

Chief Executive's Office

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Date: 14 December 2005

Chorley
Borough Council

Town Hall
Market Street
Chorley
Lancashire
PR7 1DP

Chief Executive:

Jeffrey W Davies MA LLM

Dear Councillor

A meeting of the Executive Cabinet is due to be held in the Council Chamber, Town Hall, Chorley on Thursday, 29th September, 2005 at 5.00 pm.

AGENDA

1. **Apologies for absence**

2. **Declarations of any Interests**

Members of the Cabinet are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members Code of Conduct. If the personal interest is a prejudicial interest, then the individual Member should not participate in a discussion on the matter and must withdraw from the Council Chamber and not seek to influence a decision on the matter.

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

To confirm as a correct record the minutes of the meeting of the Executive Cabinet held on 8 September 2005. (enclosed)

CAPACITY AND RESOURCES ITEMS (INTRODUCED BY THE EXECUTIVE LEADER, COUNCILLOR J WILSON)

4. **Revenue Budget 2005/06 - Monitoring**

Report of the Director of Finance (to follow)

5. **Capital Budget 2005/06 - Monitoring**

Report of the Director of Finance (to follow)

6. **CPA Use of Resources Submission to the Audit Commission**

Report of the Director of Finance (to follow)

Continued....

7. **Draft Regional Economic Strategy (Pages 9 - 18)**

Report of the Head of Economic Regeneration (enclosed).

8. **Off - Road Motorcycling in the Borough (Pages 19 - 30)**

Report of the Head of Property Services (enclosed)

9. **Millennium Towns and Cities Campaign (Pages 31 - 56)**

The Executive Cabinet is requested to give consideration to the endorsement of the United Cities and Local Governments (UCLG) "Millennium Towns and Cities Campaign". The campaign supports the United Nations Millennium Development Goals and aims to ensure that fundamental progress in achieving the goals throughout the world is made by 2015.

A copy of a letter from the Local Government Association and the UCLG Campaign toolkit is enclosed.

10. **Housing Stock Transfer - Update (Pages 57 - 72)**

Report of the Head of Housing Services (enclosed)

HOUSING AND NEIGHBOURHOOD RENEWAL ITEM (INTRODUCED BY THE EXECUTIVE MEMBER, COUNCILLOR LENNOX)

11. **Strategic Housing Function**

Report of the Head of Housing Services (to follow)

CUSTOMERS, POLICY AND PERFORMANCE ITEMS (INTRODUCED BY THE EXECUTIVE MEMBER, COUNCILLOR EDGERLEY)

12. **Contact Chorley - Update**

Report of the Head of Customer, Democratic and Office Support Services (to follow)

13. **Progress Assessment Report (Pages 73 - 92)**

Report of the Chief Executive (enclosed)

14. **Customer Focused Access and Service Design Strategy (Pages 93 - 96)**

Report of the Head Of Customer, Democratic and Office Support Services and Head of Information and Communication Technology (enclosed)

15. **Area Forum Working Group**

To consider the proceedings of the Area Forum Working Group meeting held on 22 September 2005 (to follow)

16. **Local Public Service Agreement (Pages 97 - 106)**

Report of the Head of Corporate and Policy Services (enclosed)

17. **Lancashire Local Area Agreement**

Report of the Head of Corporate and Policy Services (to follow)

TRAFFIC AND TRANSPORTATION ITEM (INTRODUCED BY THE EXECUTIVE MEMBER, COUNCILLOR D GEE)

18. **Lancashire Highways Partnership**

Report of the Head of Public Space Services (to follow)

EFFECTIVE SERVICE DELIVERY AND PROCUREMENT ITEM (INTRODUCED BY THE EXECUTIVE MEMBER, COUNCILLOR BALL)

19. **New Contracts Procedure Rules (Pages 107 - 126)**

Report of the Director of Legal Services (enclosed)

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

Yours sincerely

Chief Executive

ENCS

Distribution

1. Agenda and reports to all Members of the Executive Cabinet and Chief Officers for attendance.
2. Agenda and reports to Councillor Walker for attendance.
3. Agenda and reports to all remaining Members of the Council for information.

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

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

EXECUTIVE CABINET**Public Minutes of meeting held on 8 September 2005**

Present: Councillor J Wilson (Executive Leader in the Chair), Councillor Edgerley (Deputy Leader of the Council) and Councillors Ball, Brown, A Gee, D Gee, Lennox and A Lowe

Also in attendance: Councillors Bell, Malpas and Walker

05.EC.97 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Hoyle and R Snape

05.EC.98 DECLARATIONS OF ANY INTERESTS

No declarations of interest were made at the meeting.

05.EC.99 MINUTES

The public minutes of the meeting of the Executive Cabinet held on 30 June 2005 were confirmed as a correct record for signature by the Executive Leader.

05.EC.100 OVERVIEW AND SCRUTINY ANNUAL REPORT 2004/05

The Executive Cabinet considered the Overview and Scrutiny Annual Report for 2004/05, which had been approved by the Overview and Scrutiny Committee.

The Chairman of the Overview and Scrutiny Committee (Councillor Walker) referred to the areas of work and scrutiny inquiries undertaken by the Committee and the three Overview and Scrutiny Panels during the last municipal year. He also reported that the Committee had requested that they be given the opportunity to scrutinise draft policy and strategy documents before they are agreed for consultation purposes.

The Executive Member for Customers, Policy and Performance (Councillor Edgerley) referred to the Overview and Scrutiny Self Assessment Workshop event for Members of the Council and Chief Officers to be held on 20 October 2005, which would facilitate the production of an Overview and Scrutiny Improvement Plan and he requested the participation of members of the Executive Cabinet in the event.

Decision made:

- 1. That the Overview and Scrutiny Annual Report for 2004/05 be noted.**
- 2. That all draft policy and strategy documents be submitted to the Overview and Scrutiny Committee for scrutiny before they are agreed for consultation purposes.**

Reasons for Decision:

The report provided details of the work undertaken under the Council's Overview and Scrutiny Role.

Alternative Options considered and rejected

None

05.EC.101 REVENUE BUDGET 2005/06 - MONITORING

The Director of Finance submitted a report on the current position in respect of the current year's budgets and efficiency savings for the General Fund and Housing Revenue Account.

Decisions made:

1. That the report be noted.
2. That approval be given to the freezing of additional expenditure financed from the Contingency Fund except by approval by the Executive Cabinet.

Reasons for Decisions:

To ensure a balanced budget position at the end of the municipal year.

Alternative Options considered and rejected:

None

05.EC.102 CAPITAL BUDGET 2005/06 - MONITORING

This item was withdrawn for consideration at the meeting. A monitoring report on capital expenditure will be submitted to the next meeting of the Executive Cabinet on 29 September 2005.

05.EC.103 INTERNAL AUDIT ANNUAL REPORT 2004/05

The Director of Finance submitted a report which summarised the work of the Internal Audit Service during 2004/05, appraised the performance of the Service and provided an assessment of the adequacy and effectiveness of the control systems within the Authority

Decision made:

That the Internal Audit Annual Report be noted

Reasons for Decision:

To acknowledge

- The work undertaken by the Internal Audit Section during the 2004/5 financial year, to provide assurance on the adequacy of the Council's system of internal control;
- Internal Audit's opinion that the Council, in general, continues to operate within a sound control environment;
- the Internal Audit Service's overall achievements and performance during 2004/5.

Alternative Options considered and rejected:

None

05.EC.104 DRAFT CORPORATE STRATEGY 2006/07 - 2008/09

The Head of Corporate and Policy Services submitted a report on the current draft Corporate Strategy for the period 2006/07 to 2008/09, which redefined the Council's purpose and priorities for the next three years.

Decision made:

That the draft Corporate Strategy be approved for consultation purposes

Reasons for Decision:

To obtain approval for the draft Consultation Strategy which can be used for consultation with Councillors, staff and other stakeholders.

Alternative options considered and rejected:

None

05.EC.105 CUSTOMER ACCESS AND FOCUS BEST VALUE INSPECTION

The Group Director submitted a report on the outcome of the recent Best Value Inspection on the Council's approach to Customer Access and Focus, which incorporated a copy of the Inspection Report published by the Audit Commission in August 2005. The report indicated that "the Council is assessed as having a three star approach to customer access and focus that has excellent prospects for improvement".

The Executive Member for Customers, Policy and Performance (Councillor Edgerley) referred to the reference in the Inspection Report to "the way the customer focus was embedded in the culture of the Council" and paid tribute to the Council's employees for providing an excellent customer orientated service.

Decision made:

- 1. That the excellent results from the Best Value Inspection on Customer Access and Focus be noted.**
- 2. That in pursuance of the recommendations in paragraph 10 of the Inspection Report, the Community Overview and Scrutiny Panel be requested to "analyse what approach to area forums would be best for the Borough based on a clear assessment of the effectiveness of current local groups and the best way to integrate them", during the scrutiny inquiry into public participation in the Council's decision-making process.**

Reasons for Decision:

The Council has been formally awarded top marks in the Audit Commission Best Value Inspection on Customer Access and Focus. This is the highest award that the Inspectors can give in an inspection and puts us at the top nationally in the whole of local government for this key priority area.

Alternative options considered and rejected:

None

05.EC.106 BEST VALUE PERFORMANCE INDICATORS - UPDATE

The Head of Corporate and Policy Services submitted a monitoring report on the performance against the Council's Best Value Performance Indicators for the current Municipal Year up to 30 June 2005.

Decision made:

That the report be noted

Reasons for decision:

The monitoring of the Council's performance against national performance indicators is necessary to ensure effective performance management within the Authority.

Alternative options considered and rejected

None

05.EC.107 KEY PERFORMANCE INDICATORS - UPDATE

The Head of Corporate and Policy Services submitted a monitoring report on the performance against the Council's Key Performance Indicators for the current Municipal Year up to 30 June 2005.

Decision made:

That the report be noted

Reasons for decision:

The monitoring of the Council's performance against local defined performance indicators is necessary to ensure effective performance management within the Authority.

Alternative options considered and rejected

None

05.EC.108 AMENDMENT TO CONSTITUTION - DELEGATED AUTHORITY TO THE HEAD OF HOUSING SERVICES

The Head of Housing Services submitted a report seeking amendments to the Scheme of Delegation to allow him to deal with issues under the Right to Buy Legislation

Decision made:

That the Council be recommended to give approval to the amendment of the Executive Functions in Appendix 2, Part D of the Council's Constitution to allow the Head of Housing Services:-

- **To consent on behalf of the Council to the addition of family members onto Right to Buy applications were they were either not**

included originally or they do not fulfil the 12 month residency requirement.

- To act on the behalf of the Council in respect of offers/requests received under the Right of First Refusal.

Reasons for decision:

The Right to Buy function now resides fully within the Housing Services Unit and therefore all decisions made with regard to it should be made within the Housing Services Unit.

Alternative options considered and rejected

Individual applications would have to be referred to Executive Cabinet for consideration.

05.EC.109 ASTLEY PARK - APPOINTMENT OF CONSULTANTS

The Head of Economic Regeneration submitted a report seeking approval to the re-appointment of Chris Burnett Associates and Allen Todd Architects as the lead consultants on the Astley Park Restoration Project.

Decision made:

1. That Chris Burnett Associates and Allen Todd Architects be appointed as lead consultants on the restoration of Astley Park.
2. That the Council enter into a contract with the professional team to deliver the project as set out in the Heritage Lottery Fund grant.

Reasons for Decision:

Over the last few years the Council have used Chris Burnett Associates – Landscape Consultants as the lead consultants and Allen Todd Architects as the Architectural advisors at Stage 1 and Stage 2 of the bid process. They were appointed in 2000 following interviews and tender selection process to put together the Stage 1 bid. This included Surveys, Master plan and Outline Business Plan. They were re-appointed in May 2004 to put together the Stage 2 application which was approved in March this year.

The appointment of Chris Burnett Associates and his team would reduce the time needed before development commenced on site as they have detailed knowledge of the park and the buildings and the issues which relate to them

Alternative Options considered and rejected:

To go out to tender, interview and appoint new consultants

05.EC.110 CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005 - AUTHORISATIONS AND DELEGATIONS

The Head of Environmental Services submitted a report seeking amendments to the Scheme of Delegation to allow him to deal with enforcement issues under the Clean Neighbourhoods and Environment Act 2005.

Decision made:

That the Council be recommended to give approval to the amendment of the Executive Functions in Appendix 2, Part D of the Council's Constitution to allow the Head of Environmental Services to discharge the following functions pursuant to Sections 3 and 4 of the Clean Neighbourhoods and Environment Act 2005:-

- i) authorising the service of notices and the taking of consequential action, including carrying out work in default and the recovery of costs;**
- ii) issuing formal cautions;**
- iii) recommending to the Director of Legal Services the institution of legal proceedings; and**
- iv) authorising officers to exercise statutory powers of entry (including obtaining warrants).**

Reasons for decision:

To permit the Head of Environmental Services to use the discretionary powers of the Clean Neighbourhoods and Environment Act 2005 which came in force from 7 June 2005.

Alternative options considered and rejected

No alternatives were considered since these would not meet the Councils corporate priorities.

05.EC.111 TOWARDS DELIVERING THE DRUGS STRATEGY WITHIN LANCASHIRE

The Head of Corporate and Policy Services submitted a report on a request received from the Lancashire Drug Action Team for funding towards the countywide Enhanced Arrest Referral Scheme for the three year period 2005/06 to 2007/08.

Decision made:

That approval be given to a contribution of £5,000 being made to the Enhanced Arrest Referral Scheme for the current year, to be funded from within existing cash budgets and that the Lancashire Drug Action Team be requested to submit further information on the operation of the scheme prior to consideration being given to the provision of funding for 2006/07 and 2007/08.

Reasons for decision:

All District Councils within the County have been requested to contribute to the Enhanced Arrest Referral Scheme and the Lancashire Constabulary have indicated that the scheme will be withdrawn from areas that are not able to financially support it. Further information on the scheme has been requested prior to consideration being given to funding for future years.

Alternative options considered and rejected:

To fully fund the Scheme for three financial years.

To refuse the application for funding.

