3.2%
Domestic Abuse	516	598	+15.9%
Domestic Abuse Detections (70%)		75%	
Domestic Violence Murder	0	0	0
Criminal Damage (inc arson)	1126	944	-16.2%
Anti Social Behaviour	No comparison	5,076	
Detected Arsons (20%)		3.2%	

Domestic abuse offending continues to record increases. Work has been taking place in 2011/12 to raise awareness of domestic abuse and by providing victims with the confidence to report abuse, the detection rate is positive at 75% compared to a target of 70%.

Performance in 2011/12 reinforces that Chorley still remains one of the safest places to live in Lancashire.

Fire Safety

Indicator	2011/12 Target	2011/12 Actual	Performance
Vulnerable people including single occupancy households to receive home fire safety checks	60%	68.66%	😊
Deliberate Primary Fires	34	32	😊
Accidental Primary Fires	63	59	😊

Working
Together
for Chorley



You and Chorley

“

Workplace earnings in Chorley remain above the regional average

”

Priority: Vibrant Local Economy

- Promote knowledge based inward investment
- Support a strong, indigenous business base
- Ensure families and communities reach their full economic potential

Priority: Thriving Town Centre, Local Attractions and Villages

- A contemporary market town with good quality shops
- Places to visit, play and enjoy as a tourist destination
- Thriving local villages

Priority: Sustainable Places and Transport

- Reduce energy consumption
- Ensure sustainable modes of transport



Allan Jones, You and Chorley Champion said:

“Chorley continues to be a great place to start a business and effective partnership working has delivered some big achievements in 2011/12 - ensuring a bright future for businesses in Chorley.”

Vibrant Local Economy
Thriving Town Centre, Local Attractions & Villages
Sustainable Places and Transport

Pages
11&12

What has partnership working achieved for You and Chorley in 2011/12?

- The change and improvement plan for the flat iron market was successfully delivered with the arrival of the new red and white market gazebos in April 2012, taking the total number to 76, of which 6 are permanently on the Covered Market.
- 2011/12 saw planning permission granted for the development of a new Asda, securing the redevelopment of the Pall Mall Triangle and Market Street Public Realm
- Chorley successfully managed the delivery and administration of the final year of the 3-year Central Lancashire Intensive Start Up Support (ISUS) Programme (covering Chorley, Preston and South Ribble) The programme completed in December 2011 with very positive feedback from North West Development Agency on completion of the programme.
- A Chorley NEET Task and Finish Group was established in January 2012 to address high numbers of NEETs through coordinated partnership working. NEET figures recorded in November 2011 at 6.6% had reduced to 5.5% by March 2012. This activity will be continued in 2012/13.
- In October 2011 the Buckshaw Parkway station opened providing direct rail links to Manchester. Preston and Blackpool. The 2 platform, fully accessible station with 200 car parking spaces is the product of a joint venture between Lancashire County Council, Chorley Council, Network Rail and Northern rail and will ensure sustainable public transport systems for residents and commuters in Chorley.

Working
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Chorley
Partnership



You and Chorley

Key Projects

Chorley – Open for Business:

Excellent transport links, a skilled workforce and state-of-the-art premises make Chorley a great place to invest and Chorley Council has been doing its bit to attract new businesses and jobs to the borough.

In 2011 Chorley Council launched its new grants package to attract new quality businesses into empty town centre premises. These grants are available to fund a number of measures that will help retailers to improve their shop fronts, refurbishing premises and generally improving their business.

Key facts

- ☺ In 2011/12 a total of 9 grants were offered to 6 independent businesses.
- ☺ Total grant funding offered was £35,672.89
- ☺ Total jobs created 25;
- ☺ Private Sector Investment £114,651
- ☺ Grant recipients include Cosmopolitan Wine Bar & Restaurant, Butter Boutique and Café Déjà vu

“

In 2011/12
70 new
businesses
were
successfully
established
in Chorley

”

As well as great success in attracting businesses to the town centre, the council is constantly working to try and encourage larger companies to invest in Chorley and over the last year Chorley has seen over £120 million worth of investment creating more than 500 jobs with another 500 in the pipeline.

Chorley was ranked by the Sunday Times in 2011 as one of the best places to start a business.

Vibrant Local Economy
Thriving Town Centre, Local Attractions & Villages
Sustainable Places and Transport

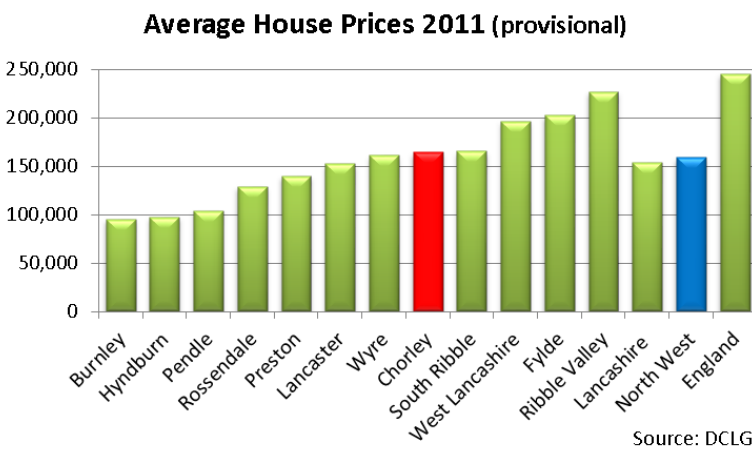
Pages
13&14

Performance: You and Chorley

New businesses in Chorley

Chorley has proved to be a great place to start a business in 2011/12 with 70 new businesses successfully established. The survival rate for businesses in Chorley is also positive with a 12 month survival rate of 95%, and a 24 month survival rate of 92%.

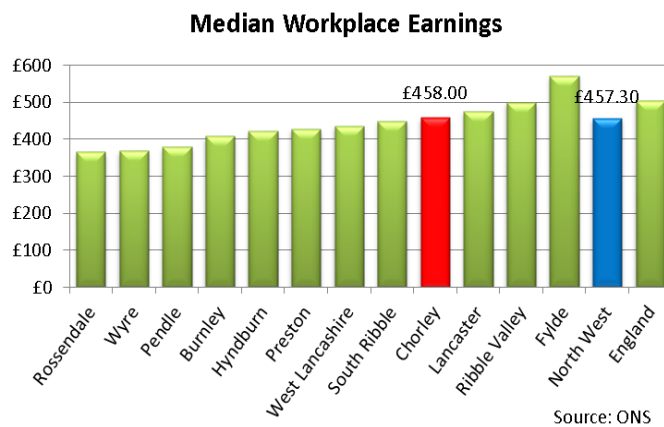
House Prices in Chorley



At the end of 2011/12, the average provisional house price in Chorley was £164,810, which is a slight decrease of 2% on 2010/11. Although this illustrates that house prices in Chorley have reduced slightly over the past 12 months, they are 6.6% above the Lancashire average and 3.35% above the regional average.

Workplace Earnings

The median workplace earnings for the borough at the end of 2011/12 was £458, which is a slight increase of 1% on 2010/11, although this is below the rate of inflation earnings in the Borough remain above the regional average.



Working Together for Chorley





Chorley Partnership

2012/13

The Challenges Ahead

The Chorley Partnership have made significant achievements in 2011/12 through being flexible, innovative and most importantly, through working together to achieve the Sustainable Community Strategy with the overarching vision to improve the lives of people in Chorley. However, we recognise there are still many challenges ahead due to the local impact of issues and changes nationally such as the Welfare and Health Reforms.

Supporting and developing the local economy

Figures suggest that there is still room for significant improvement in this area. For example, whilst the overall number of people claiming jobs seekers allowance in Chorley is lower than the Lancashire, regional and national average, 29% of those claiming are aged 18-24 which equates to 6.8% of this age group in Chorley. Furthermore, the ratio of total jobs to population in Chorley is 0.66 per resident aged 16-64, which is lower than the Lancashire figure of 0.73.

NEET's

Despite excellent progress this year with work to reduce numbers of those not in education, employment and training (NEET) in Chorley, the current economic climate and increasingly difficult job market mean that we must be proactive in ensuring young people and school leavers in 2012 have access to information and opportunities in order to sustain progress. The 2012/13 NEET project will work alongside LCC Young People's Service to deliver the Chorley and South Ribble NEET provider action plan as well as implementing initiatives to address specific gaps in provision.

Volunteers and volunteering

Volunteers and volunteering are recognised as having significant positive benefits for individuals and communities in line with several of the SCS priorities. Following changes to the volunteering landscape in Chorley and feedback from local groups it has been recognised that there is a need to strengthen support for VCFS groups. A project has now been commissioned for 2012/13 that will increase recruitment, retention and support for volunteers and develop sustainable infrastructure and capacity to maximise the value and effectiveness of volunteering in Chorley.

“

Committed
to helping
Chorley
achieve its
ambitions

”

Looking Forward

2012/13

Pages
15&16

Social Isolation

Social Isolation has long been a critical concern locally however, the current economic climate, changes to benefit entitlement and an increasingly aging population in Chorley have prompted the Equality Forum and Chorley Partnership to highlight the issue for further investigation. As a result we will be undertaking a project to understand more about the issue and existing provision locally.

Health and Wellbeing

Arrangements are underway to provide the new commissioning and delivery framework for primary health care and public health services in Chorley. There are complex functional inter relationships that exist or need to be developed to deliver the current health reforms including those between lower and upper tier councils, PCT's, GP Commissioning Groups and the Voluntary Community and Faith Sector. The Chorley Partnership will be involved in ensuring that local arrangements are in place including the formation of the joint Chorley and South Ribble Health and Wellbeing Partnership.

Looking Forward

This year we welcome contributions to the 2012/13 delivery plan from two new partners, Runshaw College and Lancashire Teaching Hospitals, indicating and emphasising the desire from partners to work together and the value they see in the Chorley Partnership as a mechanism to achieve this.

Going forward, the strength and effectiveness of our relationships and a solid commitment to partnership working puts us in a strong position to address the challenges we face as organisations whilst continuing to achieve the priorities of the Sustainable Community Strategy in 2012/13.

Thank you to our Partners

On behalf of the Chorley Partnership Champions, thank you to all Partner Organisations for their continued dedication and commitment to the Chorley Partnership. We look forward to building on our success and working together to deliver even more for Chorley in 2012/13.

Working
Together
for Chorley

Chorley
Partnership





Report of	Meeting	Date
Chief Executive (Introduced by the Executive Member for Resources, Policy & Performance)	Executive Cabinet	21 June 2012

PROVISIONAL REVENUE OUTTURN 2011/12

PURPOSE OF REPORT

1. This report sets out the provisional revenue outturn figures for the Council as compared against the budgets and efficiency savings targets it set itself for the financial year 2011/12.
2. The accounts are provisional at this stage and are also subject to final checking and scrutiny by the Council's external auditor. Should there be any significant changes to the outturn as a result of this process I shall submit a further report to Executive Cabinet.

RECOMMENDATION(S)

3. That Executive Cabinet are asked to consider the following recommendations.
 - Approval of slippage requests outlined in Appendix 2 of the report to finance expenditure on specific items or projects in 2012/13.
 - Transfer the sum of £75,000 to create an earmarked reserve to cover the potential liability of charges from the Council's Collection Fund.
 - Transfer the remaining year-end balance of £187,000 on the General Fund Revenue Account to General Balances. This will help to mitigate against future risks to the Council's income streams following implementation of the Local Business Rates Retention scheme from April 2013.

EXECUTIVE SUMMARY OF REPORT

4. The Council expected to make overall target savings of £358,000 in 2011/12 from management of the establishment, a reduced pension rate from the draft budget, and review of the Car Leasing scheme. As reported in December, all of the Council's savings targets for 2011/12 have been achieved.

Further savings have been made during the remainder of the year and this has helped to increase general balances and also create provisions for additional employment opportunities for young people and mitigate potential future liabilities for the Council.

5. After taking slippage of budgeted underspends on committed items into account, the Council's initial net expenditure at the end of the year shows an underspend of £372,000 against the budget reflecting a further reduction of £437,000 from the position reported in December.
6. The Council's Medium Term Financial Strategy proposed that working balances were to be no lower than £2.0m due to the financial risks facing the Council. I am pleased to report that should the recommendations in this report be accepted, the level of balances proposed at 31

March 2012 will exceed the minimum of £2.0m by £0.264m. This puts the Council in a strong position for the start of the next financial period.

Confidential report Please bold as appropriate	Yes	No
--	-----	----

Key Decision? Please bold as appropriate	Yes	No
--	-----	----

Reason Please bold as appropriate	1, a change in service provision that impacts upon the service revenue budget by £100,000 or more	2, a contract worth £100,000 or more
	3, a new or unprogrammed capital scheme of £100,000 or more	4, Significant impact in environmental, social or physical terms in two or more wards

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

- 7. To ensure the Council’s budgetary targets are achieved.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 8. None.

CORPORATE PRIORITIES

- 9. This report relates to the following Strategic Objectives:

Strong Family Support		Education and Jobs	
Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	
Safe Respectful Communities		Quality Community Services and Spaces	
Vibrant Local Economy		Thriving Town Centre, Local Attractions and Villages	
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			✓

Ensuring cash targets are met maintains the Council’s financial standing.

BACKGROUND

- 10. The Council’s approved revenue budget for 2011/12 included savings proposals of £1.197m required to balance the budget and maintain front line services. All the proposals have been implemented including the proposed changes to the planning fees structure.
- 11. In addition to the savings outlined above, the Council expected to make overall target savings of £358,000 made up of £300,000 from management of the establishment, £36,000 from a reduction to the pension rate, and £22,000 from the review of the Car Leasing scheme.

CURRENT FORECAST POSITION

- 12. Set out in Appendix 1 is the summary provisional outturn position for the Council for 2011/12. No individual service directorate figures are attached. These can be viewed using the following link and are also available as hard copies for inspection in the Members' Room:
<http://democracy.chorley.gov.uk/documents/s27076/DirectorateMonitoringStatementsProvisionalOutturn201112.pdf.pdf>
- 13. The net expenditure at the end of the financial year shows a provisional underspend of £372,000 against the Council's budgets (after taking requests for slippage into account). This reflects a further net reduction in expenditure of £437,000 from the position reported in December.
- 14. Although this is a significant change from the position reported previously, it should be noted that the majority of items outlined in the table below are as a result of factors outside of the Council's direct control (such as the Landsbanki issue) or one-off issues such as disputes being resolved, new contracts negotiated, or sale of land.

An analysis of the main variances over and above those previously reported in monitoring is shown below. Further details are contained in the service unit analysis available in the Members' Room.

ANALYSIS OF MOVEMENTS

Table 1 – Significant Movements since the December monitoring report

Note: Further savings/underspends are shown as ().

	£'000	£'000
Expenditure		
Staffing costs	(86)	
Insurances	(19)	
Internet charges and Members Broadband	(29)	
Electricity	(22)	
Markets Refuse Collection	<u>(12)</u>	
		(168)
Income		
Planning Application Income	(31)	
Legal/Surveyors Fees (sale of land)	(23)	
Licence Fees	(12)	
Sports Development/Young People's Activities	<u>(23)</u>	
		(89)
Housing & Council Tax Benefits	(91)	
Net Financing (Interest Receivable)	(54)	
Other minor variances	<u>(35)</u>	
		(173)
Net Movement		(437)

- 15. The causes of these variances are explained in the following paragraphs. Most are one-off savings or income increased that relate to 2011/12 only. Any continuing variances from budget would be reflected in revenue budget monitoring reports to be presented during

2012/13. Some of the variances were outside of the control of the budget holders, such as the increase in Planning Application Income.