05.EC.112 LANCASHIRE HIGHWAYS PARTNERSHIP

With the consent of the Executive Leader to the consideration of this urgent item, the Head of Public Space Services submitted a report on the decision taken by the Lancashire County Council Cabinet to carry out consultations with District Councils on the termination of the Lancashire Highways Partnership.

The report indicated that the County Council Cabinet intended to consider the results of consultations at its next meeting on 6 October 2005 and officers were currently seeking to clarify with the County Council, its intentions for staff transfers and the on-going arrangements for the delivery of client and contractor highway functions subsequent to the termination of the Partnership by the built-in end date of 30 June 2006, if it takes place.

The Chief Executive reported that this issue had been discussed at a meeting of the Lancashire District Council Chief Executives held that week, from which it was apparent that all of the District Councils were opposed to the decision taken by the County Council Cabinet without any discussions been held with District Council's on the current operation of the Partnership.

The Executive Member for Traffic and Transportation (Councillor D Gee), other Members of the Executive Cabinet and Councillor Bell all expressed their opposition to the decision and their concerns in respect of the future management of highway functions (e.g traffic calming schemes) within Chorley.

Decision made:

- 1. That the report be noted**
- 2.. That the decision taken by the County Council Cabinet be opposed.**
- 3. That officers be authorised to enter into discussions with County Council officers on the County Council's proposal.**
- 4. That a further report be submitted to the Executive Cabinet meeting on 29 September 2005 for consideration of a formal response to the County Council.**
- 5. That the Lancashire County Council Cabinet be requested to delay any decision on this issue for a period of four months to allow meaningful consultations with District Councils.**

Reasons for decision:

To allow additional time for consultations with District Council's on the Highways Partnership.

Alternative options considered and rejected:

None

Executive Leader

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Report of	Meeting	Date
Head of Economic Regeneration (Introduced by the Executive Leader)	Executive Cabinet	29/09/05

REGIONAL ECONOMIC STRATEGY – CONSULTATION DRAFT

PURPOSE OF REPORT

1. To advise Members on the content of the Draft Regional Economic Strategy (RES);
2. To recommend the comments set out in the report as the Council’s response to the Draft RES and seek approval from Members to send those comments directly to the North West Development Agency (NWD A);
3. To seek confirmation from Members that those same comments be incorporated in the joint response to the draft document from Chorley, Preston and South Ribble, a response being formulated by the Head of Economic Regeneration in consultation with those adjoining authorities.

CORPORATE PRIORITIES

2. A response to the Draft RES will influence the regional agenda for economic development and investment and thus assist delivery of the Council priority of serving our customers better.

RISK ISSUES

3. The issue raised and recommendations made in this report involve risk considerations in the following categories:

Strategy	✓	Information	
Reputation	✓	Regulatory/Legal	
Financial	✓	Operational	
People		Other	

4. By failing to respond the Draft RES and/or failing to work with partner organisations to formulate joint response/s, the Council would miss an opportunity to influence the shape of economic strategy at the regional level in favour of the core area of Chorley/Preston/ South Ribble as an economic driver for the Central Lancashire City Region.
5. A failure to exert such influence would be likely to impact adversely on investment decisions affecting Central Lancashire and hence on the economic performance of the area, on its businesses and residents and on the Council’s reputation in relation to the Borough’s economic well being.

BACKGROUND

5. The Regional Economic Strategy (RES) seeks to shape the economic direction of the Northwest and deliver sustainable growth. It has a significant influence on investment decisions and can thus affect the lives of individuals, businesses and communities across the region.
6. The RES comprises a rolling, 20 year strategy and a detailed short-term action plan covering just 3 years. So the RES falls to be reviewed every 3 years, a process for which the NWDA is legally responsible. As the previous RES was published in March 2003, a review is currently underway, with a period of consultation on the Draft document that concludes at the end of September. The final version of the new RES will then be prepared, for submission to Government by the end of the year and a launch early in 2006. A brief synopsis of the Consultation Draft is provided in appendix A (attached).
7. The Review is being developed in the context of national and European policies, as well as other regional and sub-regional strategies. These include the Government's Public Service Agreement (PSA) targets and the Northern Way Growth Strategy, which seek to address the substantial gap of some £29billion in economic performance (measured by GVA or output), between the Northwest and London and the Southeast. The Northern Way promotes two transformational activities to achieve growth – one focussed on providing solutions for areas of 'need'/deprivation, the other exploiting the potential of 'City Regions' (including Central Lancashire) to accelerate growth.
8. Alongside national initiatives, the North West Regional Assembly (NWRA) is undertaking a review of the Regional Spatial Strategy, a part of the development plan framework, which is to replace the Lancashire Joint Structure Plan and Regional Planning Guidance; Lancashire Economic Partnership (LEP) has produced Ambition Lancashire – a Community Strategy for the period 2005-2025 - which promotes a strategic vision for the County; and the LEP has also published a City Region Development Programme (CRDP) for Central Lancashire, at the behest of the NWDA. So far these documents fail to attach any particular importance of the core Area of the Central Lancashire City Region (CLCR), comprising Chorley, Preston and South Ribble.
9. In response to this situation, the Councils of Preston, Chorley and South Ribble have agreed a joint working approach to address the role and potential of the Core Area and have commissioned a sub-regional study. While work is still in progress, research for this study has already confirmed the potential of the area to act as an economic driver for the City Region.
10. It should also be noted that in the emerging review of the Chorley LSP Community Plan (which will carry the plan forward to 2025) a thriving and vibrant local economy has been identified as a key theme. Moreover, other related goals include better social, health and economic equality; better employment opportunities for all sections of the community and the development of the cultural and heritage offer to attract people into the Borough and to benefit the resident population, both socially and economically. The Chorley Partnership meeting on the 21st September will be considering the Draft RES and any comments agreed at that meeting will be tabled for Cabinet's consideration alongside this report.
11. Any comments on the Draft RES should be considered against this background.

COMMENTS

12. The further comments outlined below cover some general issues concerning the draft strategy and then address matters concerning the five key delivery themes used to structure the document, namely, Business; Skills and Employment; Regeneration; Infrastructure; and Quality of Life.

General Issues:

13. The RES seeks to 'transform England's Northwest through sustainable economic development into a competitive, high added value, knowledge-based inclusive economy.' However, it fails to identify how different initiatives will work together to achieve that vision.
14. Furthermore, whilst the Draft RES acknowledges the twin-track approach advocated in the Northern Way, it fails to provide a balanced set of delivery mechanisms. So far, the RES tends to focus on solutions for areas of 'need'/deprivation at the expense of areas of growth, thus failing to recognise and exploit the potential of existing regional strengths. The evidence that concentrating on areas of need produces only limited benefit in terms of GVA, suggests that this is a seriously flawed approach. To achieve its objectives, the RES needs to place a greater emphasis on exploiting areas with growth potential to drive the economic performance of the wider area.
15. Insofar as the RES does take up the City Region concept highlighted in the Northern Way, the draft strategy fails to follow through with regard to the Central Lancashire City Region and the role of the Core Area as an economic driver for Lancashire, placing far more emphasis on the roles of Manchester and Liverpool. The feedback on the sub-regional study, to date, notes that the role and function of the Core may well be fundamental to delivering aspirations for the Central Lancashire City Region. So the RES should make clear provision for the development of a third growth point, complementary in status to Manchester and Liverpool, centred on Preston, Chorley and South Ribble.
16. To concentrate on Manchester and Liverpool will have adverse implications for new investment in Central Lancashire. Targeted resource allocation through the RES will be vital to maximising the benefits produced by the Core Area for the Central Lancashire City Region.

Thematic comments:

17. **Business:** i) The commitment to encourage enterprise and innovation and to promote links with the region's significant research, science and technology base is to be welcomed. So too is the proposal to develop knowledge-based businesses around Preston, along with the Advanced Engineering and Materials sectors. These are all important to the local economy.
- ii) However, the RES should include more activities designed to support small and medium sized enterprises (SMEs), including start-up and incubation facilities, as new and expanding businesses are important to the delivery of economic health and growth.
18. **Skills and Employment:** i) The proposal to continue to invest in Higher Education to boost economic activity is to be welcomed, along with the delivery of level NVQ4 qualifications to support growth in the City Regions.

ii) In addition, in view of its potential contribution to the growth of the third, Central Lancashire, City Region, specific reference to investment in the University of Central Lancashire would be appropriate.

19. **Regeneration:** i) The transformational activities outlined in this section should refer to the massive urban renaissance potential of Central Lancashire as a City Region, and recognise the economic characteristics relating specifically to the Core area of the City Region (based on the authority areas of Preston, South Ribble and Chorley) that provide key opportunities for the City Region as a whole.

ii) The objective relating to quality of place and investment in the public realm, for example, should place greater emphasis on the quality of the built environment, including heritage, and should be reinforced by building in references to other recognised initiatives in Central Lancashire such as the NWDA sponsored Canal Corridor Study and the Riverworks project.

iii) The delivery of regeneration initiatives by Local Strategic Partnerships (LSPs) to strengthen the economic base of the most deprived wards in the region was identified in the last RES. This role could usefully be retained in the emerging RES.

iv) In view of the contribution made by regeneration, including transport-related initiatives, to the provision of job opportunities, commitment in this section of the RES to the provision of employment land and premises with transport linkages would be appropriate.

20. **Infrastructure:** i) Infrastructure investment is required if the Core City Region of Central Lancashire is to deliver economic growth to benefit the surrounding area. The RES acknowledges the inadequacies of the existing network, including the M6 south of Preston and the lack of quality rail services between the City Regions. This is to be welcomed, but the proposed activities should underline, more emphatically, the need to improve transport infrastructure within the Core and to improve strategic access, particularly in relation to the M6 and to Blackpool and Manchester links, including the Blackpool/Manchester Airport railway line.

ii) The theme fails to recognise the significance of 'green infrastructure' and Objective 4 fails to refer to heritage assets. As these are a key factors in the quality of the region's 'offer', these are serious omissions.

iii) Objective 7 fails to include the Central Lancashire City region as one of the prime focuses of growth – working against Central Lancashire's strategic interests and potential contribution to economic growth. This should be amended.

iv) While the growth of Manchester and Liverpool John Lennon airports is not opposed, commitment to the role and potential contribution of Blackpool Airport should also be incorporated.

v) The RES concentrates on designated strategic sites, sites for inward investment, office accommodation in cities and rural workspace. It is important that this policy should not be followed to the exclusion or at the expense of provision for other potential investors and of new and expanding businesses.

21. **Quality of Life:** i) It is hard to see why tourism is incorporated under the head of quality of life. Tourism is an important sector of the economy, with the potential to deliver economic benefits in its own right and this should be reflected in the RES.

ii) It is important that the RES strengthen its commitment to the quality of the cultural economy, not least on grounds of its potential impact on the health of the community. Heritage, the arts, sport and creative industries would all be appropriately referenced under this heading.

iii) Quite apart from the issue highlighted in (i) above, the transformational activities include a list of tourism signature projects but exclude Central Lancashire, similarly, the Attack Brand locations provide no mention of Central Lancashire, While the development of the cultural offer refers only to Manchester. The inclusion of reference to the West Pennine Moors and support for staging a key cultural or sports event

or initiative in the core of the Central Lancashire City Region would be welcomed.

CONCLUSION

- 21 The matters outlined above are designed to facilitate the Council's response to the Draft RES.

COMMENTS OF THE HEAD OF HUMAN RESOURCES

None

COMMENTS OF THE DIRECTOR OF FINANCE

None

RECOMMENDATION

22. It is recommended that the comments set out above be agreed as the Council's response to the Draft RES and should be sent directly to the North West Development Agency (NWDA) and, in view of the joint working relationship outlined in the report, should be used to contribute to the joint response to the draft document from Chorley, Preston and South Ribble.

REASONS FOR RECOMMENDATION (If the recommendations are accepted)

23. The Regional Economic Strategy (RES) seeks to shape the economic direction of the Northwest and to deliver sustainable growth. It has a significant influence on investment decisions and can thus affect the lives of individuals, businesses and communities within Chorley and the surrounding area. As a stakeholder in the region, the Council has sought to influence the direction of regional policy by responding to the consultative process in respect of the Draft RES.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

None

JANE MEEK
HEAD OF ECONOMIC REGENERATION

Background Papers			
Document	Date	File	Place of Inspection
England's Northwest Regional Economic Strategy Consultation Draft	July 2005		NWDA website
Central Lancashire City Region Development Programme	May 2005		www.lancashire-ep.org.uk
Ambition Lancashire	2005		www.lancashirepartnership .co.uk
The Northern Way Growth Strategy	2004		ODPM website

Report Author	Ext	Date	Doc ID
Mary Clemence	5286	14.09.05	ADMINREP/REPORT

REPORT TO EXECUTIVE CABINET 29/09/05

REGIONAL ECONOMIC STRATEGY – CONSULTATION DRAFT

APPENDIX A

BRIEFING NOTE ON THE DRAFT RES (JULY 2005)

The RES is the region's rolling 20 year strategy to shape the future economic direction of the Northwest, with a particular focus on the next 3 years. The RES seeks to deliver sustainable economic development in the Northwest. The overall vision of the RES is defined as: Transform England's Northwest through sustainable economic development into a competitive, high added value, knowledge based inclusive economy.

Themes

The overall vision is delivered through 5 key themes. The key themes set out in the draft RES are largely the same as the strategic objectives in the current RES, namely:

- Business
- Skills and Employment
- Regeneration
- Infrastructure
- Quality of Life (Image in the current RES)

The RES identifies the need to increase productivity, measured by GVA (Gross Value Added or output) and to get more people working, especially from deprived areas. This briefing note summarises the context for each theme, the objectives and some of the relevant actions.