16. Additional savings on staff salaries of £86,000 have been generated since the last monitoring report, predominantly from within the People and Places and Transformation directorates as a result of vacant posts. As target savings have already been achieved for management of the establishment, this has helped to contribute towards the provision of reserves outlined in the recommendations of the report.
17. The Council recently went out to tender in partnership with South Ribble Borough Council for renewal of the Council's main insurance premiums. The Council's existing supplier Zurich Municipal won the contract for liability and motor policies, with the remaining policies provided through our new broker Jardine Lloyd Thompson. The new policies will generate a significant saving against the Council's budgets and as the new policies came into effect from 1 January 2012, there is an initial saving for the final three months of 2011/12. This, together with smaller savings on previous and other policies has generated a total saving of around £19,000 for 2011/12. The full year saving in 2012/13 should be around £46,000.
18. One issue that has recently been resolved is a long running dispute with Virgin Media regarding the charges for internet connection and Members Broadband. The Council has disputed the costs invoiced for a period stretching all the way back to 2009. Agreement has finally been reached with Virgin Media and a significant proportion of the charges have now been cancelled, generating a saving of around £29,000.
19. One area that was highlighted in the December monitoring report was the difficulty in assessing the true electricity costs for the Council as a result of Npower using estimated meter readings, and in some cases no readings at all, as a basis for their invoices. Based on actual readings taken by the Council, the revised outturn costs are lower than anticipated. This has resulted in a further underspend of around £22,000.
20. Another area where the Council has been in negotiation for a reduction in costs is with the new owners of Market Walk, Orchard St Investment Management, for a fairer waste recharge system. The Council has been encouraging market traders to increase their use of recycling containers in an attempt to reduce general waste and increase the revenue contribution from recycling. As a result, agreement has now been reached with the owners and a revised charge has been set for 2011/12 giving a saving of around £12,000.
21. Income levels from Planning Fees, including pre-application advice income, have continued to be above levels anticipated in the budget over the final quarter of 2011/12, with a number of larger applications received during January and February. This has generated an additional surplus of £31,000 from the forecast position reported in December resulting in a total surplus compared to original estimate for planning fees of around £58,000 for 2011/12.
22. The final quarter of 2011/12 also saw an increase in the number of cash receipts regarding disposal of various small parcels of Council owned land. This generated additional income to the Council of around £23,000.
23. The forecast income for licence fees was profiled in line with previous years but the final quarter saw an increased volume of applications, in particular for gambling, premises and street trading licences. This resulted in additional income of around £12,000 compared to previous forecasts.
24. Two areas where additional income of around £23,000 has been generated for the Council is from Sports Development and Young Peoples Activities. This is a mix of additional income from activities for which a charge is made and grants that have been awarded from external sources.
25. Previous budget monitoring reports have highlighted the volatility of a number of budgets. One such budget that can have a significant impact on the year-end position is housing and

council tax benefits. Throughout the year it is extremely difficult to accurately predict the level of expenditure and subsequent levels of subsidy as the nature of the budget is demand driven. For 2011/12 the level of subsidy recovered has increased together with an increase in the amount of benefit overpayments recovered. This has generated an additional surplus of income over expenditure of £91,000 compared to previous forecasts. Although this is a significant figure it should be considered in context with the total subsidy claimed of £30.4m for 2011/12.

26. Another area that has been difficult to forecast is the additional interest receivable in respect of the Landsbanki deposit and the level of recovery on the debt. The Council had previously assumed a recovery rate of 95% (see Treasury Strategies report to Special Council 28 February 2012), but based on the latest information available, this has been revised to 98% recovery on investment. The net effect of this, together with more regular repayments of the outstanding debt, is to reduce the impairment charge in the Council's accounts and increase interest receivable. This, plus additional interest earned on investments during the fourth quarter, has resulted in an increase in net income of around £54,000 for the Council.

COMMITTED ITEMS/SLIPPAGE REQUESTS

27. Each year the Council commits itself to expenditure that may not always be incurred in the financial year. It is customary to allow directorates that have a budget underspend to carry forward these resources to pay for specific items in the following year. This is an important part of the budget management process as it allows officers to commit earmarked resources to specific projects particularly towards the end of the financial year.

The slippage requests received for 2011/12 are outlined in Appendix 2.

GENERAL FUND RESOURCES AND BALANCES

28. With regard to working balances, and as per Appendix 1, we started the year with a balance of £2.077m. The approved MTFs proposes that working balances are to be no lower than £2.0m given the budgetary challenges facing the Council. However there are a number of items that will impact on this position that should be considered by Cabinet, these being:
- Carrying over items into 2012/13 via slippage requests (outlined in Appendix 2).
 - Creation of reserve to fund additional apprentice posts (NEET's).
 - Creation of reserve to finance potential Collection Fund write-offs.
 - Uncertainty in MTFs over local Business Rate retention scheme after 2012/13.
29. The Council's revenue outturn position for 2011/12 provides an ideal opportunity to increase investment in the borough during the new financial year. The Council's recent budget consultation highlighted strong support for investment in areas to tackle youth unemployment, and with this in mind a sum of £110,000 has been set aside in an earmarked reserve to create additional direct employment opportunities for young people not in education, employment or training (NEET).
30. The year-end accounts have highlighted a potential charge to the Council's General Fund Revenue Account for 2011/12 in respect of the collection of Business Rates. Given the revenue outturn position I feel it is prudent at this stage to recommend that a sum of £75,000 is transferred to an earmarked reserve to mitigate against the potential liability.
31. It can be seen from the table below that the General Fund Balance will exceed the minimum level set in the MTFs by £0.264m. However, given that there remains uncertainty for the Council's income streams following the implementation of the local Business Rates retention scheme from April 2013 it would be prudent at this time to maintain balances at this higher level to help mitigate this risk. Proposals to implement Business Rates Retention

from 2013/14 are contained in the Local Government Finance Bill 2010-12. The intention of the scheme is to reward councils for promoting business growth, while protecting services in areas of decline. However, there are uncertainties about the way that levies and top-ups would operate under the new system, and it would be prudent to retain general balances at a higher level until the impact on funding of services has been confirmed.

32. There are other financial risks facing the Council that support the need to maintain working balances at the level proposed. There is continuing instability in the banking system. Though the Council aims to minimise risk in investing cash balances, the loss of a single investment could have a significant impact on finances. A £15,000 provision has been created for potential repayment of insurance settlements to the Council's former insurer MMI, but it represents only part of the total potentially repayable. Any payments in excess of £15,000 would have to be met from general balances. The Council may have to reimburse land charge personal search fees received in previous years. A Government grant held in an earmarked reserve would cover part of the cost, but general balances would have to meet any additional reimbursement. The earmarked reserve created in 2010/11 to meet restructuring costs such as termination payments and pension strain has reduced to £77,370. Use of general balances may be required in 2012/13 and beyond to fund further restructuring required to generate subsequent revenue budget savings. In addition, it is prudent for the Council to guard against any potential losses that may occur from its investment portfolio. Whilst the risk is low, there is an expectation that the Council would be able to cover any such losses should they occur. At present, our individual lending limits are £3,000,000 to any one institution. This, therefore, represents a potential risk that would need to be covered.
33. The effect of the above recommendations on working balances is set out in the table below.

Table 2 – Movement in General Fund Balance

General Balances	£m
Opening Balance 2011/12	2.077
Provisional revenue budget underspend	0.372
Potential Closing Balance 2011/12	2.449
Reserve to fund additional apprentices (NEET's)	(0.110)
Reserve for Collection Fund write-offs	(0.075)
Proposed Working Balances for 2012/13	2.264

34. Appendix 3 provides further information about the earmarked reserves and provisions that would be available during 2012/13 if the recommendations of this report are approved. Most of the earmarked reserves would be committed to the financing of slippage from 2011/12, financing of the capital programme, and financing of previously approved revenue budgets such as allotment development. Much of the £1.315m earmarked reserves total that is not yet committed is likely to be spent during 2012/13, and spending proposals would be submitted in revenue budget monitoring reports. The total includes Government grants received to support housing-related projects, of which £0.504m is to fund county-wide projects to prevent single homelessness. Projects to be funded with that particular grant are likely to span more than one financial year, and the grant would be held in reserve until applied in full.

35. Two new provisions have been created during 2011/12, as shown in Appendix 3. When expenditure is incurred, it would be charged directly to the provision rather than the revenue account. The £1.750m provision for pension liabilities has been created using the tranche of VAT Shelter Income received from Chorley Community Housing specifically for that purpose.

OTHER ISSUES

36. During 2011/12, the Council exercised its option under the 2007 voluntary stock transfer agreement to receive the £1.75 million tranche of VAT Shelter Income held by Chorley Community Housing in respect of pension liability relating to transferred employees. The income has been used to create a provision in respect of the pension liability. The transactions are not presented in Appendix 1 to this report, but will be explained further in the Statement of Accounts for 2011/12.
37. The Council has also received £504,000 of Single Homeless Initiative grant, which will be used to fund projects in Lancashire from 2012/13 onwards. The income has been transferred into an earmarked reserve and use of the funding will be presented in future budget monitoring reports. Again the transactions are not shown in Appendix 1, but the Statement of Accounts will include further details.

IMPLICATIONS OF REPORT

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

Finance	✓	Customer Services	
Human Resources		Equality and Diversity	
Legal	✓	Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

39. The financial implications are detailed in the body of the report.

COMMENTS OF THE MONITORING OFFICER

40. The Monitoring Officer has no comments.

GARY HALL
CHIEF EXECUTIVE

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Dave Bond/Michael Jackson	5488/5490	28/05/12	Revenue Budget Monitoring 2011-12 Provisional Outturn - FINAL.doc

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	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
General Fund Revenue Budget Monitoring Provisional Outturn 2011/12	Original Cash Budget	Impact of Council Restructure	Agreed Changes (Directorates)	Agreed Changes (Other)	Amended Cash Budget	Contribution to Corp. Savings (Staffing)	Contribution to Corp. Savings (Other)	Current Cash Budget	Provisional Outturn	Variance	Variance
	£	£	£	£	£	£	£	£	£	£	%
Chief Executive	520,920	699,260	(10,500)	35,860	1,245,540	(20,000)		1,225,540	1,091,050	(134,490)	-11.0%
Partnerships, Planning & Policy	1,679,420	(699,260)	15,840	165,040	1,161,040			1,161,040	1,063,929	(97,111)	-8.4%
People & Places	5,998,240		(24,600)	220,400	6,194,040	(109,000)		6,085,040	5,682,813	(402,227)	-6.6%
Transformation	5,074,580		19,260	168,770	5,262,610	(229,000)		5,033,610	4,723,497	(310,113)	-6.2%
Directorate Total	13,273,160	-	-	590,070	13,863,230	(358,000)	-	13,505,230	12,561,289	(943,941)	-7.0%
Budgets Excluded from Transformation Directorate Monitoring:											
Pensions Account	242,580				242,580			242,580	219,267	(23,313)	-9.6%
Concessionary Fares	(2,300)				(2,300)			(2,300)	1,262	3,562	-154.9%
Benefit Payments	154,310				154,310			154,310	(8,484)	(162,794)	-105.5%
Corporate Savings Targets											
Management of Establishment	-			(300,000)	(300,000)	300,000		-	-	-	-
Reduction in Pension Rate	-			(36,000)	(36,000)	36,000		-	-	-	-
Efficiency/Other Savings	-			(22,000)	(22,000)	22,000		-	-	-	-
Total Service Expenditure	13,667,750	-	-	232,070	13,899,820	-	-	13,899,820	12,773,334	(1,126,486)	-8.1%
Non Service Expenditure											
Contingency Fund	-				-			-	-	-	-
Contingency - Management of Establishment	(300,000)			300,000	-			-	-	-	-
Efficiency/Other Savings	(58,000)			58,000	-			-	-	-	-
Revenue Contribution to Capital	-			606,950	606,950			606,950	392,591	(214,359)	
Net Financing Transactions	438,210			(23,750)	414,460			414,460	261,908	(152,552)	
Voluntary set aside for debt reduction	-			-	-			-	250,000	250,000	
VAT Shelter Income	-			(524,280)	(524,280)			(524,280)	(524,281)	(1)	
Transfer to Earmarked Reserve - VAT Shelter Income	-			266,390	266,390			266,390	449,228	182,838	
Parish Precepts	589,260				589,260			589,260	589,259	(1)	
Total Non Service Expenditure/Income	669,470	-	-	683,310	1,352,780	-	-	1,352,780	1,418,706	65,926	
Forecast underspend earmarked for transfer to reserves	-			(340,000)	(340,000)			(340,000)	0	340,000	
Total Expenditure	14,337,220	-	-	575,380	14,912,600	-	-	14,912,600	14,192,040	(720,560)	-4.8%
Financed By											
Council Tax	(6,976,160)				(6,976,160)			(6,976,160)	(6,976,160)	-	
Grant for freezing Council Tax	(159,000)				(159,000)			(159,000)	(159,673)	(673)	
Aggregate External Finance	(6,740,960)				(6,740,960)			(6,740,960)	(6,740,932)	28	
New Homes Bonus	(250,000)				(250,000)			(250,000)	(301,916)	(51,916)	
LAA Reward Grant (PRG)	(80,100)				(80,100)			(80,100)	(80,099)	1	
Local Services Support Grant	-			(71,470)	(71,470)			(71,470)	(71,470)	-	
LABGI Grant	(75,000)				(75,000)			(75,000)	(75,000)	-	
Collection Fund (Surplus)/Deficit	(26,000)				(26,000)			(26,000)	(26,033)	(33)	
Use of Earmarked Reserves - capital financing	-			(347,430)	(347,430)			(347,430)	(347,431)	(1)	
Use of Earmarked Reserves - revenue expenditure	(30,000)			(320,970)	(350,970)			(350,970)	(322,463)	28,507	
Transfers to Earmarked Reserves -											
- Potential Legal Costs in respect of Heath Paddock	-			150,000	150,000			150,000	150,000	-	
- Other potential Planning Appeal costs	-			150,000	150,000			150,000	150,000	-	
- Provision for Olympic Torch Relay 2012	-			40,000	40,000			40,000	40,000	-	
Mortgages De minimis receipts	-				-			-	(846)	(846)	
Cnts in CGUA Reclassified as Revenue	-			(175,510)	(175,510)			(175,510)	(162,246)	13,264	
Total Financing	(14,337,220)	-	-	(575,380)	(14,912,600)	-	-	(14,912,600)	(14,924,268)	(11,668)	0.1%
Net Expenditure	-	-	-	-	-	-	-	-	(732,228)	(732,228)	
General Balances Summary Position				Target	Provisional		Less Slippage Items		359,920		
				£	Outturn		Sub-total		(372,308)		
General Fund Balance at 1 April 2011				2,000,000	2,076,586		Less Reserves:				
(Use of)/Contribution to General Balances					0		Provision for extra Neet's		110,000		
Provisional (Over)/Under Spend					187,308		Collection Fund adj's		75,000		
Target / Provisional Outturn General Fund Balance at 31 March 2012				2,000,000	2,263,894		Provisional Outturn		(187,308)		

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Schedule of Slippage Requests 2011/12

Service	Cost Centre Name	Ledger Code	Amount £	Comments
Chief Executives Office				
Chief Executives Office	Chief Executives Office	4001/18006	19,200	Balance of Reward & Recognition budget to fund initiatives in 2012/13.
Policy & Performance	External Funding Officer	4201/40129	24,510	Remaining Core Funding budget to support the VCFS in 2012/13.
Policy & Performance	Communications	4301/40158	8,000	Remaining Communications budget to support major events such as the Jubilee weekend.
Policy & Performance	Local Strategic Partnership	5403/40145	31,000	LSP budget required to enable the partnership to support delivery of the sustainable community strategy.
Policy & Performance	Beacon Scheme	5404/40159	9,700	Budget required to support staging of the Picnic in the Park and other major events.
Chief Executives Office		TOTAL	92,410	
Partnerships, Planning & Policy				
Housing	Home Improvement Grants	5910/40198	7,900	Supporting People Grant funding for Handyperson service.
Housing	Housing Options	5920/40107	17,880	Purchase of Arbitras Homelessness Software/Database
Housing	Cotswold Supported Housing	5925/40007	3,710	Cotswold CCTV improvements
Housing	Cotswold House Community Kitchen	5926/40003	5,440	Cotswold Kichen funding to be used in 2012/13 for lifeskills programme.
		TOTAL	34,930	
People & Places				
People & Places	Public Protection	4610/14005	2,000	Provision of Safeguarding training.
People & Places	Car Park Management	4780/40005	3,080	To upgrade Pay & Display machines to accept new coins.
People & Places	Waste & Recycling Services	4660/50010	4,920	Supply of bins - delivery expected late April.
People & Places	Parks & Open Spaces Rangers	5212/20043	8,250	Works for land slippage at The Copse, Eaves Green. Work not yet done.
People & Places	Streetscene Delivery Teams	4736/40000	14,770	Various plant ordered in March but not yet delivered.
People & Places	Community Safety CCTV	5420/40005	7,350	Repair & upgrade to CCTV equipment and mobile CCTV unit.
People & Places	Astley Hall	5244/40157	2,870	Promotion of Astley Hall as a wedding venue to increase income generation.
People & Places	Assistance to Public Transport	4707/20062	1,520	Provision & installation of a bus shelter following damage & insurance claim, ordered in Feb but not received.
People & Places	Young People's Activities	5213/40188	9,990	Developing activity for young people as part of 2012 Olympic based programmes.
People & Places	Waste & Recycling Services	4660/40157	3,000	There has been a delay on upgrading branding on waste vehicles.
People & Places	Public Protection/NQT	4610/40003/5	1,030	Provision for upgrading tools & equipment.
People & Places		TOTAL	58,780	
Transformation				
Governance	Mayoral Charities	4321/40145	5,000	Donations to Mayoral charities to be made in 2012/13 before the end of the Mayoral term of office.
Governance	Democratic Rep. & Management	4322/17007	1,000	Budget required for design work for new e-zine for Parishes.
Shared Financial Services	Systems Development	4283/10000	11,500	Saving from vacant post required for interim staffing costs in 2012/13.
Shared Financial Services	Audit Services	4286/40076	2,500	Lancashire County Council audit work not completed in 2011/12 and relocation travel expenses for audit staff.
Human Resources	Health & Safety	4410/40076	13,900	Training and development requirements identified in 2011/12 due to take place in 2012/13.
Human Resources	Transformational Team	4401/17006	3,500	Collaborative Leadership programme due to take place in 2012/13.
ICT Services	Customer & Communication	4510/40098	25,000	Provision of website upgrade to be completed in 2012/13.
ICT Services	Customer & Communication	4510/40111	20,000	Back scanning to electronically manage paper based records. Part of the virtual post room project.
ICT Services	Customer & Communication	4510/40111	30,400	EDMS project. Approx. 60% completed in 2011/12. £20,400 slippage plus £10,000 contingency.
ICT Services	Customer & Communication	4510/40111	12,500	Funding required for next phase of IDOX implementation.
ICT Services	Network & Security	4525/40146	5,500	Security arrangements for PEN testing.
ICT Services	GIS/LLPG	4511/40077	15,000	Moving corporate SQL database server to new Cisco USC.
ICT Services	Customer & Communication	4510/40105	8,000	Specific UPS required for Cisco USC blade server to protect against electrical power surge.
ICT Services	Customer & Communication	4510/40105	20,000	WIFI WAP terminals to be fitted to all floors in Town Hall and Union St.
Transformation			173,800	
		TOTAL	359,920	