Business

The RES identifies that economic performance has been good in recent years, however while manufacturing is highly productive, there is a productivity gap in the service sector between the Northwest and England as a whole and substantial sub-regional variations. It is highlighted that the region is vulnerable to head office decisions made outside the region. The key objectives / activities proposed are:

1. Encouraging higher value added activity through innovation and the application of science – this includes actions related to graduate support, development of research and development of a critical mass of knowledge based business around cities, including Preston.
2. Encouraging higher value added activity through internationalisation – informing companies about global opportunities and overseas markets, focussing relocation activity to support key clusters and enhanced investor development activity with overseas owned companies.
3. Developing an enterprise culture and job growth especially in underperforming locations and communities – ensuring easy access to business support, targeting support to specific groups, areas of multiple deprivation and rural areas and enhanced support to young companies. Linking new jobs with disadvantaged communities
4. Developing sectors – key sectors are identified as food and drink; energy and environment; advanced engineering; biotechnology; digital/media; professional services

and the public sector (linked to Lyons review). Tourism and cultural industries are covered in the Quality of Life chapter.

Skills and Employment

The Northwest has fewer people with graduate skills and more people with no qualifications than average across England. Employers are less likely to train staff than elsewhere in the UK. The new RES includes more detailed activities to address these issues under the following objectives:

1. Increasing the proportion of the workforce with basic skills required to work – focussed on the main concentrations of those without qualifications
2. Ensuring appropriate level 2/level 3 provision for sectoral needs and increase the number of young people with the skills and qualifications needed by business – supporting the on-going work of Learning & Skills Council / Jobcentre Plus and addressing low skills attainment and educational attainment in areas of high concentrations (none identified with central Lancashire).
3. Increasing the proportion of the workforce with level 4 skills – graduate retention, progression from Further Education to Higher Education, increased science and engineering student numbers and a University for Cumbria.
4. Encouraging workforce development – up-skill the existing workforce to take higher level jobs and so create vacancies, link workless people and those with lower skills to the vacancies, development of ICT and language skills.
5. Improving leadership and management skills – working with ACAS to support work organisation skills, management skills, support for the Northern Leadership Academy and development of skills for regeneration professionals.
6. Developing enterprise skills in the population – in schools, colleges and through enterprise training.
7. Maintaining the size of the workforce due to an ageing population – skills development (especially ICT) for older workers, raising business awareness, attracting and retaining economically active people.

Regeneration

The RES states that the 3 city regions of Manchester, Liverpool and Central Lancashire are the key economic growth drivers. The objectives are set out as:

1. Realising the full urban renaissance potential of the city regions of Manchester, Liverpool and Central Lancashire – ensuring the on-going development of the City Region Development Programmes; and strengthening economic relationships between the 3 city regions of the Northwest and the 8 in the North
2. Tackling worklessness and unemployment in deprived areas within and close to areas of economic growth (i.e. City Regions) by linking people, jobs and training – with emphasis on issues in Liverpool, Knowsley, Halton, Manchester and Salford
3. Creating conditions for sustainable growth in urban areas with few economic drivers – including casino opportunities in Blackpool and opportunities in Barrow, West Cumbria and East Lancashire
4. Creating the conditions for sustainable growth in rural areas – increasing business diversity, for example developing high value food products using local produce
5. Joining up responses and increased capacity to deliver sustainable economic growth – co-ordination of investment, strategies and services, development of an integrated approach

Infrastructure

The RES identifies that the motorway network can be congested and refers specifically to the M6 south of Preston. Links between areas of deprivation and areas of job growth, lack of rail services between City Regions and peak period rail congestion are also identified as issues. The main objectives are:

1. Enhancing the road and rail infrastructure within the region – specific projects mainly focussed on Manchester and Merseyside but improved rail linkages from Lancashire to Liverpool and Manchester are mentioned as is access for East Lancashire residents to benefit from job growth in Manchester and Preston
2. Enhancing road, rail, port and airport connectivity of the region with other areas – improvements to the motorways including the M6, implementation of the West Coast Mainline upgrade and support for Manchester and Liverpool John Lennon Airports' growth
3. Providing appropriate sites and premises for development across the region – delivery of designated strategic regional sites for knowledge based industry and inward investment, quality office accommodation in major towns / cities and development of rural workspace.
4. Creating a high quality physical environment – finding uses for brownfield land, support for high construction standards and development of policy for stabilising smaller urban areas
5. Creating the housing quality and quantity to support economic growth – securing a market-led revival of areas, affordable housing and development of housing to attract “knowledge” workers
6. Making the best use of ICT infrastructure throughout the region – maximising ICT usage
7. Ensuring a supportive planning framework – supporting the Regional Spatial Strategy giving primacy to Manchester/Salford and Liverpool City Centre with first priority for development and resources. The third city, Central Lancashire, is not mentioned here.

Quality of Life

The Northwest is a great place to live with the Lake District the best known brand in the country outside London. The image of the region to outsiders is improving although some negative perceptions remain. Agriculture's contribution to the economy from environmental, landscape and regional food outputs is potentially more significant than its more traditional outputs. The broader visitor economy is thriving but business tourism is hampered by a lack of major conference facilities. Objectives are:

1. Improving the image of the region – development of marketing programmes, promotion of the quality of life to visitors, key opinion formers and potential investors and maximising BBC relocation to the region. Enhancement of areas around the attack brands (Liverpool, Manchester, Chester, Blackpool and the Lake District).
2. Building on the impact of major events – maximise the benefits of hosting major sporting, cultural and business events, support European Capital of Culture, secure hosting of major events and build links to business opportunities.
3. Developing the uniqueness of the regions cultural offer – development of the regions cultural offer especially in our major cities (Liverpool and Manchester are mentioned), development of cultural and leisure facilities to attract higher level workers and stop young people wishing to leave the region and to attract in-migration to maintain the workforce. Support for creative industries.

4. Capitalising on and strengthening the natural and built heritage environment – recognition of landscape benefits for tourism and quality of life, maximise regional food offer, support for regional parks and champion the renaissance of key historic towns.
5. Increasing the quality, range and value of the business and leisure visitor economy – development of signature projects, improved standards within the visitor economy, improved marketing, support for the tourist boards and promotion of skills development within the visitor economy. Development of business support for the visitor economy and maximising the potential to create jobs.

Report of	Meeting	Date
Head of Property Services (Introduced by the Executive Leader)	Executive Cabinet	29.09.05

OFF ROAD MOTORCYCLING IN THE BOROUGH

PURPOSE OF REPORT

- To seek instructions on the establishment of an off road motorcycling facility in the Borough.

CORPORATE PRIORITIES

- This issue does not feature in the Council's corporate priorities

RISK ISSUES

- The issues raised and recommendations made in this report involve risk considerations in the following categories:

Strategy		Information	
Reputation	✓	Regulatory/Legal	
Financial		Operational	
People		Other	

- The issue of off road motorcycling revolves around satisfying a social/recreational need without imposing unduly upon the community served by the Council. It inevitably brings with it a need for extensive consultation on proposals which may conflict with the aspirations of the community and could lead to a decision by the Council which is not universally popular.

BACKGROUND

- In response to an increasing incidence of unauthorised off road motorcycling experienced in the country parks and other areas of open space owned by the Council a small officer working group was established to see how the problems could best be addressed.
- The working group comprised representatives of the Council, Police and motorcycle enthusiasts and, earlier this year produced a consultation document on the issues which was presented to all parish Councils for consideration. Whilst the response was favourable to the general principle of solving or reducing the problem by providing a purpose built facility there was a good deal of debate on the site suggested, at Chisnall lane, Coppull. As a result of representations from the Parish Council and local residents the ideas for this location were not pursued and other options have been looked at by the group.
- The best alternative found by the working group is a Council owned site at the former Duxbury Colliery, Wigan Lane, Chorley and a briefing paper has been prepared covering

background issues and site details for consideration by the Executive Cabinet. Although, at this stage, no formal consultation has been undertaken I have, as a matter of courtesy, notified Coppull Parish Council, Adlington Town Council and Chorley's MP. All have lodged objections to the proposed site and suggested the Council should seek a more suitable site elsewhere. In addition a number of objections have been received from local residents as indicated in the briefing paper which is attached.

COMMENTS OF THE HEAD OF HUMAN RESOURCES

8. There are no HR implications in this report.

COMMENTS OF THE DIRECTOR OF FINANCE

9. There are no financial implications associated with this report. However should a site be found/agreed the report indicates that funding from Chorley Borough Council would be required. At this stage no budget from the Council's programme has been allocated to this project. In addition there would also be the opposing costs of using the site for this purpose rather than perhaps an alternative use.

CONCLUSIONS

10. In conjunction with the Police, our Neighbourhood Wardens continue to restrict the unauthorised use made of areas of open space by off road motorcyclists but recommend that a long term solution is sought in the form of a local, dedicated facility. It is clear, however, from the limited consultation that has taken place to date that the issues highlighted in the briefing report, in particular noise, traffic & ecology, are of major significance to local people and may be in conflict with such a solution.

RECOMMENDATION(S)

11. Members instructions are sought on -

- a) Whether the Council should seek to establish a dedicated off road motorcycling facility in the Borough.

And if so

- b) Whether the site identified in the briefing paper at the former Duxbury Colliery should be pursued through a full consultation process.

REASONS FOR RECOMMENDATION

12. To determine the way forward on the establishment of an off road motorcycling facility in the Borough.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

12. Continued short & medium enforcement without a long term plan.
13. Other, more remote sites have been considered but rejected on the grounds of accessibility.

ROGER HANDSCOMBE
HEAD OF PROPERTY SERVICES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Roger Handscombe	5311	19.09.05	ADMINREP/REPORT

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Chorley

Borough Council

OFF ROAD MOTOR CYCLING



A Briefing Paper
September 2005



www.chorley.gov.uk

Off Road Motorcycling A Briefing Paper prepared by the Working Group

1. Introduction

Increasingly in recent years the Council's land has been used for unauthorised off road motorcycling. In particular Denham Quarry at Brindle has been used for trials biking with more open areas of land in the Yarrow Valley Country Park and former Duxbury Colliery for moto cross.

In conjunction with the police our Neighbourhood Wardens have stopped offenders, issued warnings and done everything reasonably possible to stop the activity but have never been able to answer the standard response "where can we go to do this?" This discussion paper and preliminary proposal sets out to answer the question and has been produced by a small Working Group for presenting to the Executive Cabinet to seek Member's views on the problems and opportunities.

It has been prepared following a consultation exercise in respect of a similar proposal for land at Chisnall Lane, Coppull which was withdrawn in the face of objections on grounds of ecology, noise, pollution and traffic congestion. These same issues will arise with the site now under consideration but the proposal has been scaled down, in the light of earlier consultation, to a small club and junior facility which will be managed to keep noise to a minimum with limited numbers and consequent traffic access to the site. Individuals and bodies consulted on the original proposal included

- Members and Officers of Chorley Borough Council
- Member of Parliament
- Town and Parish Councils in the Borough
- Lancashire County Council
- Lancashire Constabulary
- Adjoining Local Authorities
- Local schools
- Motorcycle clubs
- Off road motorcyclists
- Highways Agency

2. Background

As a result of complaints from members of the public and the introduction of the Police reform Act 2003 which gave Police Officers the additional powers to tackle the problem of "off road" motor cycles, Chorley Borough Council's Neighbourhood Wardens were invited to join in several local initiatives in an attempt to reduce local complaints and target offenders who used motor cycles 'on' and 'off' Road illegally.

Lancashire Constabulary received 546 complaints of motorcycle nuisance within the area of Chorley Borough during 2004. During the same period the Neighbourhood Wardens received 108 complaints.

These problems have increased in recent years, probably for 3 main reasons.

1. A less tolerant society who are more inclined to complain to the police as a result of greater community involvement and consultation
2. A more modern generation who are no longer content with the more traditional activities such as football, cricket or rugby and require locations or more extreme outdoor pursuits such as off road riding.
3. Expanding residential areas and therefore more restrictions on available accessible land that will not cause nuisance.

The purpose of the initiative was to reduce complaints and remove unlicensed riders and uninsured vehicles from the road making it a safer place for people who reside/work/visit the Borough, and to prevent misuse and damage of Council land. It has become clear that the problem has been caused by semi-professional riders practising their skills in order that they can enter competition and young people who either rig up a motorcycle or in some cases steal such a machine to practice their skill.

Under the Police Reform Act 2003, the Police are required to warn offenders and after that warning they can seize each machine. To date Lancashire Constabulary have warned 80 riders and seized 10 machines in total. At this time there are 67 riders currently under the 12-month warning period. It became common practice for riders to refuse to stop and as such other methods were developed to locate and identify offenders. If they resided in Council property they were also threatened with eviction and if evidence was available they were reported for summons or cautioned.

This initiative is labour intensive on each event and often resulted in further follow up enquiries where this has been broken down into actual hours worked. Lancashire Constabulary 420 hours and Neighbourhood Wardens 704 hours.

Whilst speaking with offenders and other legitimate riders it was identified that the Borough Council lacked facilities within the area and it became very clear that a resource is required to educate, train and develop new skills for young people. This would –

- reduce the danger of an unskilled rider having an accident or injuring other persons
- reduce damage to Council property and complaints from the public
- reduce staff time in addressing this issue
- improve the quality of life for local residents and riders.

Lancashire Constabulary and the Neighbourhood Warden Service are both unable to continue this labour intensive initiative in the long term as it takes each agency away from their core role. Their time could be better spent addressing other issues to improve the quality of life of local residents and as such an 'Off Road' track would be supported by Lancashire Constabulary and the Neighbourhood Warden Service.

3. Demand for Facilities

The background to the problem suggests there to be two basic categories of rider –

- club riders who are willing to support, use and pay for facilities through a properly managed and affiliated club
- those with enthusiasm and inclination but no money – primarily teenagers who cobble together bikes and then want to ride them.

If the Council is to develop a proper facility within the Borough it needs to cater for both.

4. Site Requirements

The ideal site needs to be –

- big enough for at least 2 tracks catering for a range of abilities from beginner to experienced rider and a range of uses including moto cross bikes, quads, off road buggies & trials bikes.
- away from residential property likely to be disturbed by the noise of bikes and traffic coming & going from the site.
- close enough to the areas in which the problem teenagers live in order to encourage them to use it.
- serviced with electric, water and drainage supplies.
- capable of development with proper facilities including a workshop, store, toilets, small car park etc.

A site which meets most of these criteria has been identified at the site of the former Duxbury Colliery, approx 2 miles to the south of Chorley

The land is shown on the plan with this paper and lies within the ownership of the Borough Council having been acquired several years ago for the purpose of reclamation to supplement outdoor leisure facilities in the Borough. It comprises the site of the former colliery workings, now heavily overgrown and is one of the problem sites mentioned earlier where unauthorised riding of badly silenced motorbikes gives rise to many complaints and action by the police and neighbourhood wardens. Bringing it into a properly regulated and supervised use should minimise nuisance to the local community.

Discussions with trials motorcyclists indicate a preferred option for their branch of the sport at Denham Quarry which, although eminently suitable for the trials riders does not offer scope for other off road motorbikers and has problems of access, ecology and parking which are currently being investigated.

5. Development

The site could be developed to give -

- a beginners track for 5 - 10 year olds using 50cc to 110 cc bikes
- an intermediate/senior track for 10 year olds upwards riding larger bikes
- storage, workshop & toilet facilities
- a small car park for up to 20 cars

6. Management

The way in which the facility is managed will be critical to its success in resolving the problems without impinging unduly on the local community. It must be run through a properly affiliated club run in accordance with ACU (Autocycle Union) rules under the auspices of the Borough Council as landlord. The ACU imposes conditions on affiliation and accreditation which govern noise levels, safety, track design, fencing, security, marshalling etc.

Two clubs are represented on the working group with a constitution and membership capable of taking on the management role, namely Central Lancashire Off Roaders (CLOR) and KJ Moto Cross. Both have been established to cater solely for local riders and are affiliated to the ACU. A business plan for the clubs is currently in preparation to support funding bids and form the basis for a lease from the Borough Council.

7. Funding

Initial “start up” funding could come from –

- CBC capital grant
- Sponsorship & support of local businesses
- Matched funding from sources such as the Lancashire Small Sites Reclamation Scheme

Revenue funding would come from the club levying fees for the use of the facility through annual subscriptions, daily fees and track hire or event management. In order to cater for the youngsters who cannot afford to pay fees and would otherwise continue to ride in the country parks there will be opportunities for some form of payment in kind e.g. marshalling, track preparation & repairs etc.

8. Partners

Partner	Input	Role
CBC	Project co-ordination Development & management advice Direction of youngsters to the facility	Land owner
Lancs Constabulary	Project advice Direction of youngsters to the facility	Adviser
K.J. Moto Cross CLOR	Management	Leaseholders and operators of the facility
St Michaels School	Club user for off road buggies Direction of youngsters to the facility	User & adviser

9. Consultation Issues

Although no formal consultation has been undertaken pending submission of this document to the Executive Cabinet a number of objections to the proposal have been lodged by Coppull Parish Council in whose area the site lies, Adlington Town Council whose area is immediately adjacent, Lindsay Hoyle, Chorley's MP and a number of local residents. The principal grounds of objection are essentially those which came out of the consultation exercise at Chisnall Lane and will need to be properly addressed if the project is to succeed. These are as follows -

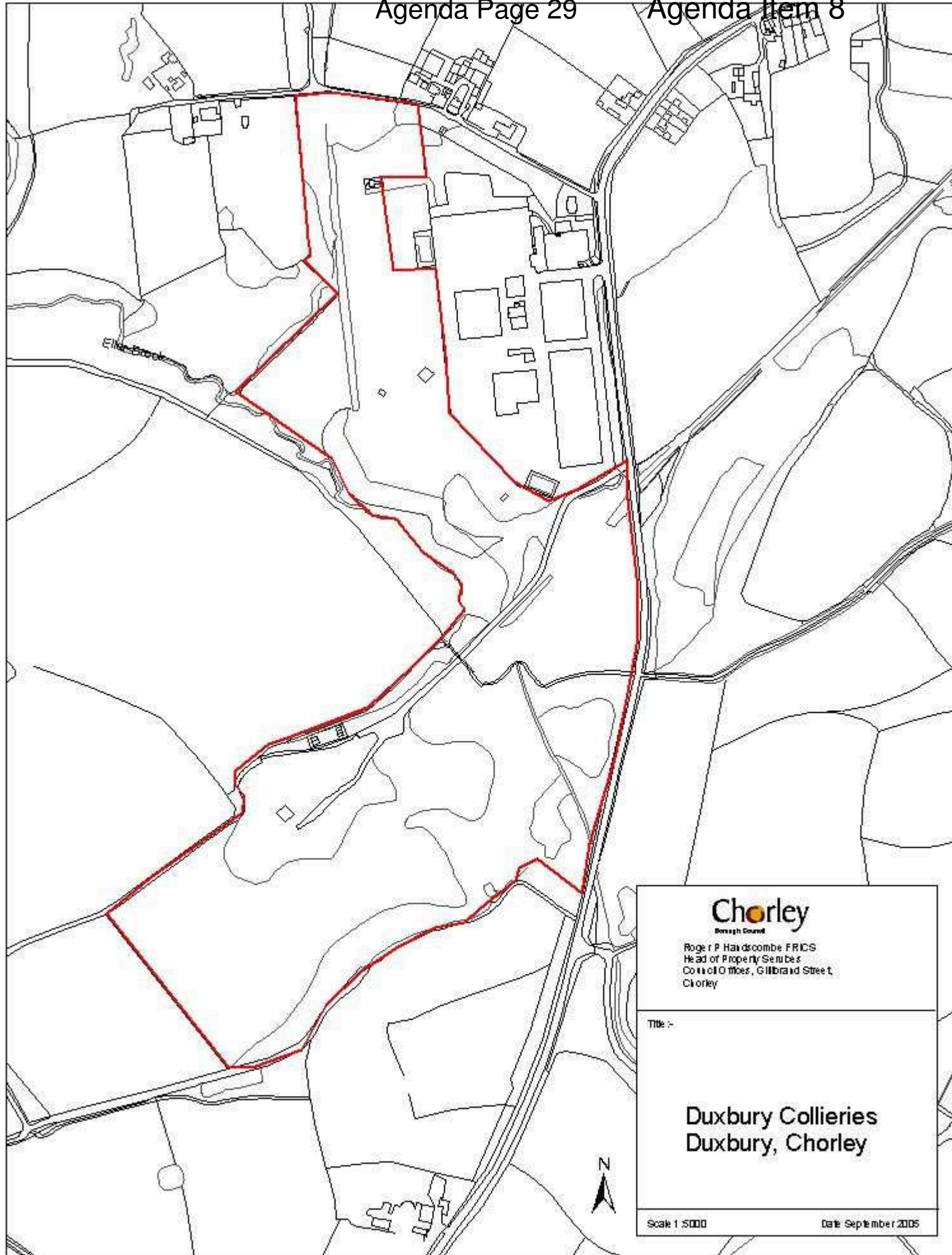
- **Noise** – poorly silenced bikes are a major source of nuisance but this does not have to be the case. If the facility is run with a prohibition on the use of competition exhausts the noise output can be restricted to the level of traditional road bikes and add only marginally to general levels of traffic noise.

Restrictions on days and hours of operation will be needed to ensure that the facility does not impose unreasonably on the local community.

- **Traffic** – access to the site is not as problem with a number of potential entrances & exits. Because the proposal has now been scaled down to a club use catering only for the local moto cross users and juniors it will not generate the traffic levels envisaged in the open public facility envisaged in the Chisnall Lane proposal.
- **Ecology** – no surveys have been carried out at this stage to ascertain the effect of the proposal upon the existing flora and fauna but will be undertaken and mitigating measures put in place if it proceeds. The nature of the site, being a former colliery site with workings and spoil storage physically lends itself to the use envisaged but the fact that it has remained undisturbed for many years has allowed it to develop its own, secondary, environment which needs protecting.
- **Security** – whilst not in use the track will present an opportunity for the sort of unsupervised use which it currently attracts and which causes a lot of local nuisance. Fencing and other security measures will need to be put in place to guard against this.

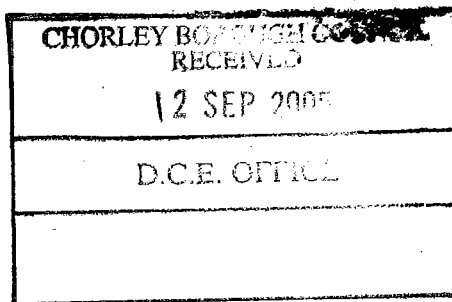
The Working Group

- Roger Handscombe Head of Property Services, Chorley Borough Council
- Jim Wild Senior Neighbourhood Warden, Chorley Borough Council
- P.C. Ian O'Brien Lancashire Constabulary
- P.C. Mick Connor Lancashire Constabulary & MAPS Team
- John McLaughlin Lancashire Constabulary
- Kevin Evans K.J. Moto Cross
- Peter Entwhistle K.J. Moto Cross
- Alonso Savage St Michaels School
- Steve Kidd CLOR
- Neville Kidd CLOR
- Sara Cooper Funding Officer, Chorley Borough Council
- Andy Brown Recreation Officer, Chorley Borough Council



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To:
 Chief Executives (local authorities England only)
 Clerks to Police, Joint Fire and Transport Authorities



United Cities and Local Governments (UCLG) Millennium Towns and Cities Campaign

7 September 2005

Dear Colleague

The UCLG Millennium Towns and Cities Campaign is an opportunity for local governments to show their commitment to the United Nations Millennium Development Goals, a set of time-bound global antipoverty targets adopted by world leaders in 2000 (see overleaf).

In September 2005, Heads of State will come together in New York to review progress in implementing the Goals. In preparation for this, the UCLG Local Government Millennium Declaration has been agreed by Mayors and local government representatives meeting at the June UCLG World Council in Beijing.

The slogan of the UCLG Millennium Towns and Cities Campaign is '2015: No excuse! The world must be a better place', which is based on the slogan of the United Nations Millennium Campaign. The Millennium Campaign supports citizens' efforts to hold their government to account for the Millennium promise and is part of a global coalition of non-governmental organisations undertaking the 'white-band' campaign for people to wear a white band in September.

UCLG calls on cities and Local Government Associations across the world to join the UCLG Millennium Towns and Cities Campaign by taking the following steps:

Action 1

Endorse the UCLG Local Government Millennium Declaration by completing the form for the UCLG Campaign – visit www.cities-localgovernments.org

Action 2

Write to your national government calling for recognition of the role of local governments in implementing MDGs;

Action 3

Send information on your activities for inclusion in the UCLG website to the UCLG World Secretariat.

LG alert 291/05

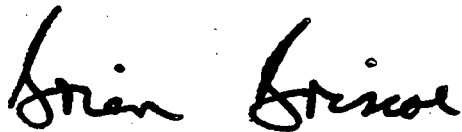
Local Government House, Smith Square, London SW1P 3HZ
 DX 119450 Westminster 2 Email info@lga.gov.uk
 Tel 020 7664 3000 Fax 020 7664 3030
 Information centre 020 7664 3131 www.lga.gov.uk

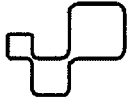
Download the Campaign toolkit for more information from
www.cities-localgovernments.org

The Millennium Development Goals - set of time-bound global antipoverty targets adopted by world leaders in 2000:

- Halve extreme poverty and hunger
- Achieve universal primary education
- Empower women and promote equality between women and men
- Reduce under-five mortality by two-thirds
- Reduce maternal mortality by three-quarters
- Reverse the spread of killer diseases, especially HIV/AIDS and malaria
- Ensure environmental sustainability
- Create a global partnership for development, with targets for aid, trade and debt relief.

Yours sincerely

A handwritten signature in black ink, appearing to read "Brian Grice". The signature is written in a cursive, slightly slanted style.



**United Cities and Local Governments
Cités et Gouvernements Locaux Unis
Ciudades y Gobiernos Locales Unidos**

**SUPPORTING THE MILLENNIUM
DEVELOPMENT GOALS**

**PLANNING AND COMMUNICATIONS RESOURCES
FOR THE LAUNCH OF THE**

"MILLENNIUM TOWNS AND CITIES CAMPAIGN"

**BARCELONA
JUNE 2005**

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LETTER FROM THE PRESIDENTS

2005 is a pivotal year for global development. The commitments adopted by 191 countries on the occasion of the United Nations Millennium Summit in 2000 are due to be reaffirmed by Heads of State and Government who will be meeting from 14 to 16 September 2005 in New York for the 'Millennium + 5' Summit.

With the adoption of the Millennium Declaration and its eight development goals, rich and poor countries have committed to working together to eradicate poverty and hunger, provide primary education for young boys and girls, promote gender equality, improve the health of mothers and children, fight the spread of AIDS, protect the environment and create the conditions for the sharing of growth throughout the world in such a way that rich countries increase and improve aid resources, reduce debt and increase trade possibilities for the poorest countries.

However, progress has not been fast enough and there remain many challenges to overcome.

To help the United Nations Secretariat in its efforts, and convince States that they must keep their promises, it is important that everyone demonstrates their commitment to the Millennium Development Goals.

We, cities and local governments, are no exception. The Goals can only be fulfilled if there is active participation and commitment from elected officials and local governments throughout the world.

The World Council of our organisation, meeting in Beijing on 10 June, decided to launch the Millennium Towns and Cities Campaign to support implementation of the Millennium Development Goals. Over the coming weeks and months, we will have to demonstrate our overwhelming support for the Goals, at the same time showing how effective we can be when we work together.

This toolkit provides the key elements for a joint campaign. This initiative will only be effective if we join together and participate in big numbers showing our commitment to making poverty history.

No excuse! The world must be a better place. Our cities support the Millennium Development Goals of the United Nations.

Bertrand Delanoë
Mayor of Paris

Smangaliso Mkhathshwa
Mayor of Tshwane

Paco Moncayo
Mayor of Quito

THE MILLENNIUM ACTION PLAN OF UNITED CITIES AND LOCAL GOVERNMENTS

Continuing the commitment made during the Founding Congress in Paris in May 2004, the World Council of **United Cities and Local Governments**, meeting in Beijing on 10 June 2005, approved the launch of the "Millennium Towns and Cities Campaign" as a way of providing maximum support for the United Nations Millennium Development Goals.

The campaign also represents a significant opportunity to promote the role of local government in the promotion of international development and defend the position of local government within the United Nations system.