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Analysis of Reserves and Provisions 2011/12 to 2012/13

Reserve or Provision	Purpose	Balance 31/3/12 £	Use in 2012/13 £	Balance 31/3/13 £	Notes
Reserves					
General Fund Balance		2,263,890	57,950	2,321,840	(1)
Restructuring Reserve	Unused balance from 2011/12	77,370		77,370	(2)
VAT Shelter Income	Capital/revenue financing	449,230	(449,230)	0	
Non-Directorate Reserves		526,600	(449,230)	77,370	
<u>Chief Executive's Office</u>					
	Slippage from 2011/12	19,200	(19,200)	0	
	<i>Chief Executive's Office</i>	19,200	(19,200)	0	
	Slippage from 2011/12	73,210	(73,210)	0	
	PRG - revenue budget	89,000	(89,000)	0	
	PRG - capital financing	50,720	(50,720)	0	
	PRG - uncommitted	29,350		29,350	(2)
	Olympic Torch	40,000	(40,000)	0	
	<i>Policy & Performance</i>	282,280	(252,930)	29,350	
Chief Executive's Office		301,480	(272,130)	29,350	
<u>Partnerships, Planning & Policy</u>					
	Slippage from 2011/12	34,930	(34,930)	0	
	Government Grants	586,560		586,560	(2)
	Handyperson Scheme	45,000		45,000	(2)
	Capital financing	7,920	(7,920)	0	
	<i>Housing</i>	674,410	(42,850)	631,560	
	Town Centre Grants	231,770	(231,770)	0	
	<i>Economic Development</i>	231,770	(231,770)	0	
	Planning Appeal Costs	257,570		257,570	(2)
	Government Grants	34,350		34,350	(2)
	Local Development Framework	91,110		91,110	(2)
	<i>Planning</i>	383,030	0	383,030	
Partnerships, Planning & Policy		1,289,210	(274,620)	1,014,590	
<u>People & Places</u>					
	Slippage from 2011/12	58,780	(58,780)	0	
	Astley Hall Works of Art	5,690		5,690	(2)
	Neighbourhood Working	90,370	(90,370)	0	
	Allotment Development	36,540	(36,540)	0	
	Maintenance of Grounds	42,200	10,000	52,200	(2)
People & Places		233,580	(175,690)	57,890	

Reserve or Provision	Purpose	Balance 31/3/12 £	Use in 2012/13 £	Balance 31/3/13 £	Notes
<u>Transformation</u>					
	Slippage from 2011/12	6,000	(6,000)	0	
	Legal Case Mgt System	4,490	(4,490)	0	
	Buildings Fund	60,370		60,370	(2)
	Elections	25,000	(25,000)	0	
	<i>Governance</i>	<u>95,860</u>	<u>(35,490)</u>	<u>60,370</u>	
	Slippage from 2011/12	14,000	(14,000)	0	
	Collection Fund adjs.	75,000		75,000	(3)
	<i>Shared Financial Services</i>	<u>89,000</u>	<u>(14,000)</u>	<u>75,000</u>	
	Slippage from 2011/12	17,400	(17,400)	0	
	Additional NEETs	110,000	(110,000)	0	
	<i>Human Resources & OD</i>	<u>127,400</u>	<u>(127,400)</u>	<u>0</u>	
	Slippage from 2011/12	136,400	(136,400)	0	
	Capital financing	28,450	(28,450)	0	
	<i>ICT Services</i>	<u>164,850</u>	<u>(164,850)</u>	<u>0</u>	
	Transformation	<u>477,110</u>	<u>(341,740)</u>	<u>135,370</u>	
	Directorate Reserves	<u>2,301,380</u>	<u>(1,064,180)</u>	<u>1,237,200</u>	
	Earmarked Reserves	<u>2,827,980</u>	<u>(1,513,410)</u>	<u>1,314,570</u>	
	Total Reserves	<u>5,091,870</u>	<u>(1,455,460)</u>	<u>3,636,410</u>	
<u>Provisions</u>					
Insurance Provision	Potential MMI clawback	15,000		15,000	(4)
Provision for Pension Liabilities	Payment to Lancashire Pension Fund	1,750,000		1,750,000	(4)
	Total Provisions	<u>1,765,000</u>		<u>0 1,765,000</u>	

Notes

- (1) See provisional outturn report for further explanation.
- (2) Use of these reserves would be proposed in revenue budget monitoring reports during 2012/13
- (3) Need for the reserve would be reviewed after external audit of NNDR3 (statutory pooling liability return)
- (4) Expenditure would be charged to the provision account rather than the revenue budget when incurred.



Report of	Meeting	Date
Chief Executive (Introduced by the Executive Member for Resources, Policy and Performance)	Executive Cabinet	21 June 2012

CAPITAL PROGRAMME PROVISIONAL OUTTURN 2011/12 AND MONITORING 2012/13 – 2014/15

PURPOSE OF REPORT

1. To present the provisional outturn figures for the 2011/12 Capital Programme, which at this stage is subject to scrutiny by the Council's external auditor.
2. To update the Capital Programmes for financial years 2011/12 to 2013/14 to take account of rephasing of expenditure and other budget changes.
3. To report the receipt and use of contributions from developers for the period 2011/12 to 2014/15.

RECOMMENDATION(S)

4. That the Council be recommended to approve the financing of the 2011/12 Capital Programme as presented in Appendix 1.
5. That the Council be recommended to approve the rephasing of capital budgets between 2011/12 and 2012/13, as presented in column (2) of Appendix 2.
6. That the Council be recommended to approve the other amendments to the Capital Programmes for 2012/13 and 2013/14, as presented in columns (3) and (6) of Appendix 2.

EXECUTIVE SUMMARY OF REPORT

7. Council of 28th February 2012 approved amendments to the 2011/12 Capital Programme, which reduced the programme to £5,771,100. The provisional outturn is £4,363,274, which is £1,407,826 less than the revised estimate. Of this variance, £1,414,810 is the net rephasing of budgets between 2011/12 and 2012/13; and £6,984 is a net increase in resources plus minor roundings.
8. Of the rephased budgets total, £592,370 is in respect of Buckshaw Railway Station, which Executive Cabinet had been forewarned about on 23rd February 2012. The budget for Strategic Land Assembly should also be rephased. It was added to the programme only on 28th February 2012, leaving insufficient time to complete land acquisition negotiations before year-end.
9. In 2012/13, it is recommended that the programme should be reduced by £8,430 to reflect a small reduction in resources; and that the £5,000 budget for Performance Management should be transferred to the revenue budget. Column (3) of Appendix 2 reflects the proposed

transfer of rephased project design budgets to the budget for improvements to fixed assets, and the reallocation of housing budgets.

10. It is recommended that two budgets to be financed with developers' contributions totalling £249,620 should be added to the 2012/13 and 2013/14 Capital Programmes, as indicated in columns (3) and (6) of Appendix 2.
11. Appendix 3 presents the actual use of developers' contributions in 2011/12 and the proposed budgeted use from 2012/13 to 2014/15. The balance of uncommitted contributions is indicated to total approximately £391,000.
12. Capital receipts totalling £150,000 were applied as budgeted to reduce debt in 2011/12. This was required to achieve the saving in capital financing costs chargeable to the 2012/13 revenue budget. There are not any usable capital receipts held as at 31st March 2012 and none are budgeted to be received during 2012/13. It is likely that some receipts from asset sales will be obtained, and proposals for their use would be presented in future reports.

Confidential report Please bold as appropriate	Yes	No
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Key Decision? Please bold as appropriate	Yes	No
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Reason Please bold as appropriate	1, a change in service provision that impacts upon the service revenue budget by £100,000 or more	2, a contract worth £100,000 or more
	3, a new or unprogrammed capital scheme of £100,000 or more	4, Significant impact in environmental, social or physical terms in two or more wards

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

13. It is necessary for Council to approve the financing of the 2011/12 Capital Programme, and to approve the rephasing of budgets between financial years.
14. It is also necessary to update the current 2012/13 Capital Programme to take account of the rephasing of budgets, changes to resources, and proposed use of uncommitted budgets.
15. Adding a new budget to be financed with developers' contributions to the 2013/14 Capital Programme helps People and Places directorate to plan the implementation of projects and confirms the balance of contributions that is not committed at present.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

16. None

CORPORATE PRIORITIES

17. This report relates to the following Strategic Objectives:

Strong Family Support		Education and Jobs	
Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	
Safe Respectful Communities		Quality Community Services and Spaces	
Vibrant Local Economy		Thriving Town Centre, Local Attractions and Villages	
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			

BACKGROUND

18. The revised Capital Programme for 2011/12 to 2013/14 totalling £10,310,120 was presented to the Executive Cabinet meeting of 23rd February 2012. When reported to Special Council of 28th February 2012, the total was increased to £17,460,120 by the addition of budgets for Strategic Land Assembly in Chorley Town Centre (£500,000 in 2011/12), and Chorley East Health Centre (£6,650,000 in 2012/13). In addition, provisional budgets for the 2014/15 Capital Programme totalling £836,250 were approved.
19. This report presents provisional outturn variances from the 2011/12 revised estimate of £5,771,100, and identifies the effect of slippage etc. on the 2012/13 to 2014/15 Capital programme total of £12,525,270.

PROVISIONAL OUTTURN 2011/12

20. Subject to audit, the provisional outturn for 2011/12 is £4,363,274, which is £1,407,826 less than the revised estimate. This variance is made up as follows:

	£	£
Rephased to 2012/13		
- Buckshaw Railway Station	(592,370)	
- Strategic Land Assembly	(500,000)	
- Other budgets	<u>(344,120)</u>	
		(1,436,490)
Rephased from 2012/14		21,680
Net increase in resources & roundings		6,984
Total variance 2011/12		<u><u>(1,407,826)</u></u>

21. The likelihood of slippage in respect of the Buckshaw Railway Station project was discussed in the report of 23rd February 2012. Though the station has been operational since October 2011, Network Rail has not finalised payments to the main contractor. The 2011/12 provisional outturn for the project of £2.763 million is based on Network Rail's estimate of outstanding payments to the contractor, but not all payments had been made by 31st March 2012. In theory, the sum of £592,370 would be available for further improvements to the station in 2012/13, but it should not be committed until the original scheme has been finalised.
22. A budget of £500,000 for Strategic Land Assembly in Chorley Town Centre was added to the 2011/12 programme at Special Council of 28th February. This ensured that the revenue consequences were reflected in the revenue budget for 2012/13. However, a month was

insufficient time to complete negotiations to purchase the land and vacant properties on the corner of Market Street and Gillibrand Street, so the budget should be rephased to 2012/13.

23. Appendix 1 identifies the rephasing of other budgets to 2012/13, which total £344,120. In addition, £21,680 budget provision has been brought forward from 2012/13, to cover overspending on a small number of budgets in 2011/12. In general, the overspending arose because too much budget provision had been rephased to 2012/13 in previous reports.
24. The final variation of £6,984 takes account of roundings and a net increase in resources. Additional grants and contributions totalling £10,075 were received to finance Disabled Facilities Grants, but proceeds from the sale of scrap market stalls were £3,070 less than anticipated.
25. Column (3) of Appendix 1 shows the reallocation of budgets for ICT salaries, project design and asset improvements to specific schemes.

REVISED ESTIMATE 2012/13

26. The Capital Programme for 2012/13 should be increased from £10,866,240 to £12,371,040 to take account of the £1,414,810 net rephasing of projects from 2011/12; the addition of the Adlington Play Facilities scheme (£103,420 financed by developer contribution); the transfer of the remaining £5,000 of the Performance Management budget to revenue; and an £8,430 estimated reduction in resources. The reduction relates mainly to capital receipts not yet achieved. Once receipts from disposal of surplus assets have been received, the programme could be increased again, or the receipts could be used to reduce financing by borrowing.
27. The changes to individual budgets are presented in Appendix 2.
28. It is recommended that VAT Shelter Income (revenue financing) that had been earmarked to finance project design fees in 2011/12 should be used to finance improvements to the Council's fixed assets now that the resource has been carried forward to 2012/13. Details of the specific projects to be implemented in 2012/13 will be reported at a later date. It is not certain that all improvements recommended by Liberata could be included in the capital programme. Any improvements that did not qualify as capital expenditure would have to be charged to the revenue account budget, but the capital budget and use of revenue financing would be reduced to match to ensure that the impact would be neutral.
29. When the 2012/13 Capital Programme was approved on 28th February 2012, the uncommitted Housing Renewal budget totalling £657,610 was rephased from 2011/12, pending further consideration of its use and phasing. The budget has been reduced by £5,600 to £652,010 because of overspending in 2011/12. The Head of Housing has recommended use of £52,780 in 2012/13 for Home Repair Grants, which is slightly less than actual expenditure in 2011/12 of £57,409. It is also recommended that £4,000 of the Housing Renewal budget should be used to provide a safe play area at Cotswold House. After adding £5,280 slippage from 2011/12, the Energy Efficiency Grants budget would be more than is estimated as necessary, so it is recommended that £5,000 be added back into the uncommitted Housing Renewal total.
30. The uncommitted Housing Renewal total for 2012/13 would be £600,230 if these proposals are approved. Though this resource is included in the 2012/13 programme, it is unlikely that it would all be spent this year. Apart from Disabled Facilities Grants funded with Government grant, estimated to continue at £269,000 per year, there are no other Housing

Renewal budgets in the 2013/14 and 2014/15 programmes. Rephasing of the uncommitted Housing Renewal budget from 2012/13 to these future years would be one option to address the issue, without resorting to prudential borrowing to finance housing expenditure such as grants.

31. In a report on this agenda proposing changes to the Council's Disabled Facilities Grants policy, the Director of Partnerships, Planning and Policy indicates that use of most of the uncommitted Housing Renewal budget would be required to top up the current DFG budgets for 2012/13 to 2014/15. If the changes are approved, the impact on the budget would be reflected in the next capital programme monitoring report.
32. Budget provision of £592,370 in respect of Buckshaw Railway Station has been rephased from 2011/12. The expenditure charged to 2011/12 included an estimated figure to finalise the contract, based on information from Network Rail and Lancashire County Council. The 2012/13 budget would be financed with two sums (£562,370 and £30,000) received from developers, and would be applied to benefit Buckshaw Village in accordance with the agreements with the developers.
33. Budget provision for improving the access road to Duxbury Park Golf Course has been carried forward from 2011/12. However it is unlikely that the scheme would proceed until additional external funding has been secured. Negotiations are in progress and it is intended that the tendering process should begin in July.

REVISED ESTIMATE 2013/14

34. The revised Capital Programme for 2013/14 would be £968,980 after the addition of a scheme to be financed from developers' S106 contributions.
35. Developers' S106 contributions for Play and Recreation facilities and Public Open Space enhancements totalling £146,200 have been received, but these may be restricted to use in specific vicinities rather than Borough-wide use. This budget would be allocated to projects when they are closer to implementation, generally after sites have been identified and relevant parties consulted.

CAPITAL PROGRAMME 2014/15

36. There are no changes to the Capital Programme for 2014/15 at this stage.

DEVELOPERS' CONTRIBUTIONS

37. Actual use of developer's contributions in 2011/12 and budgeted use from 2012/13 to 2014/15 is shown in Appendix 3.
38. At present, only £27,000 uncommitted Borough-wide S106 contributions are available for play and recreation schemes, which could include making contributions to projects implemented by other organisations. However, it is likely that contributions would continue to be received throughout the year, and the total available for allocation to projects would be updated in further monitoring reports.
39. Approximately £364,000 of the contribution received for purposes including highway improvements, community safety and recreation facilities in the vicinity of the former Lex site on Pilling Lane is uncommitted at present.
40. Further contributions are receivable as development of Buckshaw Group 1 and Group 4 North proceeds. Affordable housing and other facilities would be provided on site by the

developers, but the Council would receive contributions to provide affordable housing, community facilities, playing fields and public open space, public infrastructure, and public transport improvements.

DEBT REDUCTION STRATEGY

41. The report to Executive Cabinet of 23rd February indicated that the revenue budget strategy for 2012/13 required debt reduction of £400,000 in 2011/12, of which £250,000 would be from revenue budget savings and £150,000 from capital programme resources. Debt was reduced as budgeted in 2011/12, but the use of £150,000 capital receipts is not reflected in Appendix 1 showing the financing of the capital programme.
42. The budgeted and actual use of capital receipts in 2011/12 and 2012/13 is as follows:

	Budget £	Actual or Revised £	Variance £
<u>2011/12</u>			
Balance 1/4/11	40,730	40,731	1
Receipts in year	180,770	172,328	(8,442)
Total available	221,500	213,059	(8,441)
Capital financing	(53,270)	(63,059)	(9,789)
Debt reduction	(150,000)	(150,000)	0
Total applied	(203,270)	(213,059)	(9,789)
<u>2012/13</u>			
Balance 1/4/12	18,230	0	(18,230)
Receipts in year	0	0	0
Total available	18,230	0	(18,230)
Capital financing	(18,230)	0	18,230
Total applied	(18,230)	0	18,230
Balance 31/3/13	0	0	0

Capital receipts obtained in 2011/12 were slightly lower than expected. The 2012/13 programme has been reduced to match, rather than increasing borrowing to make up for the reduced resource. It is anticipated that further capital receipts would be achieved during 2012/13. Such capital receipts could be used for further debt reduction or to reduce budgeted borrowing, in order to produce revenue budget savings, or to finance additional capital expenditure.

IMPLICATIONS OF REPORT

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

Finance	✓	Customer Services	
Human Resources		Equality and Diversity	
Legal		Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

44. Financial implications are set out in the body of the report.

COMMENTS OF THE MONITORING OFFICER

45. The Monitoring Officer has no comments.

GARY HALL
CHIEF EXECUTIVE

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Michael Jackson	5490	24 th May 2012	Capital Programme Outturn 2011-12 & Monitoring 2012-13 – 2014-15 Jun 2012.doc

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Capital Programme - Provisional Outturn

Scheme	2011/12 Current Estimate (1) £	Rephased (2) £	Reallocated (3) £	Other (4) £	2011/12 Provisional Outturn (5) £
<u>Chief Executive</u>					
<u>Head of Policy</u>					
Performance Management	10,000	(5,000)			5,000
<u>Head of Policy Total</u>	10,000	(5,000)	0	0	5,000
<u>Head of Customer, ICT & Transactional Services</u>					
Website Development (incl. ICT salary capitalisation)	20,000		(20,000)		0
Thin Client/Citrix Virtual Desktop Infrastructure	146,000	(22,030)	13,300	1	137,271
Unified Intelligent Desktop (externally funded)	122,510	(59,970)	6,700		69,240
UID / Asidua Mobile	23,330	(23,330)			0
Replacement Benefits System	46,500				46,500
<u>Head of Customer, ICT & Transactional Services Total</u>	358,340	(105,330)	0	1	253,011
<u>Head of Governance</u>					
Planned Improvements to Fixed Assets	139,670	(98,300)	(35,770)	0	5,600
Strategic Land Assembly Chorley Town Centre	500,000	(500,000)			0
<u>Head of Governance Total</u>	639,670	(598,300)	(35,770)	0	5,600
<u>Chief Executive Total</u>	1,008,010	(708,630)	(35,770)	1	263,611

Capital Programme - Provisional Outturn

Scheme	2011/12 Current Estimate (1) £	Rephased (2) £	Reallocated (3) £	Other (4) £	2011/12 Provisional Outturn (5) £
<u>Director of Partnerships, Planning & Policy</u>					
<u>Head of Economic Development</u>					
Chorley Market Improvements	130,720	(41,070)	850	(3,072)	87,428
Climate Change Pot	31,770	(10,000)		(5)	21,765
<u>Head of Economic Development Total</u>	162,490	(51,070)	850	(3,077)	109,193
<u>Head of Housing</u>					
Affordable Housing New Development Projects	158,000				158,000
Disabled Facilities Grants	351,150	8,750		10,076	369,976
Housing Renewal					
- Home Repair Grants/Decent Homes Assistance	52,780	4,630		(1)	57,409
- Energy Efficiency Grants	12,940	(5,280)			7,660
- Miscellaneous Renewal Schemes	16,590	970		0	17,560
Cotswold House Refurbishment (PRG/RHP grant funded)	9,500	(8,700)	31,990	(5)	32,785
Project Design Fees	41,440	(41,440)		0	0
<u>Head of Housing Total</u>	642,400	(41,070)	31,990	10,070	643,390
<u>Head of Planning</u>					
Buckshaw Village Railway Station (S106 financed)	3,355,320	(592,370)		(1)	2,762,949
Buckshaw Village Cycle Network (S106 financed)	77,360	(11,150)		(4)	66,206
<u>Head of Planning Total</u>	3,432,680	(603,520)	0	(5)	2,829,155
<u>Director of Partnerships, Planning & Policy Total</u>	4,237,570	(695,660)	32,840	6,988	3,581,738

Capital Programme - Provisional Outturn

Scheme	2011/12 Current Estimate (1) £	Rephased (2) £	Reallocated (3) £	Other (4) £	2011/12 Provisional Outturn (5) £
<u>Director of People and Places</u>					
<u>Head of Streetscene & Leisure Contracts</u>					
Leisure Centres/Swimming Pool Refurbishment	100,000	3,520		2	103,522
Duxbury Park Golf Course/Access Rd capital investment	5,940				5,940
Replacement of recycling/litter bins & containers	121,740	2,160		(4)	123,896
Highway improvements - Gillibrand estate/Southlands	44,000				44,000
Astley Park Improvements	5,300		530	(2)	5,828
Play and Recreation Fund projects	88,990	(3,930)	8,510	(3)	93,567
YVCP Natural Play Zone (S106/Grant funded)	109,430	(3,820)	10,560	(3)	116,167
Car Park Pay and Display Ticket Machines	20,250				20,250
Rangleys Recreation Ground/Duke Street Field (S106 funded)	0	1,650	170	3	1,823
Tatton Community Centre Roof (2010/11 scheme)	0		2,930	2	2,932
Project Design Fees	29,870	(10,100)	(19,770)	0	0
<u>Head of Streetscene & Leisure Contracts Total</u>	525,520	(10,520)	2,930	(5)	517,925
<u>Director of People and Places Total</u>	525,520	(10,520)	2,930	(5)	517,925
<u>Capital Programme Total</u>	5,771,100	(1,414,810)	0	6,984	4,363,274

Capital Programme - Provisional Outturn

Scheme	2011/12 Current Estimate (1) £	Rephased (2) £	Reallocated (3) £	Other (4) £	2011/12 Provisional Outturn (5) £
<u>Financing the Capital Programme</u>					
Prudential Borrowing	757,060	(548,040)		2	209,022
Unrestricted Capital Receipts	53,270	9,810		(21)	63,059
Revenue Budget - VAT Shelter income	542,930	(182,840)		3	360,093
Revenue Budget - virement from revenue budgets	59,980	(28,450)		968	32,498
Chorley Council Resources	1,413,240	(749,520)	0	952	664,672
Ext. Contributions - Developers	3,698,060	(605,690)		(12)	3,092,358
Ext. Contributions - Other	218,440	(68,670)		1,386	151,156
Government Grants - Disabled Facilities Grants	311,330	5,280		4,663	321,273
Government Grants - Housing Capital Grant	130,030	3,790		(5)	133,815
External Funding	4,357,860	(665,290)	0	6,032	3,698,602
Capital Financing Total	5,771,100	(1,414,810)	0	6,984	4,363,274

Capital Programme - 2012/13 to 2014/15

Scheme	2012/13			2012/13	2013/14		2013/14	2014/15	Total
	Current Estimate (1) £	Rephased (2) £	Other (3) £	Revised Estimate (4) £	Current Estimate (5) £	Other (6) £	Revised Estimate (7) £	Current Estimate (8) £	2012/13 to 2014/15 (9) £
Chief Executive									
<u>Head of Policy</u>									
Performance Management	0	5,000	(5,000)	0			0		0
<u>Head of Policy Total</u>	0	5,000	(5,000)	0	0	0	0	0	0
<u>Head of Customer, ICT & Transactional Services</u>									
Website Development (incl. ICT salary capitalisation)	20,000			20,000			0		20,000
Thin Client/Citrix Virtual Desktop Infrastructure	24,800	22,030		46,830			0		46,830
Unified Intelligent Desktop (externally funded)	0	59,970	(10)	59,960			0		59,960
UID / Asidua Mobile	0	23,330		23,330			0		23,330
<u>Head of Customer, ICT & Transactional Services Total</u>	44,800	105,330	(10)	150,120	0	0	0	0	150,120
<u>Head of Governance</u>									
Planned Improvements to Fixed Assets	450,000	98,300	43,120	591,420	200,000		200,000	200,000	991,420
Strategic Land Assembly Chorley Town Centre	0	500,000		500,000			0		500,000
Chorley East Health Centre - land purchase/construction	6,650,000			6,650,000			0		6,650,000
<u>Head of Governance Total</u>	7,100,000	598,300	43,120	7,741,420	200,000	0	200,000	200,000	8,141,420
<u>Head of Human Resources & Organisational Development</u>									
Integrated HR, Payroll and Training System	15,000			15,000			0		15,000
<u>Head of HR & Organisational Development Total</u>	15,000	0	0	15,000	0	0	0	0	15,000
Chief Executive Total	7,159,800	708,630	38,110	7,906,540	200,000	0	200,000	200,000	8,306,540

Capital Programme - 2012/13 to 2014/15

Scheme	2012/13			2012/13	2013/14		2013/14	2014/15	Total
	Current Estimate (1) £	Rephased (2) £	Other (3) £	Revised Estimate (4) £	Current Estimate (5) £	Other (6) £	Revised Estimate (7) £	Current Estimate (8) £	2012/13 to 2014/15 (9) £
<u>Director of Partnerships, Planning & Policy</u>									
<u>Head of Economic Development</u>									
Chorley Market Improvements	6,670	41,070		47,740			0		47,740
Climate Change Pot	27,530	10,000		37,530			0		37,530
<u>Head of Economic Development Total</u>	34,200	51,070	0	85,270	0	0	0	0	85,270
<u>Head of Housing</u>									
Affordable Housing New Development Projects	509,630			509,630			0		509,630
- Long-Term Empty Homes	25,000			25,000			0		25,000
Disabled Facilities Grants	424,330	(8,750)		415,580	269,000		269,000	269,000	953,580
Housing Renewal	657,610	(5,600)	(51,780)	600,230			0		600,230
- Home Repair Grants/Decent Homes Assistance	0		52,780	52,780			0		52,780
- Energy Efficiency Grants	10,000	5,280	(5,000)	10,280			0		10,280
Cotswold House Refurbishment	130,750	8,700	4,000	143,450			0		143,450
Project Design Fees	41,440	41,440	(41,440)	41,440			0		41,440
<u>Head of Housing Total</u>	1,798,760	41,070	(41,440)	1,798,390	269,000	0	269,000	269,000	2,336,390
<u>Head of Planning</u>									
Eaves Green Link Road - contribution to LCC scheme	80,000			80,000			0		80,000
Chorley Strategic Regional Site	391,200			391,200			0		391,200
Highway Improvements Pilling Lane area (S106 funded)	150,000			150,000			0		150,000
Puffin Crossing Collingwood Rd/Letchworth Drive (S106 funded)	47,820			47,820			0		47,820
Buckshaw Village Railway Station (S106 financed)	0	592,370		592,370			0		592,370
Buckshaw Village Cycle Network (S106 financed)	0	11,150		11,150			0		11,150
<u>Head of Planning Total</u>	669,020	603,520	0	1,272,540	0	0	0	0	1,272,540
<u>Director of Partnerships, Planning & Policy Total</u>	2,501,980	695,660	(41,440)	3,156,200	269,000	0	269,000	269,000	3,694,200

Capital Programme - 2012/13 to 2014/15

Scheme	2012/13	Rephased	Other	2012/13	2013/14	Other	2013/14	2014/15	Total
	Current Estimate			Revised Estimate	Current Estimate		Revised Estimate	Current Estimate	2012/13 to 2014/15
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
	£	£	£	£	£	£	£	£	£
<u>Director of People and Places</u>									
<u>Head of Streetscene & Leisure Contracts</u>									
Leisure Centres/Swimming Pool Refurbishment	510,600	(3,520)		507,080	268,780		268,780	282,250	1,058,110
Duxbury Park Golf Course/Access Rd capital investment	80,620			80,620			0		80,620
Replacement of recycling/litter bins & containers	97,830	(2,160)		95,670	85,000		85,000	85,000	265,670
Eaves Green Play Development (S106 funded)	189,480			189,480			0		189,480
Play and Recreation Fund projects	54,540	3,930		58,470			0		58,470
Common Bank - Big Wood Reservoir	11,520			11,520			0		11,520
Rangleys Recreation Ground/Duke Street Field (S106 funded)	230,000	(1,650)		228,350			0		228,350
YVCP Natural Play Zone (S106/Grant funded)	0	3,820		3,820			0		3,820
Adlington Play Facilities (Grove Farm S106)	0		103,420	103,420	0		0		103,420
Play, Recreation and Public Open Space projects (S106)	0			0	0	146,200	146,200		146,200
Project Design Fees	29,870	10,100	(10,100)	29,870			0		29,870
<u>Head of Streetscene & Leisure Contracts Total</u>	1,204,460	10,520	93,320	1,308,300	353,780	146,200	499,980	367,250	2,175,530
<u>Director of People and Places Total</u>	1,204,460	10,520	93,320	1,308,300	353,780	146,200	499,980	367,250	2,175,530
<u>Capital Programme Total</u>	10,866,240	1,414,810	89,990	12,371,040	822,780	146,200	968,980	836,250	14,176,270
<u>Financing the Capital Programme</u>									
Prudential Borrowing	1,429,170	548,040	0	1,977,210	553,780		553,780	567,250	3,098,240
Prudential Borrowing - Chorley East Health Centre	6,650,000			6,650,000			0		6,650,000
Unrestricted Capital Receipts	18,230	(9,810)	(8,420)	0			0		0
Revenue Budget - VAT Shelter income	266,390	182,840	(5,000)	444,230			0		444,230
Revenue Budget - virement from revenue budgets	7,920	28,450		36,370			0		36,370
<u>Chorley Council Resources</u>	8,371,710	749,520	(13,420)	9,107,810	553,780	0	553,780	567,250	10,228,840
Ext. Contributions - Developers	1,297,790	605,690	103,420	2,006,900		146,200	146,200		2,153,100
Ext. Contributions - Other	116,920	68,670	(10)	185,580			0		185,580
Government Grants - Disabled Facilities Grants	274,280	(5,280)		269,000	269,000		269,000	269,000	807,000
Government Grants - Housing Capital Grant	805,540	(3,790)		801,750			0		801,750
<u>External Funding</u>	2,494,530	665,290	103,410	3,263,230	269,000	146,200	415,200	269,000	3,947,430
<u>Capital Financing Total</u>	10,866,240	1,414,810	89,990	12,371,040	822,780	146,200	968,980	836,250	14,176,270

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S106 and Similar Developers' Contributions

	Balance 1/4/11 £'000	2011/12 Receipts £'000	Use £'000	Balance 1/4/12 £'000	2012/13 Receipts £'000	Use £'000	Balance 1/4/13 £'000	2013/14 Receipts £'000	Use £'000	Balance 1/4/14 £'000	2014/15 Receipts £'000	Use £'000	Balance 1/4/15 £'000	Notes
Budgeted use of developers' contributions														
Affordable Housing	579	0	(134)	445	90	(535)	0			0			0	(1)
Transport	3,477	48	(2,873)	652	80	(732)	0			0			0	
Play/Recreation Facilities	335	181	(83)	433	103	(363)	173		(146)	27			27	(1) (2)
Various Purposes	744		(2)	742		(378)	364			364			364	(3)
Total	5,135	229	(3,092)	2,272	273	(2,008)	537	0	(146)	391	0	0	391	

(1) Further contributions may be receivable between 2012/13 and 2014/15

(2) In addition to Chorley Council schemes included in the capital programme, Play and Recreation Fund grants to support other schemes are included in the revenue budget.

(3) This contribution can be used for purposes including highway improvements, community safety and recreation facilities. Use of the contribution will be proposed in future reports.

S106 contributions are expected from the Buckshaw Group 1 and Group 4 North developments over the next few years. A total of £6,115,000 plus index linking is due in instalments as the sites are developed, to provide affordable housing, community facilities, playing fields and public open space, public infrastructure, and public transport improvements. In addition, affordable housing and other facilities would be provided on site by the developers.