The initial phase of the campaign will last until the "Millennium +5 Summit" to be held in New York from the 14 to 16 September, bringing together Heads of State and Government from across the world to review the progress made in implementing the Millennium Declaration which they adopted in 2000.

The campaign involves the following steps:

1. Endorse the **UCLG Local Government Millennium Declaration** by completing the joining form for the UCLG Millennium Towns and Cities Campaign: Mayors' signatures will be collected by **United Cities and Local Governments** and handed over to Kofi Annan in New York.
2. **Write to your national government** calling for recognition of the role of local governments in implementing the MDGs;
3. **Attach a white banner** to local government buildings with the slogan '2015: No excuse! The world must be a better place', showing the logos of UCLG and the United Nations, so that it is visible during the Heads of State Summit on 14-16 September 2005;
4. **Send the joining form** to the UCLG World Secretariat along with information on your activities for inclusion in the UCLG website.

NOTE: **United Cities and Local Governments** has provided below the resources you will need to launch the campaign. Naturally, it will be up to your city or association to adapt the campaign resources to local conditions both in terms of language as well as format, size, dates and length of display.

What is important is to demonstrate your political will to associate yourself with the campaign.

The United Nations authorises you to reproduce their logo for this campaign as does United Cities and Local Governments. You can obtain logos from the UCLG website: www.cities-localgovernments.org.

MILLENNIUM DEVELOPMENT GOALS AND TARGETS

The Millennium Development Goals are set out in the Millennium Declaration, a declaration adopted by Heads of State and Government of the member countries of the United Nations. It was published on 8 September 2000.

The Declaration defines eight goals to be reached by 2015 and 18 tasks or targets:

THE GOALS AND TARGETS

1. Halve extreme poverty and hunger

Target for 2015: Halve the proportion of people living on less than a dollar a day and those who suffer from hunger.

2. Achieve universal primary education

Target for 2015: Ensure that all boys and girls complete primary school.

3. Empower women and promote equality between women and men

Targets for 2005 and 2015: Eliminate gender disparities in primary and secondary education preferably by 2005, and at all levels by 2015.

4. Reduce under-five mortality by two-thirds

Target for 2015: Reduce by two thirds the mortality rate among children under five

5. Reduce maternal mortality by three-quarters

Target for 2015: Reduce by three-quarters the ratio of women dying in childbirth.

6. Reverse the spread of killer diseases, especially HIV/AIDS and malaria

Target for 2015: Halt and begin to reverse the spread of HIV/AIDS and the incidence of malaria and other major diseases.

7. Ensure environmental sustainability

Targets:

- Integrate the principles of sustainable development into country policies and programmes and reverse the loss of environmental resources.
- By 2015, reduce by half the proportion of people without access to safe drinking water.
- By 2020 achieve significant improvement in the lives of at least 100 million slum dwellers.

8. Create a global partnership for development, with targets for aid, trade and debt relief

Targets:

- Develop further an open trading and financial system that includes a commitment to good governance, development and poverty reduction – nationally and internationally
- Address the least developed countries' special needs, and the special needs of landlocked and small island developing States

- Deal comprehensively with developing countries' debt problems
- Develop decent and productive work for youth
- In cooperation with pharmaceutical companies, provide access to affordable essential drugs in developing countries
- In cooperation with the private sector, make available the benefits of new technologies – especially information and communications technologies

**RESOURCES FOR ACTION 1:
UCLG LOCAL GOVERNMENT MILLENNIUM DECLARATION**

In order to demonstrate their commitment, the World Council of *United Cities and Local Governments* has launched a **call to local governments** throughout the world to endorse the **Local Government Millennium Declaration**.

The Declaration was approved during the last UCLG World Council meeting in Beijing on 10 June. Mayors' signatures will be collected by *United Cities and Local Governments* and handed over to Kofi Annan in New York at the beginning of September, prior to the Millennium +5 Summit of Heads of State and Government.

This initiative enables members of UCLG to make a political statement. Through their organisation, members of *United Cities and Local Governments*, are able to position themselves not only as partners of the United Nations but also as a strong coalition that should be listened to.

RESOURCES

- The text of the "UCLG Local Government Millennium Declaration" (see page 8)

In addition:

- Step 2: Write to your government and parliamentarians (see model page 9)
- Issue a press release (See model page 10)

These resources and additional information are available on the organisation website:
<http://www.cities-localgovernments.org>

NOTE: *United Cities and Local Governments* has provided below the resources you will need to launch the campaign. Naturally, it will be up to your city or association to adapt the campaign resources to local conditions both in terms of language as well as format, size, dates and length of display.

**UCLG LOCAL GOVERNMENT MILLENNIUM DECLARATION [APPROVED BY THE
UCLG WORLD COUNCIL, BEIJING, 10 JUNE 2005 ¹]**

Bringing the Millennium Development Goals Back Home

2005 is a milestone year in the fight against global poverty. The Millennium+5 Summit in September will reveal the urgent need to step up activity at all levels to achieve the Millennium Development Goals. In order to galvanise all sectors of society, awareness-building action at the local level is indispensable.

We, the Mayors and local government representatives of the world and members of United Cities and Local Governments, representing over half the world's population in 127 UN member states, are determined to see the Millennium Development Goals and Targets met. We are demonstrating this unconditional determination by:

Making top priority of the Millennium Development Goals and Targets: to eradicate poverty and hunger, ensure all boys and girls complete primary school, promote gender equality, improve the health of mothers and children, reverse the spread of HIV/AIDS, improve the living conditions of slum-dwellers, ensure access to drinking water and sanitation, protect the environment and create a global partnership for development by ensuring rich countries give more and better aid, debt relief and trade opportunities to poorer countries;

Highlighting the indispensable need for action at the local level in achieving these eight Goals by 2015;

Underlining the crucial role of local government in promoting gender equality as a tool for development;

Raising awareness that the Millennium Development Goals require commitment from society as a whole, and that the mobilisation of local governments will be crucial to their success.

We, the Mayors and local government representatives of the world call on Heads of State and government meeting on 14 September 2005 in New York for the Millennium+5 Summit to:

Keep the promises made in the Millennium Declaration, and take advantage of this historic opportunity to make poverty history and create a more peaceful world;

Ensure that the Millennium Development Goals are met in each and every country;

Formally recognise the role of local government as an essential and unique partner in implementing the Millennium Development Goals;

Provide local governments with the necessary resources and powers to play their full part on behalf of their citizens in meeting the Goals and Targets in each country;

Establish a formal advisory role for local government within the UN on issues of global governance.

We, Mayors and local government representatives of the world, are committed to:

Strengthen local governance to achieve the Millennium Development Goals by 2015, by enhanced citizen participation and effective partnerships with local communities and the private sector;

Launch the Millennium Cities and Towns Campaign to demonstrate and promote the commitment of local governments and their citizens to achieving the Millennium Development Goals and Targets.

¹ The list of members of the UCLG World Council can be consulted on the website : http://www.cities-localgovernments.org/uclg/upload/template/documents/html174_world_council_june_2005.htm

**RESOURCES FOR ACTION 2:
WRITE TO YOUR GOVERNMENT AND PARLIAMENTARIANS**

The UCLG Local Government Millennium Declaration adopted by your city should be sent to the Government and Parliamentarians of your country. You will find below a model letter which you can modify as necessary.

This letter, if sent by dozens of national associations and mayors in the same country to the same key figures, could induce a "critical mass" effect reinforcing the strength of our message.

Model of letter to Governments and Parliamentarians

Dear [Prime Minister or Minister of the Interior, President of the National Assembly, President of the Senate etc.].

In my position as Mayor of [name of town or association], I am sending you the Local Government Millennium Declaration in support of the Millennium Development Goals, and which was endorsed by our city on [date of adoption by your town or association].

*This declaration expresses the commitment of local governments throughout the world, brought together in **United Cities and Local Governments**, to support the United Nations in fulfilling the Millennium Development Goals and, consequently, to take the steps they can at local level.*

As the local governments are closest to the communities facing the problems that the Millennium Development Goals addresses, we can provide incomparable concrete experience in implementing initiatives that reflect the day-to-day concerns of citizens.

I hope that our Declaration will be of interest to you and will convince you of the necessity of defending and promoting the Millennium Development Goals, as well as the key role played by local governments in their achievement.

*The role of local governments will become all the more effective if it is recognised at the world level and if UN advisory body status is granted to our organisation **United Cities and Local Governments**.*

[Letter ending.]

[Signature]

Mayor / President of XXX.

PROPOSED PRESS RELEASE CONCERNING ACTION 1 AND 2

[Name of City] adopts a declaration in support of the United Nations Millennium Development Goals

[Name of City], [date]: [Name of City] has endorsed a declaration to express the commitment of [Name of City] to the fight against poverty, mass epidemics, and in favour of sustainable development, gender equality, and access to education. This declaration supports the United Nations Millennium Development Goals and aims to ensure that fundamental progress in achieving these goals throughout the world is made by 2015.

From 14 to 16 September 2005, Heads of State and Government will meet at the UN headquarters to review progress in achieving the Millennium Development Goals.

Unfortunately, progress has been slow. This is why, at the initiative of their worldwide organisation **United Cities and Local Governments (UCLG)**, hundreds of local governments throughout the world have adopted a declaration in support of the Millennium Development Goals. The declaration demonstrates their collective commitment and the crucial importance of local action in confronting global problems by providing responses to the day-to-day realities of affected communities.

The UCLG Local Government Millennium Declaration will be handed over to the UN Secretary General by a delegation of Mayors, members of statutory bodies of **United Cities and Local Governments**. The will enable Local Governments to present their own assessment of progress made in achieving the Millennium Development Goals and to indicate that fulfilment of the Millennium Development Goals requires greater involvement at the local level in the definition of global policies.

RESOURCES FOR ACTION 3: OPERATION "WHITE BANNER"

Operation "White Banner" is one of the highlights of the *United Cities and Local Governments* Millennium Towns and Cities Campaign.

It has been inspired by the United Nations Millennium Campaign which calls on citizens throughout the world, and representative organisations from civil society and government, to wear a white band to demonstrate their support for the Millennium Development Goals.
<http://www.millenniumcampaign.org>

United Cities and Local Governments and its members provide additional legitimacy to the "Millennium Campaign" by demonstrating the support of local governments, which are directly responsible for providing solutions to a large number of the problems that the United Nations Goals wish to address, such as local social policies, improvements to educational infrastructure, access to water, social housing and protection of the environment.

United Cities and Local Governments and its members will also indicate their determination to contribute to the eradication of extreme poverty and to work towards the achievement of the Millennium Development Goals. And, symbolically, by providing an unexpected dimension to the campaign, they will demonstrate how effective they can be when they work together.

From 1 September, before the UN summit, and particularly while it is being held on 14-16 September, local governments are invited to attach a white banner to local government buildings and city hall. The following items should feature on the banner:

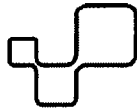
- **the slogan: "2015: No excuse! The world must be a better place. Our city supports the 8 Millennium Development Goals"**
- **The logos of the city or local government, UCLG, the United Nations, and the millennium campaign "no excuse 2015"**

RESOURCES

- A banner (see the models on the UCLG website)
- A proposed press release announcing and explaining the operation (see below)

NOTE: *United Cities and Local Governments* has provided below the resources you will need to launch the campaign. *United Cities and Local Governments* has provided below the resources you will need to launch the campaign. Naturally, it will be up to your city or association to adapt the campaign resources to local conditions both in terms of language as well as format, size, dates and length of display.

The United Nations authorises you to reproduce their logo for this campaign as does *United Cities and Local Governments*. You can obtain logos from the UCLG website: www.cities-localgovernments.org.



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PROPOSED PRESS RELEASE ON ACTION 3

[Name of town] gives its support to the United Nations Millennium Development Goals

[The town], [date]: From XX to XX 2005, a white banner will be attached to the City Hall. In this way, [the city] will demonstrate in the eyes of the world its support for the United Nations Millennium Development Goals in the fight against poverty, mass epidemics, and in favour of sustainable development, gender equality, and access to education.

Like hundreds of other towns and cities throughout the world, [the town], a member of the world organisation **United Cities and Local Governments**, has decided to participate in the "Millennium Campaign" organised by the United Nations.

The slogan of the campaign is "2015: No excuse! The world must be a better place". We have adopted it for ourselves but we also want to address this message to our fellow citizens so that they too can support the United Nations Goals, and to States so that they will fulfil the commitments they have made.

From 14 to 16 September 2005, Heads of State and Government will meet at the UN headquarters to review progress made in achieving the Millennium Development Goals. Unfortunately, progress has been slow. This explains why global mobilisation is required and why local governments must be particularly involved, as it is they who are responsible in large part for dealing, on a day-to-day basis, with the problems addressed by the Millennium Development Goals.

It is also important therefore for towns to demonstrate their collective commitment and the crucial importance of local action in confronting global problems by responding to the day-to-day realities of affected communities.



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RESOURCES FOR ACTION 4:

SEND THE JOINING FORM TO THE WORLD SECRETARIAT

**JOINING FORM FOR THE
 UCLG MILLENNIUM TOWNS AND CITIES CAMPAIGN**

[Name of city / local government association] joins local governments across the world in committing to the 8 United Nations Millennium Development Goals, joins the UCLG Millennium Towns and Cities Campaign and agrees to:

*Tick where appropriate

Action 1
 Endorse the attached UCLG Local Government Millennium Declaration;

Action 2
 Write to its national government calling for recognition of the role of local governments in implementing the MDGs;

Action 3
 Attach a white banner to local government buildings from 14-16 September 2005, with the slogan '**2015: No excuse! The world must be a better place**', showing the logos of UCLG and the United Nations;

Action 4
 Ask UCLG to include its name in the list of Millennium Towns and Cities to be submitted to the United Nations Secretary General.

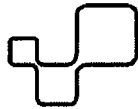
Adopted by **[Name of city / local government association]** on **[Date]**

Name of the Mayor or of the President

Signature and/or stamp

To be sent to the UCLG World Secretariat at:
 United Cities and Local Governments
 Carrer Avinyó, 15
 08002 Barcelona - España

Tel: +34 93 34 28 750
 Fax: +34 93 34 28 760
 Email: info@cities-localgovernments.org



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ADDITIONAL RESOURCES

This document aims to assist the members of *United Cities and Local Governments* in putting forward the same coherent and strong arguments in different regions of the world.

It will help local governments present their case to the press, other opinion-formers, politicians, civil servants and citizens. It sets out the key UCLG arguments in order to:

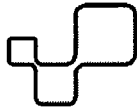
- Demonstrate local government's support for the Millennium Development Goals
- Call for increased recognition of the role of the local governments in the achievement of the Goals

This document also offers useful information to support the arguments:

- facts and figures on population and development
- facts and figures on local government activities
- extracts and quotes
- facts on the relations between *United Cities and Local Governments* and international organizations

ARGUMENTS

- The members of UCLG - local governments - are the level of government closest to the citizens that are confronted with the problems addressed by the 'Millennium Development Goals'.
- The Millennium Development Goals cannot be achieved without close cooperation with the local level. Their implementation is largely within the competences of local governments (social policies and citizen participation, health and education infrastructure, water and sanitation, access to housing and urban services, environmental protection, defence of civil rights). However, local governments do not generally have the financial and human resources necessary to respond to the needs of the community. Governments must strengthen local governments to achieve the Millennium Development Goals.
- For each Millennium Development Goal, quantified actions and indicators were agreed at global level from the national perspective. Local governments can contribute to translating these indicators on the ground and to then use them to better review their own performances.



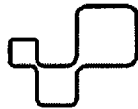
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They can also optimize their search for financing by basing their requests on these objective criteria, which are recognized by national governments and international organizations.

- The members of UCLG work daily on the same development problems as national governments and the UN. With a major difference: local governments work directly on the ground. This means they must be pragmatic and produce new and effective solutions.
- Local governments have incomparable concrete experience in the fight against development problems.
 - Consequently, they have experience in implementing policies that lead to results.
 - Consequently, their commitment to support the Millennium Development Goals has a particular and undeniable value based on daily reality.
- Their experience on the ground is cross-sectoral and relates to all the Millennium Goals. Local governments are the only actors close to the citizen with an overall experience that enables them to appreciate the priorities, the necessary balances, the consequences and the interaction of problems.
- This experience and capacity for action has the potential to improve global policies.
- The members of the United Nations are States, and there does not yet exist an official way for local governments to communicate their experiences on the achievement of the Millennium Goals.
- By giving an advisory role to UCLG, the world local government organisation, the United Nations would reduce the gap between global governance and the local level, and would allow innovative local government initiatives and best practices to be used in the development of global policies.

FACTS AND FIGURES ABOUT POPULATION AND DEVELOPMENT

- In 2000, the world's population reached 6.1 billion, and is increasing by 77 million people each year. 60% of the world's population will live in urban areas by 2030 and will rely on the 40% living in rural areas for food production.



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- In 1950, there was only one city with a population of over 10 million inhabitants: New York. By 2015, mayors will be managing 23 cities of over 10 million, 19 of them in developing countries.
- More than 1.2 billion people - one in every five on Earth - survive on less than \$1 a day. Mayors in Africa are responsible for cities where on average 40% of households live below the poverty line. In Latin America 25% of urban households live below the poverty line.
- 6 million people die of AIDS, tuberculosis and malaria each year.
- In Africa, less than 20% of households have connections to water pipes.
- According to the most recent estimates (UN-HABITAT, 2001), more than 70% of the urban populations of the Least Developed Countries (LDCs) and the countries of Sub-Saharan Africa live in slums. This figure is set to increase if strong interventions are not made through slum upgrading projects.

FACTS AND FIGURES ABOUT LOCAL GOVERNMENT ACTIONS

- Social policies and citizen participation, facilitating access to primary education, defence of civil rights, in particular, gender equality, collaborating in the fight against the HIV/AIDS and other pandemics, drinking water and sanitation, urban services in poor areas, environmental improvement, contributing to youth employment: the achievement of the Millennium Development Goals depend for a large part on local governments.
- More than 6 000 local governments have implemented Local Agenda 21 strategies, aiming to improve the quality of life of the citizen.
- Although local governments are responsible for 40% of total public resources in more developed countries, their counterparts in Asia only have access to a little over 3% of total public resources, falling to 2% in Africa.
- Although mayors deal on a daily basis with the most pressing development issues, UCLG estimates that less than 1% of global development funding is channelled through local governments.



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- Higher participation of women at local level equals increase in national participation. Research by United Cities and Local Governments shows that there is a positive relation between political participation in the local and national spheres of government. Countries with a higher percentage of women councillors are more likely to have a higher percentage of women parliamentarians.

QUOTATIONS AND EXTRACTS

- **Proposal 18 from the Cardoso Report, “Report from the Panel of Eminent Personalities on relations between the United Nations and Civil Society”** (report prepared at the request of Kofi Annan within the framework of the preparation for United Nations reform):

“...The United Nations should regard United Cities and Local Governments as an advisory body on governance matters...”

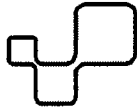
- **Jeffrey Sachs, “A practical Plan to Achieve the Millennium Development Goals” report** (Millennium Development Goals implementation report, prepared at the request of Kofi Annan in preparation for the Millennium Development Goals Summit in September 2005 bringing together Heads of State and Government of United Nations member states.):

“...Many of the services and investments required to meet the Goals need to be delivered by provincial or local authorities...”

- **Bertrand Delanoë, UCLG Presidency and Mayor of Paris:**

“Because it is unbearable knowing that children die of hunger all over the world every day; because access to water must be a right for all; because poverty is an intolerable plague: we must build a better and more interdependent world. This is the responsibility of all citizens, but in particular elected representatives. This is why I reaffirm my commitment, alongside the United Nations, to undertake, day after day, concrete and determined on the ground towards the achievement of the Millennium Development Goals...”

- **Smangaliso Mkhathshwa, Member of the UCLG Presidency and Mayor of Tshwane (Pretoria), at the Commonwealth Local Government Conference, March 2005:**



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"UCLG is working to make the Millennium Development Goals more than UN targets. We want them to become the citizen's goals and it is through local government that this can become a reality"

- **Paco Moncayo Gallegos, UCLG Presidency and Mayor of Quito:**

"Local governments must play a leading role in implementing the MDGs at the local level. We will be calling on our national governments when they meet in September to recognise this role, and to commit the tools and resources to enable us to take our commitment forward."

- **Message from Kofi Annan, Secretary General of the United Nations, at the 20th UN-Habitat Governing Council, April 2005:**

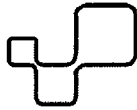
"Cities hold great potential as engines of growth and social development. Yet they are also bastions of inequality – in terms of health and living conditions, employment opportunities and the crime and insecurity people routinely face," "...I urge you to do your part to strengthen the capacity of local authorities..."

- **Joan Clos, Mayor of Barcelona, at the 20th UN-Habitat Governing Council, April 2005:**

Not only are local governments in charge of the provision of services which are directly linked with the MDG targets, but strengthening governance through the engagement of civil society and partnership with the private sector is to a large extent in the hands of local governments."

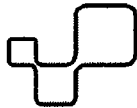
UCLG AND INTERNATIONAL ORGANISATIONS

- **Signature of a cooperation agreement with the World Bank, May 2004:** cooperation in the field of strengthening local governance and support to local governments, in particular in developing countries.



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- **Signature of a cooperation agreement with Cities Alliance, June 2005:** relating in particular to support to urban development and strategies and local financing to contribute to poverty reduction and slum upgrading.
- **Signature of an agreement with UN-Habitat (UN human settlements agency), September 2004:** the agreement establishes a framework for the development of joint initiatives. Among other things, it allows the development of a programme to localise the Millennium Development Goals.
- **UCLG, member of the UNITAR Governing Council (UN agency for training and research):** a letter of agreement set outs co-operation in the field of training for elected officials and municipal staff in developing countries.
- **Protocol in the process of signature with UNESCO** to consolidate co-operation between cities in various fields such as: urban planning, protection of cultural inheritance and the environment, the defence of human rights and cultural diversity.



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QUESTIONS AND ANSWERS

The Questions and Answers listed in this document are intended to help local governments in their relations with the public and the press.

The Questions addressed relate to:

- UCLG as an organization, explaining its structure and putting the case for the single voice.
- The role of the cities and the importance of the local level in the management of global problems.
- The political context, explaining the local government position on the Millennium Development Goals

United Cities and Local Governments

What is United Cities and Local Governments?

UCLG is the world local government organisation.

The cornerstones of UCLG are:

- **the defence and promotion of democracy for a fairer world;**
- **local self-government for more responsive and efficient services;**
- **decentralisation of government in the interest of the citizen.**

It gives a voice to every type of local government - large and small, rural and urban – representing and defending their interests at the global level, and addressing key issues for the future of cities and their citizens.

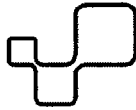
What is the purpose of United Cities and Local Governments?

As the "United Nations of cities", UCLG offers a single and strong voice for local governments of all sizes to interact with international organisations like the United Nations in order to develop and promote solutions to the challenges of urbanisation and to address the repercussions of globalisation at local level. In addition, UCLG provides a forum in which its members can exchange best practices on key issues affecting their citizens, such as poverty alleviation, social inclusion, local democracy and promoting peace through city diplomacy.

What is the objective of United Cities and Local Governments?

We have a targeted work programme, which focuses the work of UCLG on:

- Increasing the role and influence of United Cities and Local Governments in global governance
- Becoming the main source of support for democratic, effective, innovative local government close to the citizen
- Ensuring an effective and democratic global organisation



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How is UCLG structured ?

Bringing together mayors and local councillors across the world, United Cities and Local Governments is a truly **global** organisation with a **democratic** structure. Our democratic pyramid largely contributes to our international legitimacy. Big and small local governments, from every part of the world have the same weight.

- At **national level**, councillors and mayors come together in Local Government Associations. Individual councillors and mayors are elected by their counterparts across the country to represent them internationally.

- It is at the **regional level** that mayors and councillors are elected by their peers to represent one of the seven world regions in the world organisation.

Through this structure, United Cities and Local Governments is able to truly represent all local governments, big and small. But, it also has a **Metropolitan Section**, to cater for the special interests of cities of over 1 million inhabitants. These cities also elect mayors and councillors to represent Metropolises in the world organisation.

- At the **world level**, the members of United Cities and Local Governments come together in a **General Assembly** and, based on the elections that have taken place at regional and metropolitan level, elect the World Council. The World Council brings together 318 mayors and councillors.

Any mayor or local councillor can be elected, providing they have the support and the mandate of their counterparts in their city, country or region. **The Presidency is elected on the basis of a simple majority to ensure they have a full democratic mandate conferred on them by local mayors across the world.**

Now the three members of our presidency are Bertrand Delanoë, Mayor of Paris, Paco Moncayo Gallegos, Mayor of Quito, Smangaliso Mkhathshwa, Mayor of Tshwane (Pretoria).

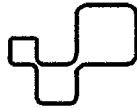
How is UCLG financed?

UCLG receives membership fees from all its members on an annual basis.

Are you a new NGO?

No. Local governments are not the representatives of a particular interest group; we represent all the people who have elected our members (together our members represent over three billion individuals). UCLG is the place where we can synthesise all the expectations and needs of the people regarding their daily life in towns and cities.

UCLG's members - local governments – are political entities that are part of the national, regional and global governance structure. This is why UCLG is absolutely legitimate as a partner to other international institutions, notably the United Nations.



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Who do you represent?

United Cities and Local Governments' members represent over half of the world's total population. The members are from 127 of the 191 UN members states, in the seven world regions: Africa, Asia-Pacific, Euro-Asia, Europe, Middle East and West Asia, Latin America, North America.

- Its members include individual **cities** and national **associations** of local governments, which represent all the cities and local governments in a single country.
- Almost every existing Local Government Association in the world is a member of United Cities and Local Governments. Indeed these national associations and their member cities and towns represent around **80% of the total European population**.
- Over **1000** cities across 95 countries are direct members

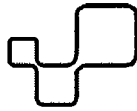
How do you deal with your differences, inside your organisation?

From North and South, coming from big cities or little communities, we share the same aim: to strengthen local democracy as the fundamental basis for harmonious and sustainable development. Because this international axis is very strong, we are able to build a dialogue, to exchange and enrich our different experiences, to work together and to promote a strong position.

What has UCLG achieved since its founding congress in May?

As the united voice and world advocate of democratic local self-government, the unique insight and know-how offered by United Cities and Local Governments on matters of international governance was immediately apparent and other international institutions have actively welcomed the new organisation.

- In May, the World Bank signed a Memorandum of Understanding with United Cities and Local Governments in order to provide a framework for the two organisations to undertake joint projects.
- In June, the 'Cardoso Report' on relations between the United Nations and civil society was presented to the Secretary General of the United Nations by former Brazilian President, Fernando Cardoso. The report recognises the representativeness of United Cities and Local Governments and proposes that 'the United Nations should regard Cities and Local Governments as an advisory body on governance matters.' We sincerely hope that the United Nations General Assembly will adopt this recommendation as it would be a big step forward both for local government and for global governance.



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Cities

Why is it so important to represent cities issues in the international political arena?

Firstly, in 2030, 60% of the world's population will live in urban rather than rural areas. Consequently, global poverty, global pollution, global health disasters and so on, are increasingly becoming urban issues.

Secondly, globalisation is continuing apace but the international decision-making apparatus is increasingly removed from the citizen. Local governments represent their citizens and provide a natural and fundamental link between citizens and global governance.

In which areas do cities offer know-how and expertise?

Education, environment, demography, public space, economy, community participation, public health are all traditionally domains where cities have key insights. However, the scale of these issues has increased dramatically in the last few decades, and it is only through the sharing of knowledge that problems associated with these issues can be resolved. This is another reason why an organisation like UCLG is so important: it is a platform where cities can co-operate and exchange best practice.

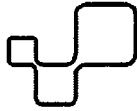
Cities must also develop new expertise. For example, city diplomacy is now an increasingly commonly-used method in conflict resolution and, whenever possible, in avoiding conflict altogether. It often plays a decisive role in restoring basic living conditions and keeping communication channels open between opposing communities. Why do cities have this new expertise? Simply because war and violence increasingly takes place in cities. Support to city diplomacy is one of UCLG's key missions.