Use of Contributions Receivable from Developers 2011/12 to 2014/15

	2011/12 £'000	2012/13 £'000	2013/14 £'000	2014/15 £'000
Affordable Housing New Development Projects	134	535		
Eaves Green Link Road - contribution to LCC scheme		80		
Buckshaw Village Railway Station (S106 financed)	2,763	593		
Buckshaw Village Cycle Network	66	11		
Eaves Green Play Development (S106 funded)		189		
Common Bank - Big Wood Reservoir		11		
Play and Recreation Fund projects	64	55		
YVCP Natural Play Zone	19	4		
Rangleys Recreation Ground	2	228		
Adlington Play Facilities (Grove Farm S106)		104		
Play, Recreation & Public Open Space projects (S106)			146	
Highway Improvements Collingwood Road	44			
Highway Improvements Pilling Lane area		150		
Puffin Crossing Collingwood Rd/Letchworth Dr.		48		
	3,092	2,008	146	0

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Report of	Meeting	Date
Director of People and Places (Introduced by the Executive Member for People)	Executive Cabinet	21 June 2012

UPDATE - CHORLEY REMEMBERS HLF PROJECT

PURPOSE OF REPORT

- To provide an update on the Chorley Remembers Heritage Lottery Fund (HLF) project.

RECOMMENDATION(S)

- That the Executive Cabinet note the progress to date and approve the Council's continued involvement as detailed in sections 19, 20, 24, 25, 28, 29, 35, 36 and 39.

EXECUTIVE SUMMARY OF REPORT

- The report provides an update on the Chorley Remembers HLF project. The recommendation is to note the progress to date and to approve the further actions detailed in the report for the four the elements of project that involve Chorley Council assets.

Confidential report Please bold as appropriate	Yes	No
--	-----	-----------

Key Decision? Please bold as appropriate	Yes	No
--	-----	-----------

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

- To provide an update on progress to date and seek approval for the further actions for the four the elements of project that involve Chorley Council assets.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- Not to approve the progress and further actions outlined in the report.

CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

Strong Family Support		Education and Jobs	
Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	√
Safe Respectful Communities		Quality Community Services and Spaces	√
Vibrant Local Economy		Thriving Town Centre, Local Attractions and Villages	√
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			

BACKGROUND

7. Following the success of the Chorley Pals Memorial statue, the Trustees of the Chorley Pals Memorial have secured HLF for funding for a Remembrance Project in Chorley.
8. The Remembrance Project has a four strands that involve Chorley Council assets, namely:
 - Enhancement to the Chorley Cenotaph.
 - Remedial works to the Memorial Arch at the Queens Road entrance to Astley Park.
 - Expansion and enhancement of the Memorial Room at Astley Hall.
 - Enhancements to the Chorley Pals Memorial statue.
9. Chorley Council and Chorley Remembers have been working closely to delivery these four elements of the project. This report provides an update on the project to date.

UPDATE - ENHANCEMENT TO THE CHORLEY CENOTAPH

10. The plans for the cenotaph include space for up to 800 names on a low screen wall have now been publicised widely as part of a month long consultation with people from Chorley and interested parties. This information (included in Appendix 1) was put on the Chorley Remembers website, at the Town Hall, at the Chorley Building Society Head Office and publicity was also obtained through BBC Radio Lancashire and through use of social media. The consultation began on 15th February for 28 days.
11. The consultation was by way of a simple question accompanying the plans asking 'Do you agree with the plans? – Yes or No' and there was the opportunity to submit additional comments. In total 15 replies were received with 13 Yes and 2 No.
12. The Chorley Remembers project team met with representatives of the Chorley Branch of the Royal British Legion just prior to the consultation and they agreed in principle to the scheme going forward. During the consultation the Chorley Remembers reported the following activity:
 - Chorley Remembers website received 5,148 hits (unique visitors).
 - Coverage though Chorley Guardian and BBC Radio Lancashire.
 - Details were retweeted to 4,865 Twitter followers.
 - 1,203 Facebook page views.
13. The main concern of the two no votes was the inclusion of 'Civilian Stones' proposed for the site which they were both against this.
14. Separate to the consultation, three letters were sent directly to the Leader of Chorley Council during the consultation period. The letters were from the Chorley & District Ex-Services Association, the Wheelton & Rural Branch of the Royal British Legion and Councillor Alison Hansford.
15. Chorley & District Ex-Services Association raised no objections but raised their concerns should the Welsh Guards / Falkland's Stone be damaged. In response it should be noted that this will be done by a specialist contractor.
16. The letters seemed more focused on the retention / status quo or the wider redevelopment of the overall site. This is not included in the original project remit as agreed as part of the HLF funding. The additions included a 'saluting dais / platform, raised flower beds, extra benches and a proposal for higher stone panels all of which do not form part of the HLF funding.

17. One common thread in the letters and the two No votes was the objection to having 'Civilian' and 'Holocaust' stones on the site. Given the objections raised the Chorley Remembers Trustees have decided to withdraw this from the plans. Taking into account the changes to the civilian and holocaust stones and that no suitable alternative changes have been put forward, Chorley Remembers are now seeking approval to proceed with the plan submitted without the civilian stones.
18. Subject to approval, the next steps will include tendering the work and seeking approval by the Executive Member for People prior to work commencing on the site.

Recommendation

19. That Members approve the consultation exercise and the final plan without the 'civilian' stones (final plan to be provided on the night).
20. That final costings, work methods, conservation details and insurances are presented for approval by the Executive Member for People prior to consent being given to work on the site.

UPDATE - REMEDIAL WORKS TO THE MEMORIAL ARCH

21. A specialist contractor is currently completing a survey report of the memorial arch and will produce a specification outlining a prioritised list of remedial work that needs to be undertaken.
22. To date £1,700 of the £15,000 for this element on the project has been spent. The remaining funding will be used to carry out remedial work as detailed in the specialists report.
23. Most of the remedial work to the arch will not need a consent requirement or planning permission. The Chorley Remembers project team will continue to liaise closely with the Council's Conservation Officer and will apply for any necessary consent requirements should they be needed. The remedial work will be overseen by Chorley Council on behalf of Chorley Remembers and the Council's existing insurances will apply.

Recommendation

24. That Members note the progress to date on this element of the project.
25. Approval is given to undertake the remedial work identified.

UPDATE - EXPANSION & ENHANCEMENT OF THE MEMORIAL ROOM AT ASTLEY HALL

26. The original proposal was to develop the Memorial and Townley Parker rooms at Astley Hall to accommodate an enhanced exhibition display. A significant element of the project funding is directed towards upgrading the limited electrical supply and lighting.
27. The Chorley Remembers project team is currently considering the option to move this part of the project to the Coach House in Astley Park. As this building already has adequate electrical and lighting it would mean that that more funding could be directed towards improving exhibition materials and display equipment. The exhibition would also be more accessible and would enhance the overall offer to visitors.

Recommendation

28. That Members approve the option to use part of the Coach House to accommodate this element of the Chorley Remembers project.
29. That final costs, work methods, conservation details and insurances are presented for approval by the Executive Member for People prior to consent being given to work on the site.

UPDATE - ENHANCEMENTS TO THE CHORLEY PALS MEMORIAL STATUE

30. A detailed final design has now been completed and is attached in appendix 2. The design opens up the site from four directions improving accessibility and substantially increasing the viewing area around the statue. The footpath area is bordered with boxed hedging, surrounded by a turfed area with a low level wooden post and rail fence border. Space for two benches and information lecterns is also included into the design.
31. The commemorative boulder would be relocated into new position opposite its current location on the other side of the car park road entrance.
32. A detailed work specification has been drafted and this has been sent out for contractor tender prices. The estimated cost of project with a sandstone path is £12,000. The Chorley Remembers HLF project has £5,000 allocated to fund this element of the project. The additional cost would need to be met by the Council and it is proposed that these are met within the existing People & Places capital expenditure.
33. The work will be overseen by Chorley Council on behalf of Chorley Remembers. Therefore, the Council's existing insurances will apply and the changes are within the Council's permitted development and do not require planning permission.
34. It is proposed that the work commence after 1st July 2012.

RECOMMENDATION(S)

35. To approve the final design with a sandstone footpath at an estimated cost £12,000.
36. To approve the additional capital funding required of £7,000 to be met within the People & Places directorate capital expenditure and to be reported in future capital budget reports.

PROJECT CONTINGENCY

37. The overall Chorley Remembers HLF project has secured £148,000 to fund improvements to four Council owned assets. It is possible that some costs for the work may exceed this such as the remedial work to the memorial arch that may identify further work required beyond the £15,000 of funding for this part of the project.
38. A contingency of £20,000 (13%), funded by the Council, would help to ensure that the further additional or necessary work to the Council owned assets could be delivered as part of the project. This would be negotiated and agreed to ensure value for money and the most effective delivery of the project.

RECOMMENDATION(S)

39. That a contingency budget of £20,000 is created to support the delivery of the project elements involving Council owned assets.

IMPLICATIONS OF REPORT

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

Finance	√	Customer Services	
Human Resources		Equality and Diversity	
Legal	√	Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

41. The report indicates that extra costs may be incurred. If this happens then these will be met from existing council budgets. Some of those costs may ultimately have fallen on the Council anyway e.g. maintenance of the arch, so to some extent council resources are currently available and used to maintain the assets that are being enhanced.

COMMENTS OF THE MONITORING OFFICER

42. The delegations sought in the recommendations are appropriate.

JAMIE CARSON
DIRECTOR OF PEOPLE & PLACES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Jamie Dixon	5250	13-06-2012	EC 21-06-2012 Chorley Pals Memorial Trust HLFProject

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CHORLEY REMEMBERS



What do you think of our plans?

Chorley has a proud history of providing service men and women to take part in conflicts across the world, and we think it is only right that we improve the way we remember their sacrifices. Across the Borough there are numerous memorials but we want to make it easier for people to appreciate their local history and heritage and, more importantly, remember all the people who have lost their lives in conflicts - from the Boer War up to present day.

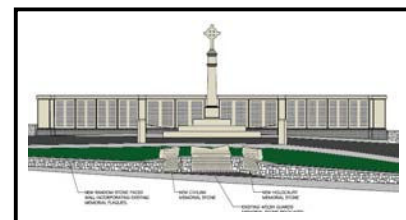
The unveiling of the Chorley Pals Memorial on the Flat Iron car park two years ago raised the question as to why the names of the fallen from the town were not recorded on the civic war memorial in Astley Park. Trustees behind the Pals project looked to address this omission and recently bid for and gained Lottery funding to make the improvements. Before we press ahead, we (along with Chorley Council who manage and maintain the remembrance assets in Astley Park) want to get the views of local people.



The overall project has four main elements in respect of capital works:

- Conserve the First World War memorial arch (at the entrance to Astley Park, off the A6 Park Road)
- Add the names of all the fallen around the existing civic war memorial (cenotaph) in Astley Park
- Create a new 'Remembrance Experience' by developing the memorial room at Astley Hall
- Enhance the area around the Chorley Pals Memorial

The most moving of these improvements is the proposal to add the names of the fallen around the cenotaph and we want to know people's views on what we intend to do. The plan is to create a new wall behind the existing Celtic cross to incorporate some 700 names of those from Chorley who have lost their lives in conflict. The existing 'conflict stones' and the memorial stone to Welsh Guardsmen who fell during the Falklands conflict would be moved to the front of the site. They will be joined by with two new memorials - a Holocaust memorial stone and a civilian memorial stone.



Mindful of cost and the amount awarded by the Heritage Lottery Fund, we have put together an affordable scheme that we believe represents value for money. Illustrated above (and larger over-leaf) is what the area around the memorial in Astley Park would look like.

We ask one simple question....

Are you happy with the proposed layout around the war memorial in Astley Park?

You can let us know by using the form in this binder, by calling the **CHORLEY REMEMBERS** project office on **01257 273621**, or by going to our website **www.chorleyremembers.org.uk** and using the reply facility there. Closing date for replies is Thursday, 1st March 2012.

You can also check if a name is to go on the war memorial by viewing the list in this binder, by contacting the number above, or by going on our website.

Up-dates, news and full details of the project * can be found at...

www.chorleyremembers.org.uk

CHORLEY REMEMBERS

Are you happy with the proposed layout around the war memorial in Astley Park? YES NO

Name : Age (optional) :

Address :

..... Post Code :

Any additional comments / observations / questions?

If you would like us to contact you (please add telephone number and / or e-mail address):

.....



Please hand this completed form to a member of Staff or

to Chorley Remembers, Key House, Foxhole Road, Chorley PR7 INZ 01257 273621

CHORLEY REMEMBERS

Are you happy with the proposed layout around the war memorial in Astley Park? YES NO

Name : Age (optional) :

Address :

..... Post Code :

Any additional comments / observations / questions?

If you would like us to contact you (please add telephone number and / or e-mail address):

.....



Please hand this completed form to a member of Staff or

to Chorley Remembers, Key House, Foxhole Road, Chorley PR7 INZ 01257 273621

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Report of	Meeting	Date
Director of People and Places (Introduced by the Executive Member for Places)	Executive Cabinet	21 June 2012

CLEAN ENVIRONMENT AND NEIGHBOURHOOD ACT 2005 DOG CONTROL ORDERS

PURPOSE OF REPORT

1. To seek Members approval for the introduction of three new Control Orders relating to the control of dogs in public places.

RECOMMENDATION(S)

2. That Members note the results of the consultation and statutory notification period in relation to the introduction of the Control Orders.
3. That Members approve the making of:
The Dogs on Leads (Chorley Council) Order 2012
The Dogs on Leads By Direction (Chorley Council) Order 2012
The Dogs Exclusion (Chorley Council) Order 2012

Members approve the Orders to come into effect on 23 July 2012 subject to the statutory notification and publication period.

4. If Members approve the making of the Orders then it is recommended that the Fixed Penalty Notice charge be set at the statutory default level of £75.00 with no early payment reduction, in line with the penalty charges applied to dog fouling offences.

EXECUTIVE SUMMARY OF REPORT

5. Dog control has become an increasingly important issue with the rate of reported aggressive dog incidents now at around one per week in the Chorley area.
6. The introduction of Dog Control Orders to specifically define where dogs must be held on a lead; where dogs are excluded from being walked and exercised; and powers to allow authorised officers to instruct dog walkers to put their dog on a lead will provide the Council with proportionate powers to enforce appropriate dog control in certain areas.
7. The draft Orders have been published in a local newspaper and consultation with a number of agencies has been carried out in accordance with The Dog Control Orders (Procedures) Regulations 2006.
8. The consultation responses are provided at Appendix A to this report along with a response or comment to the issue raised.

Confidential report Please bold as appropriate	Yes	No
--	-----	----

Key Decision? Please bold as appropriate	Yes	No
--	-----	----

Reason Please bold as appropriate	1, a change in service provision that impacts upon the service revenue budget by £100,000 or more	2, a contract worth £100,000 or more
	3, a new or unprogrammed capital scheme of £100,000 or more	4, Significant impact in environmental, social or physical terms in two or more wards

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

- 9. To update existing dog control provisions and introduce new provisions for the control of dogs

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 10. Retain existing dog control bye laws which were introduced over 30 years ago

CORPORATE PRIORITIES

- 11. This report relates to the following Strategic Objectives:

Strong Family Support		Education and Jobs	
Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	X
Safe Respectful Communities		Quality Community Services and Spaces	
Vibrant Local Economy		Thriving Town Centre, Local Attractions and Villages	
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			

BACKGROUND

- 12. Guidance on the making of Control Orders in relation to dogs is provided by DEFRA. In making Control Orders relating to dogs the Council should be satisfied that it is a necessary and proportionate response to the activities of dogs and those in charge of them.
- 13. Over recent years there has been an increase in the number of reported incidents involving dogs not being kept under control by those in charge of them. Anecdotal evidence from the Councils neighbourhood officers would indicate that they are called to investigate on average one incident per week.
- 14. The Council already has historic Bylaws in relation to dogs being held on a lead and dogs being exempted from certain areas but these are not enforced as the only recourse for the Council to take action is by direct prosecution which is both costly and time consuming. In addition the fines which were set several decades ago are now so negligible they do not have a deterrent effect.

15. The Clean Neighbourhoods and Environment Act 2005 introduced the ability both to create Control Orders and to use the Fixed Penalty Notice as a means for offenders to discharge their liability for an offence committed under the Order.
16. The three Control Orders outlined above are appended to this report as:
 - The Dogs on Leads (Chorley Council) Order 2012 – Appendix B
 - The Dogs on Leads by Direction (Chorley Council) Order 2012 – Appendix C
 - The Dogs Exclusion (Chorley Council) Order 2012 – Appendix D
17. The Dogs on Leads (Chorley Council) Order 2012 will require all persons in control of a dog to retain that dog on a lead in certain areas. These areas are defined in the schedule to the draft Order, but include roads and pavements, footpaths and public open space where recreational or sports activities are being undertaken. An offence is committed by the person in charge of a dog if they are walking that dog off lead in an area defined in the schedule.
18. The Dogs on Leads by Direction (Chorley Council) Order will provide authorised officers (Neighbourhood Officers and PCSO's) with the power to direct persons in control of a dog to place that dog on a lead. An offence is committed if the person fails to comply with that direction.
19. The Dogs Exclusion (Chorley Council) Order 2012 will exclude dogs from certain places defined in the schedule to the Order. An offence is committed if a person in control of the dog allows the dog to be in an excluded place or area.

CONSULTATION

20. Consultation on the draft Orders has been undertaken in accordance with the DEFRA guidance. Public Notices have been placed in local press and the following agencies have been invited to provide comments on the proposed Orders:

Lancashire Constabulary
Lancashire County Council
United Utilities
British Waterways

In addition all Parish Council clerks were notified of the consultation as well as the organisations associated with both Astley Park and Yarrow Valley Park through their respective advisory group meetings.

21. At the close of the consultation period on 6 June 2012 a total of 17 consultation responses had been received. The table at Appendix A details those responses together with the Councils comment/response.
22. The majority of responses were in support of the proposed Orders with some comment and observation on clarity of the extent of the Orders and some requests to go further with the provisions for dogs on leads. Four objections were received to the making of the Orders.
23. In the light of the comments and observations received it is not intended to amend the Orders from their original draft form.

SIGNAGE

- 24. Should the Orders be approved and confirmed it is intended to provide signage in a limited number of places, particularly in relation to the Exclusion Order and in such places as play areas.
- 25. However the use of signage for the Direction Order is deemed inappropriate given the potential wide range that the Order might cover.
- 26. Similarly it is not proposed to provide general signage in relation to the Dogs on Leads Order save for discrete areas such as parks, public sport and activity areas and footpaths associated with those areas.

ENFORCEMENT

- 27. Enforcement will be undertaken by Neighbourhood Officers, PCSO's and Park Rangers. It is intended that for the initial three months that the Orders come into force there will be a light touch approach with high profile patrols in areas where the Orders have effect, advising dog walkers of the impact of the new Orders.
- 28. Following this initial period it is intended to use a high profile media campaign to advise dog owners of the effect of the Orders and that enforcement by way of fixed penalty notice will take place.
- 29. Enforcement will be by way of the issuing of fixed penalty notices to offenders and the default charge level of £75.00 is proposed with no reduction available for early payment.

INTEGRATED IMPACT ASSESSMENT

- 30. An integrated impact assessment will be undertaken prior to the commencement of the Orders and any actions arising will be addressed.

IMPLICATIONS OF REPORT

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

Finance	X	Customer Services	
Human Resources		Equality and Diversity	
Legal	X	Integrated Impact Assessment required?	X
No significant implications in this area		Policy and Communications	X

COMMENTS OF THE STATUTORY FINANCE OFFICER

- 32. There are financial implications resulting from the recommendations set out above with regard to the additional signage that will be required. It should be noted, however, there is an existing provision in the budget for signage and it is anticipated that the costs will be accommodated within this existing budgetary resource.

COMMENTS OF THE MONITORING OFFICER

- 33. The details of the statutory consultation are addressed within the body of the report.

COMMENTS OF THE HEAD OF POLICY AND PERFORMANCE

34. The responses to the consultation demonstrate that there is mainly support for the introduction of dog control orders. There are provisions within the orders that take into account the particular needs of disabled people, and mitigate any potentially adverse effect. An integrated impact assessment will be undertaken prior to the commencement of the orders and an action plan developed if any issues are identified.

JAMIE CARSON
DIRECTOR OF PEOPLE AND PLACES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Simon Clark	5732	June 2012	dogcontrol

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Dog Control Orders 2012

Consultation Responses

<u>Consultee</u>	<u>Comment</u>	<u>Response</u>
<p>Keith Williams Address supplied</p>	<p>Will the dogs on a lead requirement extend to canal towpaths?</p> <p>Whins Lane is 60 mph and will be excluded. Can we lobby to have the speed limit reduced?</p>	<p>The towpath is considered to be open space and requiring dogs on leads is not considered appropriate. Nevertheless dog walkers should ensure their dogs are under control and if this necessitates the use of a lead rather than command etc. then they should use leads.</p> <p>Speed control on roads and speed limits are not an issue for this report.</p>
<p>Linda Barron Address supplied</p>	<p>Objection to requirement to have dogs on leads in parks and open spaces as it will discourage exercise and result in greater car use as people travel to areas were dogs can be off lead.</p>	<p>National guidance requires the introduction of Orders to ensure there is a balance between the needs of dog walkers and the general public.</p>
<p>B Richardson Email address supplied</p>	<p>Expressed concern that the wording of the Orders should be in 'plain English'</p>	<p>Orders are drafted in accordance with national guidance and subject to legal scrutiny to ensure they are enforceable.</p>
<p>Laura Spencer Email supplied</p>	<p>Objection to any restrictions on dog owners being allowed to walk their dogs in public spaces off a lead. Accepts that children's play areas are an exception</p>	<p>National guidance requires the introduction of Orders to ensure there is a balanced between the needs of dog walkers and the general public.</p>

<u>Consultee</u>	<u>Comment</u>	<u>Response</u>
<p>Paula Haworth Address supplied</p>	<p>Objection to proposals on the basis that there is no problem with dogs in her area and that we should be focussing attention on people who cause antisocial behaviour and damage to public property.</p>	<p>National guidance requires the introduction of Orders to ensure there is a balance between the needs of dog walkers and the general public.</p>
<p>Natasha Seed Address supplied</p>	<p>Objection to the proposals on the basis that she can control her dog and the dogs exercise would be affected if it was kept on a lead all the time</p>	<p>Orders will not require dogs to be on a lead at all times. Dogs can still be exercised on open spaces where no organised sport, play or recreational activities are being held.</p>
<p>Brenda Ferner Email supplied</p>	<p>Comment that existing laws should be sufficient but are not enforced so why should new Orders make any difference.</p> <p>Comment that dogs are an important part of people's lives and information and education should be used to ensure people (especially children) are taught how to meet and handle dogs.</p> <p>Much more should be done to ensure dogs are tagged and can be identified</p>	<p>Existing Bylaws do not allow the issue of Fixed Penalty Notices and the level of fines for offences under Bylaws is relatively low and therefore has little deterrent effect.</p> <p>The Orders do not seek to restrict dogs accessing most open space areas. The comment does not account for the fact that some people simply do not want contact with dogs whilst out.</p> <p>The Council already provides a low cost micro chipping service.</p>
<p>Janice Duncan Email supplied</p>	<p>Seeking clarification on term 'ornamental lake'. Does it include lodge at Yarrow Valley</p>	<p>Ornamental lake refers to small constructed lakes as part of a landscaping design for a park or open space. Lodges and reservoirs are therefore not included.</p>

Appendix A

<u>Consultee</u>	<u>Comment</u>	<u>Response</u>
Charnock Richard Parish Council	Support for the proposals and highlighted concerns on publicising the Orders and enforcement	Subject to approval the Orders will be publicised in accordance with statutory requirements and notices erected in appropriate locations. Enforcement will be undertaken by authorised officers (Neighbourhood Officers, PCSO's and Park Rangers) who currently deal with dog fouling and other environmental crime issues by way of fixed penalty notice.
Pam Ascroft Email supplied	Fully support the proposals	n/a
Adlington Town Council	Fully support the proposals	n/a
Brindle Parish Council	Fully support the proposals	n/a
Whittle le Wood Parish Council	Discussed at Parish Council meeting and no comment to make	n/a
Hoghton Parish Council	Fully support the proposals	n/a
Cllr Marion Lowe Chorley Council	<p>1.Dogs to be on leads at all times in Astley Park and which would help to reduce dog fouling as owners do not watch what the dog is doing if off a lead</p> <p>2.Dogs to be on leads at all times at Yarrow Valley Park around the main public areas and lake which would reduce the no. of dogs going into the lake terrorising breeding birds and to reduce dog fouling as above.</p>	<p>Having a blanket requirement for dogs on leads in all areas of Astley Park would be disproportionate and not a balanced approach as required by the guidelines for the making of such Orders.</p> <p>The schedule to the Order requires a dog to be held on a lead on footpaths. People who allow their dogs to terrorise or injure wildlife should be dealt with under other animal welfare and criminal provisions.</p>

<u>Consultee</u>	<u>Comment</u>	<u>Response</u>
	<p>3.No dogs to be allowed in recreation areas and for dog bins to be removed from such areas</p> <p>4.Animal welfare officers to develop schemes to encourage micro chipping and more publicity given to try to educate irresponsible dog owners</p>	<p>It is thought this is covered by the requirement for dogs to be on leads when there is organised activities or sports. The provision of bins encourages owners to clean up.</p> <p>This issue, whilst important, is not directly related to the making of these Orders.</p>
<p>Anderton Parish Council</p>	<p>The Dog Exclusion Order does not include the 'Guide Dogs' charity as an exemption to the Order</p>	<p>Draft Order has been amended to include the 'Guide Dogs' charity</p>
<p>Fiona Eastham Email supplied</p>	<p>Seeking to extend 'dog on lead' requirement everywhere</p>	<p>Having a blanket requirement for dogs on leads in all would be disproportionate and not a balanced approach as required by the guidelines for the making of such Orders.</p>

THE CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005**THE ROAD TRAFFIC ACT 1988****THE DOG CONTROL ORDERS (PRESCRIBED OFFENCES AND PENALTIES, ETC.)
REGULATIONS 2006 (S.I 2006/1059)****THE DOGS ON LEADS (CHORLEY COUNCIL) ORDER 2012**

The Chorley Council (in this Order called “the Authority”) hereby makes the following Order:

1. The Order comes into force on the 23 July 2012
2. This Order applies to land specified in the Schedule below.
3. In this Order “any road” includes any adjoining, adjacent or associated footpath, verge or pavement.

Offence

4. A person in charge of dog shall be guilty of an offence if at any time they cause or permit a dog to be on land specified in the Schedule to this Order without the dog being held on a lead.
5. Nothing in this Order shall make it an offence for a person to cause or permit a dog to be on land specified in the Schedule without the dog being held on a lead if:
 - a. the dog can be proved to be kept for driving or tending sheep or cattle in the course of a traded or business OR
 - b. to have been at the material time in use, under proper control for sporting purposes.
6. In this article “a lead” shall be taken to mean a chord of suitable length that is appropriately and securely attached to the dog for the purposes of allowing the person in control of the dog to hold or restrain that dog.

Penalty

7. A person who is guilty of an offence under article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

SCHEDULE

Description of Land affected by the Order

1. Any road or carriageway with a speed limit of 40 mph or less and adjoining footpaths and verges.
2. Adopted, publicly maintained footways, footway links and adjoining verges.
3. Footpaths, walkways and paths linked or associated with play areas owned by Chorley Council.
4. Land provided or used for public enjoyment, recreation and sporting or educational purposes during an organised activity on that land.
5. Land, which is used as a market or fair or for the sale of goods.
6. Land used for the consumption of food or drink in connection with any trade, business or undertaking supplying food or drink.
7. Land which is any forecourt, terrace, yard or walkway providing access to or adjoining any building to which the public resort or have access to.
8. Land, which is any platform, forecourt, waiting area, walkway or shelter at any bus, or rail station, hackney carriage rank or designated hackney carriage waiting place.
9. Land, which is used as memorial, burial ground, cemetery, garden or remembrance and adjoining footpaths and verges.

THE COMMON SEAL of

CHORLEY COUNCIL

was hereto affixed the

day of

2012

in the presence of:-

THE CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005

**THE DOG CONTROL ORDERS (PRESCRIBED OFFENCES AND PENALTIES, ETC.)
REGULATIONS 2006 (S.I 2006/1059)**

THE DOGS ON LEADS BY DIRECTION (CHORLEY COUNCIL) ORDER 2012

The Chorley Council (in this Order called “the Authority”) hereby makes the following Order:

1. The Order comes into force on the 23 July 2012
2. This Order applies to land specified in the Schedule below.
3. In this Order “an authorised officer of the Authority” means an employee of the Authority who is authorised in writing by the Authority for the purposes of giving directions under this Order.

Offence

4. (1) A person in charge of dog shall be guilty of an offence if, at any time on any land to which this Order applies, he/she does not comply with a direction given to him/her by an authorised officer of the Authority to put and keep the dog on a lead of not more than 2 metres in length, unless:-
 - (a) he/she has a reasonable excuse for failing to do so; or
 - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his/her failing to do so.
- (2) For the purposes of this article:-
 - (a) a person who habitually has a dog in his/her possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.
 - (b) an authorised officer of the Authority may only give a direction under this Order to put and keep a dog on a lead if such restraint is reasonably necessary to prevent nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person on any land to which this Order applies or the worrying or disturbance of any animal or bird.

Penalty

5. A person who is guilty of an offence under Article 4 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

SCHEDULE

(Description of land to which the Order applies)

This Order applies to all land within the administrative area of the Authority and which is:-

- (i) Open to the air (which includes land that is covered but open to the air on at least one side): and
- (ii) to which the public are entitled or permitted to have access with or without payment.

THE COMMON SEAL of

CHORLEY COUNCIL

was hereto affixed the

day of 2012

in the presence of:-

THE CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005

**THE DOG CONTROL ORDERS (PRESCRIBED OFFENCES AND PENALTIES, ETC.)
REGULATIONS 2006 (S.I 2006/1059)**

THE DOGS EXCLUSION (CHORLEY COUNCIL) ORDER 2012

The Chorley Council (in this Order called “the Council”) hereby makes the following Order:

1. The Order comes into force on the 23 July 2012
2. This Order applies to land specified in the Schedule below.
3. In this Order “play area” means those play areas which are fenced or where they are not fenced, the area of the safer surfacing.

Offence

4. (1) A person in charge of dog shall be guilty of an offence if at any time they take the dog onto, or permits the dog to enter or remain on any land to which this Order applies unless:
 - a. they have a reasonable excuse for failing to do so; or
 - b. the owner, occupier or other person or authority having control of the land has consented generally or specifically to them doing so.

(2) Nothing in this article applies to a person who:

- a. is registered as a blind person in a register compiled under s:29 National Assistance Act 1948: or
- b. is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 29358) and upon which the person relies for assistance; or
- c. has a disability which affects their mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which they rely for assistance.

(3) For the purposes of this article:

- a. a person who habitually has a dog in their possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog; and
- b. each of the following is a “prescribed charity”;
 - i Dogs for the Disabled (registered charity number 7004545)
 - ii. Support Dogs (registered charity number 1088281)
 - iii. Canine Partners for Independence (registered charity number 803680)
 - iv. Guide Dogs (registered charity 209617)

Penalty

5. A person who is guilty of an offence under Article 4 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale

SCHEDULE

(Description of land to which the Order applies)

This Order applies to all land within the administrative area of the Council and which is a Council owned:

- (a) Play area
- (b) Multi use games area and ball court
- (c) Bowling green (except the Order shall not apply to the perimeter footpath around the said bowling green)
- (d) Skate park, BMX track or youth shelter
- (e) Sports pitch at such times as when an organised sporting activity is taking place
- (f) Fountain, water feature, pond or ornamental lake
- (g) Cemetery or crematorium grounds (except that the Order shall not apply to highways or footpaths within the said cemetery or crematorium grounds).

THE COMMON SEAL of

CHORLEY COUNCIL

was hereto affixed the

day of 2012

in the presence of:-



Report of	Meeting	Date
Director of People and Places (Introduced by the Executive Member for Places)	Executive Cabinet	21 June 2012

ANIMAL WELFARE ACT 2006 – AUTHORISATION OF INSPECTORS

PURPOSE OF REPORT

1. To seek adoption of the powers available under the Animal Welfare Act 2006 to authorise appropriately trained and competent officers as 'inspectors' under the Act.

RECOMMENDATION(S)

2. Members are asked to approve adoption of the authorisation powers and inspector appointment powers within the Animal Welfare Act 2006 and to give delegated powers to the Director of People and Places to make the appointment of inspectors under the Act.

EXECUTIVE SUMMARY OF REPORT

3. The Animal Welfare Act 2006 makes provision to ensure that the welfare of animals can be protected to deal with poor or inappropriate treatment of animals.
4. Historically whilst lower tier local authorities have had powers to deal with stray dogs and informally provide support to other agencies in cases of welfare, the role of enforcement has been with upper tier authorities, departments within DEFRA and the RSPCA.
5. This legislation makes provision for district councils to appoint inspectors who can act in cases of animal maltreatment.
6. In order to appoint such inspectors a delegated power to the Director of People and Places is required.

Confidential report Please bold as appropriate	Yes	No
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Key Decision? Please bold as appropriate	Yes	No
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REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

7. To enable a comprehensive animal welfare enforcement service to be provided by the Council and enable appropriately authorised officers to act as inspectors for the purposes of carrying out enforcement work under the terms of the Animal Welfare Act 2006.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 8. None

CORPORATE PRIORITIES

- 9. This report relates to the following Strategic Objectives:

Strong Family Support		Education and Jobs	
Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	
Safe Respectful Communities	X	Quality Community Services and Spaces	
Vibrant Local Economy		Thriving Town Centre, Local Attractions and Villages	
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			X

BACKGROUND

- 10. The Animal Welfare Act 2006 provides a number of powers and creates several offences in relation to the welfare of animals. Persons who mistreat animals or fail to ensure their proper welfare can be subject to a number of sanctions.
- 11. In addition the Act provides powers for authorised inspectors to remove animals who are suffering from inadequate welfare arrangements.
- 12. Currently officers with in the Neighbourhood Officer Team provide support for a number of agencies including Lancashire County Council and the RSPCA in dealing with animal welfare cases, but currently do not have the authorisation to utilise enforcement powers themselves.
- 13. If Members are minded to approve the recommendation in this report a small number of Neighbourhood Officers with the appropriate training will be duly authorised under the Act as 'Inspectors' to undertake enforcement activity directly in relation cases of animal cruelty and inappropriate animal welfare.