Regarding the Millennium Development Goals, which local government fully supports, there is not one progress report or evaluation that does not stress the importance of the local level. We are ready to act and already do so on a daily basis.

Political context

Do you think the importance of local democracy is increasingly valued?

There are strong signals, but we have not yet reached a new stage. First of all, the creation of UCLG proves that the local authorities are increasingly conscious of the influence they can have when they act together. In addition, the United Nations General Assembly will have to reach a conclusion about the recognition of local autonomy as a universal principle, as it is on the agenda in the debate on UN reform. But much remains to be done.



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Cités et Gouvernements Locaux Unis
Ciudades y Gobiernos Locales Unidos**

For example, the report of Jeffrey Sachs on progress in implementing the Millennium Development Goals stresses the importance of local authorities for the achievement of these ambitious commitments, but it does not mention them in the list of the potential partners of the United Nations. This we find surprising and inconsistent. We act everywhere at the local level, so we should therefore play a part in the development of decisions which are binding on us and on the communities we serve. It is this position which we will defend when Heads of State and Government meet at the United Nations General Assembly to review progress in implementing the Millennium Development Goals.

What do local governments intend to do to show their support for the Millennium Development Goals?

UCLG and its members are very committed and involved in the achievement of the Millennium Development Goals and will be expressing this at the Heads of State Millennium Summit. We will, however, also be expressing our concerns about the practical achievement of the Goals, the distribution of responsibilities and the way in which those responsibilities are assumed, particularly by States. We firmly believe that the role of local government is underestimated and we intend to make this point heard. During the Heads of State Summit, we will give the United Nations Secretary General a declaration setting out these points, which will have been endorsed in our cities. In addition UCLG and its members have joined the Millennium Campaign launched by the United Nations. This is why, during the Heads of State Summit on 14-16 September, a symbol of our support for the Millennium Campaign will be displayed on our city halls and local government buildings: a white banner.

Report of	Meeting	Date
Head of Housing Services (Introduced by the Executive Leader)	Executive Cabinet	29 September 2005

HOUSING STOCK TRANSFER - UPDATE

PURPOSE OF REPORT

1. To inform members of progress on the proposed housing stock transfer, and to seek approval for:
 - a. the name and constitution of the new Registered Social Landlord which will receive the Council's stock;
 - b. Statement of Visions, Values and Aspirations for partner selection;
 - c. Corporate essential requirements for partner selection; and
 - d. Employment Protocol

CORPORATE PRIORITIES

2. This report relates to the Corporate priorities of serving our customers better.

RISK ISSUES

3. The issues raised and recommendations made in this report involve risk considerations in the following categories:

Strategy	✓	Information	
Reputation	✓	Regulatory/Legal	✓
Financial	✓	Operational	✓
People	✓	Other	

4. The proposed transfer provides an opportunity to significantly increase investment into the Council's housing stock, and to ensure the long term viability of the housing service. However, transfer can only proceed with the support of a majority of tenants, and the Council would have to pick up the costs in the event of a no vote. Post-transfer the Council will have to manage the loss of income to central services from the Housing Revenue Account. Action is being taken to mitigate these risks, as discussed further in the report.

BACKGROUND

5. At its meeting on 14 December 2004, Council determined to pursue a Large Scale Voluntary Transfer of its housing stock to a new Registered Social Landlord (RSL). Executive Cabinet, at its meeting on 10 February 2005 agreed to a structure to deliver transfer, including the following elements:

- A Housing Shadow Management Group of tenants, Councillors and independents to oversee the process;
- A joint selection panel of tenants, members and staff to select a preferred RSL partner for the new Chorley RSL;
- An officer group to manage the process;
- A transfer team;
- The development of a Housing Business Unit, and the establishment of a new identity for Housing Services prior to transfer;
- A transfer budget of £650,000.

CONSTITUTIONAL ISSUES

6. The Joint Selection Panel determined that the Council should establish a new, independent stock holding RSL, within a group. This would provide local identity and accountability, whilst providing the financial benefits of procuring support services from an existing RSL. In order to reflect the requirement for a strong local identity for the new RSL, they have recommended that the name should be Chorley Community Housing Limited. This name has been protected by registering with Companies House, pending approval by Executive Cabinet.
7. In order to achieve registration with the Housing Corporation, Chorley Community Housing must be formed with an acceptable constitution. The options available, as prescribed by the Housing Act 1996, are either an Industrial & Providential Society or a Company Limited by Guarantee. The new RSL also has an option as to whether to be charitable or non-charitable.
8. There are significant financial benefits to Chorley Community Housing (CCH) becoming a charity. As a charitable concern the new organisation will be able to take advantage of a VAT scheme, with the agreement of the Council, which makes VAT recoverable on improvement works. There are also Corporation Tax benefits. However, charitable status does restrict the activities that CCH will be able to undertake, for example in developing market rented housing schemes. These restrictions can be countered by the setting up of a non-charitable subsidiary in the future. The Housing Shadow Management Group have therefore recommended that the Chorley Community Housing should seek charitable status.
9. Industrial & Providential Societies are easier to administer than Companies Limited by Guarantee. Procedural requirements laid down by Companies Act do not apply, and it is easier to register as a charity without being registered with the Charity Commission. This removes a layer of regulation. The Housing Shadow Management Group therefore recommend the Chorley Community Housing should be an Industrial & Providential Society.
10. With the agreement of the name and constitution the Housing Shadow Management Group has now become the Shadow Board of Chorley Community Housing. The recruitment of independent members of the board will now take place.

RSL PARTNER SELECTION

11. The decision to establish CCH as an independent RSL within a group means that a preferred RSL partner must be selected, and this work is being undertaken by the Joint Selection Panel (JSP) of 8 tenants, 5 Councillors and 5 staff. This group agreed a statement of visions, values and aspirations, which was distributed to interested RSL partners. Executive Cabinet are asked to endorse this statement, a copy of which is attached (see appendix 1).

12. Whilst we are looking for our partner to deliver all these aspirations, a list of essential elements has been distilled. Executive Cabinet are asked to approve the essential requirements, which are:
- Pre-ballot support (financial and non-financial);
 - Full underwriting of the Council's at risk costs;
 - Delivery of Chorley Homes Standard;
 - Delivery of additional affordable housing, and utilising modern methods of construction;
 - Utilise the VAT shelter, and agree to sharing capital receipts post transfer;
 - Involvement in local strategic partnerships;
 - Support for local autonomy, identity and presence;
 - Commitment to customer and employee care.
13. The Housing Shadow Management Group have further established their list of essential requirements. These are:
- Reflection of a clear local identity and a high degree of local autonomy on investment and management, plus a local presence;
 - A commitment to use the direct labour workforce to provide a responsive and cost effective repairs and maintenance service;
 - Investment in tenant participation, empowerment and decision making.
14. The partner selection process is in two stages. The first stage, which is now complete, involved an open advert, and interested RSLs were asked to complete a set questionnaire setting out how they would meet our visions, values and aspirations. They were also asked to provide details of their financial standing, and their proposed governance arrangements. Fourteen submissions were received.
15. At its meeting on 12 September 2005, the JSP agreed a shortlist of 6 RSLs, plus a reserve, who will go through to the second stage. The short listed RSLs are:
- Accent
 - Adactus
 - Helena
 - New Charter
 - Regenda
 - Twin Valleys
- Reserve: Knowsley Housing Trust
16. The second stage will involve a second questionnaire, followed by a visit to each RSL. The selection will conclude with interviews held on the 5th and 6th December 2005. At the interview, an opportunity will be made available for Councillors, staff and tenants not involved in the JSP to meet the short listed RSLs. Executive Cabinet will be asked to approve the preferred partner, and a reserve, at its meeting on 12 January 2006.
17. As part of the Stage 2 process RSLs will be asked specifically whether they are prepared to agree to underwrite the Council's at risk pre-ballot costs in the event of a no vote. This will mitigate the risk to the Council in the event that tenants vote against transfer.

EMPLOYMENT PROTOCOL

18. The stock transfer will also involve the transfer of staff from the Council to CCH. The transfer of staff is subject to the Transfer of Undertakings (Protection of Employment) Regulations 1981 which give protection to employees when the undertaking in which they are working transfers. The staff affected are predominantly those within the Housing

Services Unit involved in the management and maintenance of the housing stock. However, some staff in central support units will also be affected.

19. A protocol, setting out general principles on how the Council and CCH will manage the process has been prepared by Wright Hassall, the Council's Legal Consultants for transfer. This protocol has been circulated to all Housing Services Staff and the trades union for comment. No responses have been received. Executive Cabinet are asked to approve the protocol, a copy of which is attached (see appendix 2).

HOMELESSNESS & ALLOCATIONS REVIEW

20. Following the transfer, the Council will still retain statutory housing responsibilities under the Housing Act 1996 (as amended by the Homelessness Act 2002). This includes responsibility for assessing homeless applications, and for maintaining and reviewing an Allocations Policy. The Council can contract out some of these functions, to the new RSL or to another body. The decision as to whether to contract out these functions should be made on Best Value principles.
21. A Homeless & Allocations Service Review group has been established to make this assessment. The group is chaired by the Deputy Chief Executive, and involves officers from Corporate & Policy Services, Housing Services, Human Resources and Finance. A representative from Help the Homeless (Chorley) and the Chorley Citizen's Advice Bureau also sit on the group. The scope of the review is to cover the following functions:
 - Homeless assessments and decisions;
 - Securing temporary accommodation;
 - Allocation of long-term social housing;
 - Securing provision of advice on homelessness and the prevention of homelessness.
22. The review is timetabled to be complete by the end of December 2005, with a report to Executive Cabinet in January 2006. This will enable the outcomes to be taken into account in negotiations with the preferred RSL partner.

STOCK CONDITION SURVEY

23. The Council has commissioned Savills to undertake a new stock condition survey of the Council's properties. The last stock condition survey was undertaken in 2002, with the purpose of assessing the Council's compliance with the Government's Decent Home Standard.
24. A new survey is required to inform the investment programme post-transfer. It is essential that this is undertaken specifically for the purpose of transfer, and that it can be warranted. This will be a pre-requisite for funders, and for the RSL partner. The cost of the survey, which will involve a 20% sample, is £48,000 plus £20,000 for the asset management software. The survey work will start immediately, with the draft report expected November 2005.
25. The results from the survey will provide a key part of the valuation of the stock to be transferred, and as such will determine the level of receipts available to the Council, and the investment programme which can be delivered post-transfer. Whilst we are expecting similar results to our last survey, there is the potential for change given the under-investment in the stock over the last three years, and above inflation increases in maintenance costs.

COMMENTS OF THE HEAD OF HUMAN RESOURCES

26. The Transfer should recognise that employees who transfer do so under the TUPE regulations as already outlined. The Employment Protocol should be conformed to without fail.

COMMENTS OF THE DIRECTOR OF FINANCE

27. The Council has previously agreed to a stock transfer budget of £650k to ensure the process is complete. I am pleased to report that almost all the arrangements are now in place and the budget is on track. Members will be interested to note that as part of the selection of a preferred partner we are asking potential partners to underwrite the cost of transfer should there be a no vote. Given the response we have received to date I am confident that if not all, a significant part of the cost will be underwritten, thus protecting the Council's position.
28. Work has been ongoing to identify the general final impact should a transfer occur. Initial indications are that it will be significant, the eventual outcome being dependent upon the cost of the retained strategic housing function, which is currently work in progress.
29. Actions to mitigate the cost implications are currently being considered and a proposal will be brought to members in the very near future.

RECOMMENDATION(S)

30. Members are recommended to note the report and to approve:
- That the name for the new RSL should be Chorley Community Housing Limited;
 - That the new RSL should be an Industrial & Providential Society with charitable status;
 - The statement of visions, values and aspirations;
 - The list of essential requirements for partner selection, as set out in paragraph 12;
 - The employment protocol.

**REASONS FOR RECOMMENDATION(S)
(If the recommendations are accepted)**

29. The name of the new Registered Social Landlord reflects the aspiration for a strong local identity. By establishing Chorley Community Homes as an Industrial & Providential Society with charitable status, it will be able to take advantage of the tax and other financial benefits available to charities. The statement of visions, values and aspirations, and the Council's essential requirements have been developed to assist in the selection of the RSL partner for CCH, to ensure a partner with whom the Council can work in the long term post transfer, and that is able to deliver both the Council's and tenants aspirations. The employment protocol sets out the principles under which the transfer of staff to the new RSL will take place.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

30. The principle area for considering alternatives was with regard to the constitution of the new RSL. Non-charitable status was rejected. Whilst it provided the potential for CCH to undertake a more diverse range of activities, these did not out-weigh the loss of financial benefits available to a charity. The alternative to establish CCH as a Company Limited by Guarantee was rejected as it did not provide any material benefits to setting up as an Industrial & Providential Society, and would add another layer of regulation though registration with the Charity Commissioners.

STEVE LOMAS
HEAD OF HOUSING SERVICES

ON BEHALF OF
SHADOW BOARD
CHORLEY COMMUNITY HOUSING

Background Papers			
Document	Date	File	Place of Inspection
Housing Transfer Manual 2005 Programme	October 2004	***	Duxbury

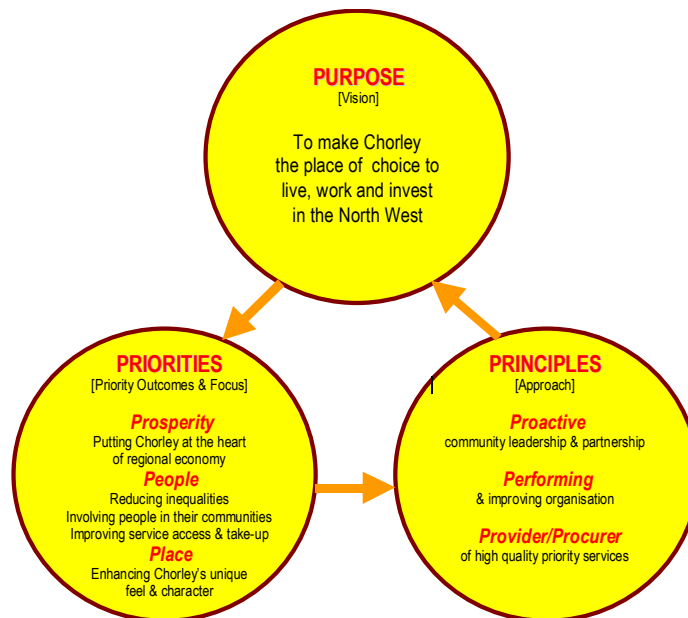
Report Author	Ext	Date	Doc ID
Richard Roe	235803	15 September 2005	ADMINREP/REPORT

VISION, VALUES AND ASPIRATIONS

Our quest is to find a dynamic and innovative RSL partner that shares our vision, values and aspirations, and above all has the experience, capability, resources and determination to make a real difference to the quality of life of tenants and those in the borough whose housing needs are currently unmet.