IMPLICATIONS OF REPORT

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

Finance	X	Customer Services	
Human Resources	X	Equality and Diversity	
Legal	X	Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

- 15. The additional responsibilities gained as a result of adopting the Animal Welfare Act 2006 powers are already accommodated within the job description of the officer who will take the lead on the associated animal welfare activity. It has been identified that there may be an increase in court action being taken but it is considered that the anticipated level will be able to be accommodated within business as usual. Therefore with regard to the contents of this report there are no financial implications identified that will adversely impact on the Council's budget.

COMMENTS OF THE MONITORING OFFICER

16. The proposal provides the Council with Inspectors and enables additional enforcement activity to be undertaken to protect against the continued commission of animal cruelty and welfare offences.

COMMENTS OF THE HEAD OF HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT

17. Currently there is a Neighbourhood Officer who is specifically responsible for animal welfare and technical issues, and the grading of this post is reflective of these additional responsibilities. It is therefore recommended that this officer takes the lead in being authorised to carry out inspections, with support from other Neighbourhood Officers should the frequency or volume of work require this.

JAMIE CARSON
DIRECTOR OF PEOPLE AND PLACES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Simon Clark	5732	22 May 2012	Animalwelfare2012

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Report of	Meeting	Date
Director of Partnerships, Planning and Policy (Introduced by the Executive Member for LDF and Planning)	Executive Cabinet	21 June 2012

COMMUNITY INFRASTRUCTURE LEVY

PURPOSE OF REPORT

- To present the revisions to the Preliminary Draft Community Infrastructure Levy Charging Schedules for noting and future approval by the Council which will then be taken forward to the Draft Charging Schedules stage for further consultation.

RECOMMENDATION(S)

- That the report be noted and the areas of revision to the Charging Schedules set out in paragraph 22 be taken to the Council to be approved for the next stage of consultation and then submitted for examination

EXECUTIVE SUMMARY OF REPORT

- An extensive consultation and focused engagement process has been carried out in relation to the Preliminary Draft Charging Schedules. This consultation resulted in 61 formal representations. Our consultants, Roger Tym and Partners were asked to consider the main viability points raised by the representations and report back on whether the recommended charge rates and their application should be amended as a result for the next stage of consultation, which is that on Draft Charging Schedules.
- This further work concluded that the Draft Charging Schedules should be slightly amended to be taken forward to the next stage of consultation. The original and suggested revised rates are set out in this report

Confidential report Please bold as appropriate	Yes	No
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Key Decision? Please bold as appropriate	Yes	No
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Reason Please bold as appropriate	1, a change in service provision that impacts upon the service revenue budget by £100,000 or more	2, a contract worth £100,000 or more
	3, a new or unprogrammed capital scheme of £100,000 or more	4, Significant impact in environmental, social or physical terms in two or more wards

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

5. To support the revised Charging Schedules to allow a further period of consultation to take place and then for the schedules proceed onto the examination stage prior to adoption.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

6. None.

CORPORATE PRIORITIES

7. This report relates to the following Strategic Objectives:

Strong Family Support		Education and Jobs	
Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	
Safe Respectful Communities		Quality Community Services and Spaces	✓
Vibrant Local Economy		Thriving Town Centre, Local Attractions and Villages	✓
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			

BACKGROUND

8. Consultation and engagement on the Preliminary Draft Charging Schedules is the first stage of establishing the charge rates to be levied on new development. This stage has been completed and covered the development viability and infrastructure funding gap justifications for the levy as well as various discretionary elements associated with its operation. The consultation material asked consultees to consider and respond to a series of questions. Not all those making representations offered answers to all the questions, the main focus for developers in particular, was the viability reports produced by our consultants and the proposed charge rates themselves.

9. The charge rates set out in the consultation were as below:

- Residential (Dwellings) £70 per sqm
- Convenience Retail £160 per sqm
- Retail Warehouse £ 40 per sqm
- Non-Residential Institutional Uses Nil
- All other uses 0-10 per sqm

10. Over 1000 local organisations were directly contacted and the wider public were invited to take part through public notices in local newspapers. Engagement meetings/workshops were organised with the following groups:

- Developers
- Parish and Town Councils
- Neighbouring local authorities
- Infrastructure providers
- Lancashire County Council

11. A total of 61 parties made formal representations. The following main issues were raised. Housing developers – queried the method of development viability appraisal and cost/value

assumptions used by the consultants; claiming this over-states the developer's ability to afford the proposed levy charge rates. The house builders also pointed to spatial variations in residential viability across Central Lancashire

12. Commercial developers- challenged the contended difference in viability between small and large format convenience (food) stores. There were also points raised about the viability of employment and agricultural developments.
13. Parish and Town Councils- the leading questions raised related to what was the 'meaningful proportion' of CIL monies handed over by the District Councils to the Parish Councils as required by the CIL Regulations
14. Neighbouring authorities- were supportive of the process being undertaken and for their part they all intend to introduce the levy locally, however few at this stage have a clear timescale for doing so.
15. Infrastructure providers- those responding/attending the engagement event were in support of the levy proposals, a few queried the presentation of the infrastructure needs and several sought for their areas of provision to be more specifically included.
16. Lancashire County Council- fully recognised the need for levy expenditure in their service areas, particularly transport and education plus to a lesser extent green infrastructure. LCC expressed a concern about the potential impact of the levy being applied in the Samlesbury part of the Enterprise Zone

Issues Raised

17. Our consultants, Roger Tym and Partners have been asked to consider the main viability points raised by the representations and report back on whether the recommended charge rates should be amended as a result for the next stage of consultation.
18. This further work has now been completed and revised assessment has been received with changes that respond to the comments received as part of the consultation on the Preliminary Draft Charging Schedule and additional information that has emerged since their publication.
19. In particular, the changes seek to address the following points raised in relation to residential development
 - That different sizes, types and locations of site should be considered;
 - That the assumed sales values did not take account of price discounting by developers and as such were too high;
 - That the land values assumed were too high;
 - That the assumed benchmark profit levels are lower than being sought by residential developers;
 - That all assessments should take account of the policy level of affordable housing and the level at which sales transactions take place between developers and housing associations
20. Additionally the consultants have produced a new 'reference case' viability assessment, which relates to a hypothetical 1ha site; and assessed a higher value site; an inner Preston brownfield site; a large and very large 'strategic site'.

21. Consideration has also been given to points raised in relation to the non-residential development assessments, but other than creating a distinction between larger retail stores and a store under 280 sq.m (Sunday trading hours threshold size) this has not resulted in any suggested changes to the non-residential categories. Therefore the position in respect of employment uses and agricultural developments that were challenged by the representations will remain unchanged and be subject to the base charge (£10 per square metre) set out in the Preliminary Draft Schedule.
22. On the basis of the assessments above the consultants are suggesting changes to the charging schedule into the area as set below:

All residential development £65 sq.m with the exception of:

- Sites in inner Preston - £35 per sq.m
- Apartments - £10 per sq.m

Convenience Retail

- Stores less than 280 sq.m – £40 per sq.m
- Stores 280 sq.m and above- £160 per sq.m

23. It should be noted that the setting of the charge rates is only part of the preparatory work that is necessary to locally introduce the levy. A pan-Central Lancashire joint officer group has been established to scope the procedural aspects of setting up the levy collection mechanisms in the authorities, this will also cover the accounting approach for the expenditure.

IMPLICATIONS OF REPORT

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

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

24. The amendments made to the CIL rates will probably result in slightly less yield, but that will ultimately be dependant on the amount of development, the individual rate changes are minimal in this context.

COMMENTS OF THE MONITORING OFFICER

25. There are no comments.

LESLEY-ANN FENTON
DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Steven Brown	5229	08/06/12	



Report of	Meeting	Date
Director of Partnerships, Planning and Policy (Introduced by the Executive Member for Homes and Business)	Executive Cabinet	21 June 2012

CHORLEY COUNCIL'S DRAFT TENANCY STRATEGY

PURPOSE OF REPORT

1. To make Executive Cabinet aware of the Draft Tenancy Strategy and its principles.

RECOMMENDATION(S)

2. The Executive Cabinet are asked to approve the draft strategy therefore allowing consultation to begin on the document with Registered Providers and other partners.

EXECUTIVE SUMMARY OF REPORT

3. The Localism Act 2011 requires each Local Housing Authority to publish a Tenancy Strategy, and Registered Providers of social Housing in the borough must have regard to the strategy when developing their Tenancy Policies.

The Localism Act allows the Registered Providers (who have a development agreement with the Homes and Communities Agency) to use the new tenure option of Affordable Rent. Affordable Rent can be set up to 80% of an equivalent market rent, which is likely to be significantly more than a traditional Social Rent in many areas of Chorley. The extra money generated from Affordable Rents will then enable Registered Providers to deliver more new affordable housing.

When the Affordable Rent tenure is used the Registered Provider can choose to issue a fixed term tenancy (minimum 2 years in exceptional circumstances), or may choose to offer a lifetime tenancy.

It has been identified that Affordable Rent provides significant risks in terms of unaffordability and the threat of homelessness due to its higher costs and less secure fixed term tenancies. Chorley Council hopes to mitigate these through this Tenancy Strategy and working with Registered Provider partners.

The scope of the Tenancy Strategy as defined by the Localism Act 2011 includes:

- The kinds of tenancies they will grant
- Where they grant tenancies for a fixed term, the length of those terms
- The circumstances under which they will grant tenancies of a particular type
- The circumstances under which a tenancy may or may not be reissued at the end of the fixed term, in the same property or in a different property.

The strategy seeks to influence the provision and delivery of housing in the borough and work towards achieving the following aims:

- Ensure that vulnerable people are granted tenancies which offer a stable environment and are conducive to meeting their support needs.
- Ensure that fixed term tenancies do not increase the number of households threatened with homelessness in the borough.
- Make best use of the social housing stock in Chorley
- Encourage the continuing high delivery of Affordable Housing in Chorley

The principles of the Tenure Strategy are summarised in the following in the following expectations that Chorley Council has of the Registered Providers in the borough:

- The Council expects that existing traditional Social Rent properties provided with either grant, developer or Council capital contributions will remain Social Rent and therefore will not be converted to Affordable Rent;
- The Council expects all new social housing provided via developer or Council contributions will be Social Rent tenure and not Affordable Rent;
- The Council expects the vast majority of the social housing stock within the borough to remain Social Rent, and any conversions to Affordable Rent will already have been formally agreed as part of the 2011-15 Affordable Housing Programme offers;
- The Council expects that in the interests of sustainable communities, lifetime tenancies will be offered when the Affordable Rent tenure is granted, except in exceptional circumstances;
- The Council expects that any fixed term tenancies will be a minimum of five years;
- The Council expects that housing where support is a condition of the tenancy will not use Affordable Rent;
- The Council expects that fixed term tenancies will not be used for designated older persons' accommodation, even if Affordable Rent is a condition of funding;
- The Council expects that Affordable Rent levels will not exceed the Local Housing Allowance.

The above expectations seek to minimise any negative impact on affordability and homelessness in the borough by making clear Chorley Council's position with regards to the new tenure options.

Confidential report Please bold as appropriate	Yes	No
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Key Decision? Please bold as appropriate	Yes	No
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REASONS FOR RECOMMENDATION(S)

- 4. It is important that the strategy goes to consultation and is adopted in a timely manner to allow it to have influence on the Registered Providers tenancy policies at the earliest opportunity.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 5. As the Localism Act 2011 requires Chorley Council to publish a Tenancy Strategy so no other options were considered.

CORPORATE PRIORITIES

- 6. This report relates to the following Strategic Objectives:

Strong Family Support		Education and Jobs	
Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	X
Safe Respectful Communities	X	Quality Community Services and Spaces	
Vibrant Local Economy		Thriving Town Centre, Local Attractions and Villages	
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			

BACKGROUND

- 7. As explained in the Executive Summary, the Localism Act 2011 requires strategy to be written due to the introduction Affordable Rent tenure and flexible/fixed term tenancies. The strategy needs to make clear the council's position on the new tenure options and in doing so promote affordable housing and sustainable communities in Chorley.

IMPLICATIONS OF REPORT

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

Finance	X	Customer Services	
Human Resources		Equality and Diversity	
Legal	X	Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	X

COMMENTS OF THE STATUTORY FINANCE OFFICER

- 9. There are no direct financial implications associated with this report.

COMMENTS OF THE MONITORING OFFICER

- 10. There are no comments.

COMMENTS OF THE HEAD OF POLICY AND COMMUNICATIONS

11. This strategy is required by legislation, and establishes the council's expectations and objectives around the rented social housing stock in the borough. An integrated impact assessment of the strategy will be undertaken following the consultation, so that information gathered there can be taken into account in ensuring that the strategy makes proper consideration of the needs of people with protected characteristics.

LESLEY-ANN FENTON
DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY

Background Papers			
Document	Date	File	Place of Inspection
Chorley Council's Draft Tenancy Strategy	May 2012	***	Copy Attached

Report Author	Ext	Date	Doc ID
Mick Coogan	5552	May 2012	***

Tenancy Strategy

Draft May 2012



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Chorley Council's Tenancy Strategy

1.0 Introduction and Background

1.1 Introduction

The Localism Act 2011 requires each Local Housing Authority to prepare its own Tenancy Strategy, and Registered Providers of social housing are required to have regard to the strategy when developing their own tenancy policies. The Localism Act 2011 allowed Registered Providers of social housing to use a new housing product for social tenants called Affordable Rent which permits rents to be charged of up to 80% of local market rents, and gives the landlord scope to offer flexible/fixed term tenancies as opposed to the usual lifetime tenancies associated with Social Rent tenancies.

The scope of the Tenancy Strategy as defined by the Localism Act 2011 includes:

- The kinds of tenancies they will grant;
- Where they grant tenancies for a fixed term, the length of those terms;
- The circumstances under which they will grant tenancies of a particular type;
- The circumstances under which a tenancy may or may not be reissued at the end of the fixed term, in the same property or in a different property.

Registered Providers in the borough must have regard to the Council's Tenancy strategy when developing their own tenancy policies.

1.2 Aims of the Strategy

The strategy seeks to influence the provision and delivery of housing in the borough and work towards achieving the following aims:

- Ensure that vulnerable people are granted tenancies which offer a stable environment and are conducive to meeting their support needs.
- Ensure that fixed term tenancies do not increase the number of households threatened with homelessness in the borough.
- Make best use of the social housing stock in Chorley

- Encourage the continuing high delivery of Affordable Housing in Chorley

1.3 Summary of Chorley Council's Expectations

The following is a summary of the main expectations of the Council stated in this document:

- The Council expects that existing traditional Social Rent properties provided with either grant, developer or Council capital contributions will remain Social Rent and therefore will not be converted to Affordable Rent;
- The Council expects all new social housing provided via developer or Council contributions will be Social Rent tenure and not Affordable Rent;
- The Council expects the vast majority of the social housing stock within the borough to remain Social Rent, and any conversions to Affordable Rent will already have been formally agreed as part of the 2011-15 Affordable Housing Programme offers;
- The Council expects that in the interests of sustainable communities, lifetime tenancies will be offered when the Affordable Rent tenure is granted, except in exceptional circumstances;
- The Council expects that any fixed term tenancies will be a minimum of five years;
- The Council expects that housing where support is a condition of the tenancy will not use Affordable Rent;
- The Council expects that fixed term tenancies will not be used for designated older persons' accommodation, even if Affordable Rent is a condition of funding;
- The Council expects that Affordable Rent levels will not exceed the Local Housing Allowance.

1.4 Housing Tenure and Allocations in Chorley

As of the 1st April 2012, the total housing stock in Chorley was 46,868, with a relatively low 13% of the total, around 6,100 being social housing. The Council transferred all its housing stock through a Large Scale Voluntary Transfer (LSVT) to Chorley Community Housing in April 2007 and therefore no Local Authority managed

or owned housing stock remains in the borough. Therefore this strategy only refers to Registered Providers who currently are traditional Housing Associations in the borough. The private rented sector in the borough is relatively small at 9% with owner occupation at 78%.

The Council has a number of key responsibilities regarding the allocation of social housing (these are set out in Part VI of the Housing Act 1996 as amended by the Homelessness Act 2002) including a statutory duty to have a published Allocations Policy and to allocate social housing in accordance with certain prescribed conditions. Since March 2011, Chorley Council has participated in a sub-regional Allocations Policy, which is operated via the Central Lancashire Sub-Regional Choice Based Lettings (CBL) partnership, 'Select Move', in order to allocate social housing.

Select Move is a partnership comprising of the majority of Registered Providers in Central Lancashire plus the three Local Authorities in the area (Chorley, Preston and South Ribble). Select Move provides the common housing register for the Central Lancashire councils who no longer keep separate housing registers. On the 1st April 2012 there were 1,450 'active' applicants living in Chorley on the Select Move housing register. On average from 2008 to 2011 there were been 433 social lets per year. With supply unable to meet demand for social housing, it is important that all areas of allocating social housing are managed effectively to meet the needs of the boroughs residents.

The majority of Social Rent properties in Chorley are let through Select Move, and in future it is anticipated that all such properties will be allocated this way using the joint Allocations Policy to ensure fairness and transparency. The Council expects that any properties let via Select Move as the Affordable Rent tenure will clearly state this on the advert, and that fixed term tenancies will also be clearly indicated along with the length of the fixed term. Registered Providers should ensure that Affordable Rent properties are clearly distinguishable from traditional Social Rent properties on the adverts.

1.5 Nominations

As a non stock holding authority, the Council relies on Registered Providers to make available nominations for a proportion of their stock in order to meet its obligations under homelessness and allocations. The Council expects that for our LSVT partner Chorley Community Housing, the nominations to be provided for 75% of their vacant stock.

For all other Registered Providers with stock in the borough, the Council expects these partners to provide nominations to 50% of their vacant stock.

The Council promotes and supports the use of choice based lettings as an effective and transparent way of allocating social housing and therefore expects all RPs in the borough to participate in this (where such scheme exists). Partners in the Select Move CBL scheme are required to commit to allocating 100% of all lets via this mechanism.

2.0 Affordable Rent and Fixed Term Tenancies

2.1 Affordable Rent

The new tenure option available to Registered Providers is Affordable Rent and it allows rent to be set up to 80% of local market rents (providing they have a delivery agreement with the Homes and Communities Agency), and this is expected in most cases to be above the 'target' rents (a formula used to calculate rent for Social Rent properties). The extra money generated will then help to fund more affordable housing. The vast majority of new rented affordable housing financed by the Homes and Communities Agency (HCA) in the 2011-15 round, is intended to be for Affordable Rent with a few exceptions. As well as new build properties, Registered Providers incorporated proposals for a number of their existing Social Rent properties they would convert at re-let stage to Affordable Rent in May 2011, as part of their offers to the HCA for Affordable Homes Programme funding 2011-15. In effect, the 'conversions' to Affordable Rent have assisted the Registered Providers to demonstrate better value for money by reducing the level of grant needed to provide each unit of new affordable housing. The Council engaged in discussions with Registered Providers at this stage to ensure there was agreement and clarity regarding proposed conversions in Chorley. The Council only expects there to be conversions where they have been previously agreed and not to exceed the stated quantity.

As well as the extra revenue for affordable housing development, the other main feature of Affordable Rent is the choice given to landlords regarding what type of tenancies they grant. Affordable Rent allows flexible or fixed term tenancies to be granted, which is considered to make better use of social housing which is a scarce resource in high demand. Fixed term tenancies may be granted in order for Registered Providers to manage their housing stock more effectively to meet housing need.

One of the key disadvantages of the affordable rent model is that as it is a higher rent, this can present a disincentive for those who are looking to move into paid employment.

2.2 Fixed Term Tenancies

The Council expects that for the majority of Affordable Rent tenure properties, that some type of 'lifetime' tenancy will be used in the interest of building sustainable communities. The Council understands that housing stock of a particular type which is in short supply and high demand may present a strategic case for fixed term tenancies. However, generally the Council does not want to see an increase in the levels of turnover created by a disproportionate amount of fixed term tenancies or worse, an increase in homelessness. Any increase in fixed term tenancies in the borough may be a risk to the Council in terms of increased demand for housing options services, and this needs to be balanced against the benefits of such flexibility.

Fixed Term tenancies are expected to last for 5 years, but in exceptional circumstances may be for as little as two years. Registered Providers are required to set out in their tenancy policies the lengths of fixed term tenancies they grant, and exceptional circumstances under which they may grant a tenancy of less than 5 years in general needs accommodation (following a probationary period, if applicable). In exceptional circumstances the fixed term tenancy granted may be as short as 2 years.

At the end of a fixed term tenancy, the Council expects the Registered Provider to follow their policies and procedures for determining if the tenancy is to be renewed.

The Council would like to see Registered Providers to make transparent and balanced decisions regarding tenancy renewals and to consider use of peers in ensuring those decisions are objective and multi dimensional.

In cases where a tenancy is not renewed, the Council would expect the Registered Provider to find the household an alternative tenancy if possible and appropriate. If an alternative tenancy is not possible or appropriate, then advice and assistance must be given at the earliest stage, no less than six months before the tenancy ends (minimum notice period).

If a household is at risk of losing their tenancy, because it is being ended without renewal, and there is no offer of an alternative property, then the Registered Provider must refer the household to the council's Housing Options Team as soon as possible (this would be expected to be at least 6 months before the end of the tenancy). In all circumstances, the Registered Provider and the Council should work together to prevent households who are coming to the end of flexible tenancies being threatened with homelessness.

2.3 Introductory or Starter Tenancies

For new social tenants it is common practice for Registered Providers to offer a fixed term introductory or starter tenancy as good housing management practice. The revised tenancy standard allows introductory and starter tenancies to precede a fixed term tenancy, and the probationary period can be extended up to a period of 18 months by the Registered Provider.

3. The End of a Fixed Term Tenancy

Registered Providers are required to specify in their tenancy policies the circumstances which determine whether or not they would grant another tenancy at the end of a fixed term.

The Council expects that a household would be granted a further fixed term tenancy towards the end of their current tenancy unless there has been a significant material change which affects their housing requirements which may include:

- The household has become smaller and they are under-occupying their current home by one bedroom or more;
- There has been a significant relative increase in income which negates any need for social housing;
- The property has become unsuitable for the household's need due to major adaptations or accessibility features that are not longer needed.

The Council expects tenancy breaches such as anti-social behaviour, damage, unauthorised adaptations and rent arrears to be managed through existing mechanisms and not by ending fixed term tenancies. The Council expects tenants to be supported by the Registered Providers to successfully maintain their tenancies, either by their own staff or by referrals to appropriate partner agencies such as floating support.

Cases of over or under occupation should also be dealt with using existing mechanisms. The Council expects to be consulted by the Registered Provider before any decision is made not to grant a further tenancy. The inclusion of the Council in the decision making processes for granting and renewing would be very much welcomed by the Council and regarded as best practice.

In cases of under-occupation and unsuitability, the council expects the Registered Provider to offer a suitable tenancy in an alternative property, if there is still a need for social housing. If an alternative tenancy is not possible or appropriate, then advice and assistance should be given at the earliest stage, which would be at least

six months before the tenancy ends (minimum notice period), and this advice and assistance should be set out in the Registered Providers tenancy policy.

If a household is under threat of their tenancy ending without renewal or an alternative tenancy being offered, the Registered Provider should refer the household to the Council's housing options teams as soon as possible. In all circumstances the Registered Provider and the Council should work together to prevent households who are coming to the end of flexible tenancies being threatened with homelessness.

There is no statutory provision to allow tenants to give notice to end a fixed term Affordable Rent tenancy; however the Council expects a contractual provision written into the tenancy agreement which allows the tenant to give reasonable notice. The notice period is expected to be 4 weeks in line with Local Authorities' flexible tenancies.

4. The Appeals Procedure

Registered Providers must include in their tenancy policies, a clear appeals procedure that gives the opportunity for tenants to understand and respond to a decision not to renew their fixed term tenancy (similar to the Review Procedure required by law for Local Authorities). The procedure should include:

- The right for the tenant to appeal the decision to end a fixed term Affordable Rent tenancy in writing within 21 days of the first notice;
- The right of the tenant to request an oral hearing;
- Someone senior to the original decision maker dealing with the appeal;
- The appeal process should be completed before the tenancy is due to expire and the decision notified;
- Provide a full explanation of the outcome of the appeal in writing.

It is expected that Registered Providers would allow appeals if the length of a fixed term Affordable Rent tenancy is less than stated in the Registered Provider's policy.

Tenancy Policies should have regard to the Human Rights Act Article 6 and Article 8, and therefore ending a tenancy should be a proportionate means of achieving a legitimate aim.

5. Tenancy Types

As part of their tenancy policies, Registered Providers are required to set out what types of tenancies they will offer. The Council has consulted with Registered Providers in the borough and following these discussions expects the large majority of tenancies in the borough to be Social Rent lifetime tenancies with a small minority of Affordable Rent lifetime tenancies. Affordable Rent fixed term tenancies were not indicated as being popular with Registered Providers in the borough. It is expected that the above tenancy types will usually follow an introductory or starter tenancy for new social tenants.

Registered Providers are required to set out in their tenancy policies the circumstances under which certain tenancy types will be offered. Following Registered Provider feedback, the Council expects that the vast majority of relets will be Social Rent tenancies (or leading to the same after a probationary period). However, the Council recognises the commitment Registered Providers have made in their Affordable Homes Programme offers to convert a limited amount of tenancies to Affordable Rent. The Council also recognises that HCA funded social housing in the current Affordable Home Programme will be offered on the basis of Affordable Rents.

Registered Providers are required to set out in their tenancy policies the circumstances under which fixed term tenancies will be granted. After the probationary period, the Council expects fixed term tenancies to be the exception from Registered Providers feedback, but also expects that Providers make it clear the exact circumstances in which a fixed term tenancy will be offered under the Affordable Rent model.

6. Tenancy Conversions

A key principle of the Affordable Rent tenure is to allow new development of affordable housing through the conversion of tenure from Social Rent to Affordable Rent when properties are re-let. Indication from Registered Providers suggests that at least 80% of Social Rent properties will not be considered for conversion.

Where Social Rent properties have been provided through Section 106 agreements, Unilateral Undertakings or similar legal agreements (including but not limited to all types of developer contributions) between the Council, a developer or Provider, Chorley Council will require these properties to remain as Social Rented and not be converted to Affordable Rent. If the Council has contributed either land or capital to subsidise the provision of Social Rent properties, then the Council expects these properties not to be converted to Affordable Rent.

The Council is mindful that previous agreements may have referred to 'rented' or 'affordable rented' (lower case 'a') or similar, when only Social Rent existed, but was

not explicitly stated. The Council expects all previous agreements concerning rented properties that do not state Affordable Rent (upper case 'A' meaning the new tenure) should be considered as Social Rent and therefore not converted to Affordable Rent.

The Council expects that a Registered Provider will not convert any Social Rent property to Affordable Rent if the acquisition, development or improvement of the property was contributed to by a developer through planning obligations or the council through land contribution (nil receipt or discounted) capital contribution, or any similar assistance, e.g. the developer preparing the land, surrounding land or facilities to assist the development.

7. Further Affordability and Tenure Considerations

7.1 Affordable Rent Levels

The Council expects that when setting Affordable Rent levels that as well as being a maximum of 80% of the local market rent, that the Local Housing Allowance should also be considered as a ceiling. There are many rural areas, and other areas of high environmental quality in the borough where market rents would be significantly higher than the average for the housing market area. However, setting rent levels above the Local Housing Allowance rates is likely to make the Affordable Rents unaffordable to households in need of social housing in the more expensive areas of the borough. Rents higher than Local Housing Allowance rates could be a barrier to newly forming households, i.e. younger people, remaining in the rural community where they have grown up.

7.2 Future Developments

The Council will endeavour to ensure that future developments with a developer contribution or Council contribution will only include Social Rent and Intermediate Home Ownership tenures as the affordable housing provision. Affordable Rents will not be permitted to be used to substitute for either Social Rent or any Intermediate tenure.

However, the Council recognises that through current funding arrangements for Government/HCA funded social housing will almost exclusively be Affordable Rent, and the Council fully supports Affordable Rent developments funded by the HCA or Recycled Capital Grant Funding providing they accord with planning policy.

7.3 Bedroom Sizes

Registered Provider modelling has suggested that the discrepancy between Target Rents and Affordable Rents increases in line with the number of bedrooms provided. Therefore the Council would expect that for properties that have four bedrooms or more, that Registered Providers give careful consideration with regard to tenure. Whilst it is recognised that larger properties may be the exact type in short supply that fixed term tenancies could be aimed at fully utilising, there may be affordability issues. Housing Benefit changes are due in April 2013 to discourage under-occupation, however they would not affect a lot of economically active households who do not receive help with housing costs. Therefore the benefit changes alone would not provide the incentive not to under-occupy for all households, and other methods may need to be considered.

7.4 Vulnerable People

The Registered Providers' tenancy policies should take into account the needs of vulnerable households, and in doing so ensure tenancies granted provide a reasonable degree of stability. According to the Regulatory Framework, vulnerability can be due to a household having children, disability, illness or age. However, there are other vulnerable households who receive housing related support via the Supporting People programme (or self payers through the same or similar providers) who are not explicitly stated in the above groups.

The Council expects that most vulnerable households would not be suitable customers for the Affordable Rent tenure if they are in supported accommodation for which support is a condition of the tenancy. In most cases, the accommodation will be classed as 'exempt accommodation' and the rents would be higher than what would be achieved with an Affordable Rent, therefore Affordable Rents would be likely to lose money for the registered provider and would not be used.

Short Term Supported Accommodation is usually required under the Supporting People programme to be for a *maximum* of 2 years, and therefore not compatible with the *minimum* term (in exceptional circumstances) for an Affordable Rent fixed term tenancy, as the aim of the support service is to support their client to more independent living in less than 2 years. Therefore Affordable Rent is not feasible for short term accommodation based support.

Vulnerable Households in need of support are likely to be in need of a stable environment and therefore in most cases, fixed term tenancies would not be appropriate for long term accommodation based supported households. It is important that client groups such as People with Learning Disabilities, Physical Disabilities and Mental Health Problems have a high level of security of tenure due to the nature of their support needs.

Older Persons' accommodation is the only long term Supporting People client group where setting the rent at 80% of local market rents is likely to generate an increase in rent. However, in older people's schemes with communal facilities and/or support provided on site, setting the rent at Affordable Rent levels may not be entirely feasible. Where support charges are included in the rent, this would go against the principles of personalisation and choice. Therefore it may be that the Affordable Rent model is unlikely to be used for older people's sheltered schemes with support on site due to rent complications.

For older people's accommodation where support is not a condition of the tenancy, for example new bungalows built with HCA grant, it may be necessary to use the Affordable Rent tenure. However it should be ensured that rents are affordable for the target client group and would therefore not be expected to exceed the Local Housing Allowance. However, in line with all long term Supporting People client groups, fixed term tenancies could cause unnecessary uncertainty which would not be conducive to the wellbeing of older people.

Therefore the Council would not consider fixed tenancies to be appropriate for the Supporting People client groups listed above in this section whether older people, people needing short or long term accommodation based support. Also in most cases the Affordable Rent tenure would not be feasible, although it may be necessary for some older people's new build accommodation.

8. Further Tenancy Policy Considerations

8.1 Succession of Tenancy

Under the Localism Act 2011 statutory succession rights have been preserved which Registered Providers must comply with. The Localism Act 2011 also allows Registered Providers to express terms in tenancy agreements to give assured tenants additional succession rights if they so wish. The Council expects Registered Providers to make clear their policy regarding the granting of discretionary succession rights and in particular take account of the needs of vulnerable household members when doing so.

8.2 Right to Buy and Acquire

Affordable Rent and flexible tenancies will not affect any household's Right to Buy in the borough as there have been no Council housing stock tenancies granted in the borough since 2007. The Right to Acquire option will be available to tenants paying Affordable Rent whether they are have lifetime or flexible tenancies, providing they meet the qualifying criteria.

8.3 Mutual Exchange

Affordable Rent tenants have the same rights as other social tenants to exchange their property. The exact specifications are set out in the Localism Act 2012 and the Transfer of Tenancies and Right to Acquire (Exclusion) Regulations 2012.

8.4 Complaints

It is expected that Registered Providers comply with the revised complaints procedures introduced by the Localism Act 2011 for complaints made against a Social Landlord. Registered Providers should deal with complaints in accordance with their own complaints procedures, and should co-operate with the Council if complaints are made by a Councillor or other designated person.

9. Risks, Equality Consultation & Review Process

9.1 Risks

The following risks have been identified:

- Affordable Rents may not be affordable to social tenants in some areas of the borough where rents are highest;
- Affordable Rent fixed term tenancies may lead to an increase in the numbers of households put at risk of or becoming homeless.

It is hoped through this strategy and by working in partnership with Registered Providers in the borough these risks can be mitigated.

9.2 Equality Impact

An Integrated Impact Assessment is being undertaken and will be completed as part of the consultation process.

9.3 Consultation and Review Process

The formal consultation will commence on this strategy for 12 weeks on 22nd June 2012 and end on 14th September 2012.

The document will be reviewed on an annual basis after its adoption.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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