1.0 Vision

Our community vision is to make Chorley the place of choice to live, work and invest in the North West. The Borough Council's '3Ps' below summarise its approach to achieving this:



2.0 Values

We will look for evidence that our RSL partner shares the following key values:

- Openness
- Honesty
- Transparency
- Fairness and equality of opportunity
- Responsiveness
- Accountability
- A commitment to high quality customer and employee care
- The pursuit of excellence, social inclusion and sustainable development.
- Creativity

3.0 Aspirations

We have key aspirations in the areas indicated below. We will invite potential RSL partners to set out their proposals for meeting these and to provide appropriate evidence to demonstrate their related track record and commitment.

The culture of our partner is paramount, and they must demonstrate a commitment to support the new Chorley RSL in meeting the aspirations of the Council, tenants and staff. They should be pro-active, have a willingness to take risks, and encourage the development of new ways of working.

3.1 Pre-Ballot Involvement and Support

3.1.1 Tangible and effective support for delivering a 'yes' vote (both financial and non financial).

3.1.2 Full underwriting of the at risk costs in the event of a no vote.

3.2 Investment and Development

3.2.1 *Investment*

- to meet the Chorley Homes Standard;
- estate improvements;
- to provide new affordable housing to meet local housing needs and a willingness to utilise innovative low cost housing;

3.2.2 *Local re-investment of capital receipts*

- Right to Buy/Right to Acquire receipts;
- existing and future shared ownership staircasing receipts;

3.2.3 *VAT shelter*

- to provide for pensions and environmental warranties as a first call;
- sharing arrangement for any residue.

3.3 Partnerships and Community Involvement

3.3.1 Commitment to participating in and supporting local strategic partnerships e.g. Chorley Partnership and Community Safety Partnership.

3.3.2 Commitment to contributing to neighbourhood initiatives, corporate priorities (3 'P's), and to building and maintaining sustainable communities.

3.3.3 Commitment to neighbourhood management

3.4 Management

3.4.1 Retention of a clear local identity and a high degree of local autonomy on investment & management plus local presence.

3.4.2 Representation on parent board.

3.4.3 A willingness to expand existing, and develop new services.

3.4.4 Experience of, and commitment to, developing Choice Based Lettings;

3.4.5 A commitment to high quality customer and employee care:

- a) One Stop Shop presence and ICT communication links to provide a choice of convenient customer access options;
- b) retention and management of temporary accommodation facility;
- c) using direct labour workforce to provide a responsive and cost effective repairs and maintenance service;
- d) excellent employee relations;
- e) prioritise training and development of staff, including the use of modern apprenticeships;
- f) investment in tenant participation, empowerment and decision making.

3.5 Provision of Agency Services

- Willingness to manage agency services if required
e.g. homelessness service, unified housing register.

3.6 Additional Benefits

- Additional specific benefits that would flow from the RSL if selected as the preferred partner for the LSVT.

Joint Selection Panel
Chorley Borough Council
July 2005

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Chorley Borough Council

HOUSING TRANSFER EMPLOYMENT PROTOCOL

1. Introduction

This protocol is to be agreed between Chorley Borough Council ("the Council"), the RSL to which the Council is proposing to transfer its housing stock ("the RSL") and the Trade Unions representing the Council's employees. Any agreements arising from negotiations between the parties will form a local collective agreement. This agreement and any changes to staff or working arrangements at the Council are subject to and reliant upon a housing transfer ballot where the majority of tenants vote for a housing transfer.

2. Purpose of the Protocol

2.1 The purpose of the Protocol is to set out the general principles about:

- (i) the transfer of the Council employees to the RSL;
- (ii) how the employees to be transferred have been identified, and
- (iii) how the employees who are identified will be transferred to posts in the RSL.

2.2 At this stage the Protocol can set out only the general principles about employee transfer. It will not be possible to set out the detailed procedures until the organisation and staffing structure of the RSL has been agreed and until other policy decisions have been made.

2.3 References in this Protocol to "TUPE" refer to the Transfer of Undertakings (Protection of Employment) Regulations 1981 which give protection to employees when the undertaking in which they are working transfers.

3. Who will Transfer?

There are two groups of Council employees who will transfer to the RSL as follows:

Group 1 - those who will transfer to the RSL under TUPE because they are part of or assigned to the undertaking to be transferred and are referred to in this Protocol as the "TUPE Employees"; and

Group 2 – those who are not part of or assigned to the undertaking to be

transferred but will transfer to the RSL through an agreement between themselves, the Council and the RSL. These include employees who, although they are not part of the undertaking to be transferred, carry out some housing-related work, which may, in future, be carried out by the RSL rather than by the Council. It is implicit, however, that these employees wish to be transferred and there is a post for them to be transferred to. Such employees are referred to in this Protocol as the "Non TUPE Employees".

4. General Principles

4.1 Compulsory Redundancies

The Council is committed to the provision of quality, reliability and value for money services. It recognises that job security is an important factor in achieving this aim. As far as possible it has, and will continue to take, all reasonable steps to avoid compulsory redundancies. The RSL will not make any employees compulsorily redundant unless there is no other possible alternative and only after thorough consultation.

4.2 TUPE

All employees who will transfer will be protected by TUPE. In cases where TUPE does not legally apply (ie the Non TUPE Employees) the Council and the RSL will treat such employee as if TUPE applied when transferring employees to the RSL.

4.3 Equal Opportunities

All matters relating to the identification of and transfer of employees to the RSL will be dealt with fairly and consistently and regardless of an employee's age, gender, sexual orientation, race, ethnic origin, creed or disability.

4.4 Communication and Consultation

4.4.1 The Council and the RSL will keep the locally recognised Trade Unions and all employees informed of progress in carrying out the transfer process, and will consult fully on transfer issues.

4.4.2 If any matters arise which are not provided for in this Protocol the Council will consult through the [Corporate Employee Consultative Committee] and the RSL will consult with the [Employee Working Group] and the locally recognised Trade Unions with a view to agreeing how the matter will be dealt with.

4.4.3 It is anticipated that in most cases communication and consultation will take place through the [Employee Working Group] and then onwards to the Board of the RSL. The RSL will continue to recognise the Trade

Unions as the correct body to formally consult and negotiate on employees' issues.

4.4.4 Disputes, or Appeals which can not be resolved through this mechanism will be referred to the [Corporate Employee Consultative Committee] of the Council, where a standing item will appear on the Agenda to provide a mechanism for information giving to the rest of the Council employees.

5. Identifying the TUPE List

There will be a need to draw up two TUPE lists.

5.1 TUPE List 1 for TUPE Employees

It should be noted that the deciding factor for the inclusion onto the TUPE List 1 is the amount of time spent on "Housing" duties – this will be where an employee spends 50% of duties wholly or mainly on "housing duties". In instances where an employee's time spent on "Housing" duties is close to 50%, a decision needs to be taken in conjunction with the employee concerned. The final decision will be taken on the basis of the employee's job description, allocation of salary expenditure, time management sheets, details gained from their manager, themselves and any appropriate work colleagues.

5.2 Non TUPE List 2 for Non TUPE Employees

5.2.1 After the formal completion of the above list, the Council and the RSL will enter into negotiations about any other employees having regard to the staffing structure of the RSL and the staff structure of the Council post transfer. It is likely that there will be a number of service areas that have provided support to the Housing sector of the organisation and charged to the Housing Revenue Account.

5.2.2 The intention would be to highlight these areas and identify where possible the number of posts concerned and then to correlate these to the requirements of the RSL when its staff structure has been established.

5.2.3 It would be the intention that all such non TUPE posts that are available at the RSL be ringfenced in the first instance for Council employees. No Non TUPE Employee will be obliged to apply for the posts with the RSL. All employees who decide to apply and are successful in being offered a post with the RSL under this criteria will be afforded the same protection as set out by the TUPE Regulations.

5.2.4 All parties to this agreement recognise that where a post does not transfer to the RSL the costs of that post will then have to be met from the Council's General Fund.

5.2.5 The process of these transfers will be:

- (a) The employees in the service areas that will be affected will be made aware of the position available with the RSL along with the number and types of posts. When the RSL has determined the posts that they require Non TUPE Employees will be asked if they wish to apply. From then on it will be a matter of ascertaining those interested and correlating with what is available. Should there be more than one employee per post, then it will be a matter for interview and appropriate selection. Appropriate posts will be advertised internally.
- (b) It is agreed that the Council may consider the RSL's proposed staffing structure and may seek to agree changes to the proposed list in light of overall management costs remaining with the Council.

6. Terms and Conditions

All employees transferring will keep the same terms and conditions that they enjoy presently with the Council. In terms of the posts transferring the RSL will endeavour wherever possible to closely match the posts from which the employees are transferring. All parties to this agreement recognise and reserve the right to negotiate improved or enhanced terms and conditions of any or all staff at a later date.

6.1 Pensions

The Council will ensure that the RSL will apply to become an admitted body under the Local Government Pension Scheme Regulations, and will seek admitted body status in respect of the Council employees who transfer.

6.2 Continuity of Service

For the purposes of determining entitlement in respect of conditions of service the RSL will recognise continuous service with the Council and any previous employment under the Redundancy Payments (Modification) Order as continuous service with the RSL in respect of all Council employees who are transferred to the RSL.

7. Change of Office Accommodation

- 7.1 The RSL will at some stage have its own office accommodation separate from the Council's which will result in a change of workplace for some employees who transfer to the RSL .
- 7.2 The RSL undertakes to negotiate a scheme of disturbance and travelling allowances for people who are adversely affected by such a move.

7.3 The RSL will consider representations from Trade Unions on the relocation of staff to new office accommodation.

8. New Employees Joining the Council before the Transfer

8.1 The Personnel and Development Manager will ensure that all new employees who, because their duties and responsibilities fall within Group 1 or Group 2, are notified in writing on appointment that the job will/or is likely to transfer to the RSL. The Council will consult with the Shadow Board or Board of the RSL and the relevant Trade Unions on the filling of any vacancies that arise from [] onwards to keep those posts, vacant, filled on temporary contracts or through agency staff until the date of the transfer.

8.2 In the lead up to the transfer from [] any new employees employed directly by the Housing Division falling within TUPE list 1 will be employed on the express provision that they will be expected to work at any new office accommodation and as such no disturbance allowance or travelling expenses will be paid under any scheme which may be applied.

8.3 Any existing Council employee in the Non-TUPE list 2 who applies for a position under the ringfence arrangements will also be expected to work at the new office accommodation and as such no disturbance allowance or travelling expenses will be paid under any scheme which may be applied.

9. People who remain with the Council

The transfer of the housing stock to the RSL may affect some or all employees who remain with the Council. The Council will be reshaping and developing the Council's organisation to meet the needs of the future after the possible transfer of the housing stock. The Council will consult with staff and Trade Unions on these proposals.

10. Existing Council Policies

This Protocol will supplement all existing Council policies regarding personnel matters and is not meant to amend or replace any already in existence.

May 2005

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Report of	Meeting	Date
Chief Executive	Executive Cabinet Overview and Scrutiny Committee	29 September 2005 and 13 October 2005

PROGRESS ASSESSMENT REPORT

PURPOSE OF REPORT

- To enable the Executive Cabinet to consider a "Progress Assessment Report" from the Audit Commission received in July.

CORPORATE PRIORITIES

- The subject matter within the Progress Assessment report potentially affects all the Council's key corporate facilities.

RISK ISSUES

- The issues raised in the Progress Assessment Report (but not the recommendation made in this report) involve risk considerations in the following categories:

Strategy	x	Information	
Reputation	x	Regulatory/Legal	
Financial	x	Operational	
People	x	Other	

- The risks relate to all aspects of the implementation of the Council's Corporate Improvement Plan arising out of the Comprehensive Performance Assessment (CPA).

BACKGROUND

- Council Councils and Metropolitan and Unitary Authorities have been receiving an annual re-inspection following their CPAs. These have allowed an assessment of their progress to be made and a re-categorisation of authorities where that is justified. A large number of the authorities have been raised into a higher category and some have even achieved two rises, a significant number achieving "Excellent".
- However the same facility has not been accorded to District Councils in two-tier areas. Many District Authorities, including Chorley, have worked hard on improvement plans following their CPAs and are looking for some recognition of the progress they have made. From the end of this year, all District Councils will undergo a short process of assessment, with a report on progress, culminating in a judgement on the extent of improvement, although without any "score" or categorisation.
- The process has however been piloted in the Northwest and we went through it at the turn of the year. It falls considerably short of a CPA inspection and consists basically of a desk- top study of documents and one day on-site by an inspector interviewing relevant



people. The outcome is a short report, originally intended to be referred to as "Direction of Travel" but in fact issued under a "Progress Assessment Report" label. The report issued under the pilot process however differs from the reports to be issued under the definitive progress assessment process in one respect. The pilot process reports do not conclude with a qualitative judgement of the extent of progress achieved.

THE REPORT

8. Our report was issued in July 2005. A copy of the full report is attached. Its principal messages are:

- The Council has a positive attitude towards achieving improvement for local people
- The Best Value Indicators show that real improvement is taking place
- The programme is ambitious and challenging but we are currently well placed to meet the challenges

9. The report specifically recognises a number of particular achievements:

- The work on the new Community Strategy through the Chorley Partnership
- The redirection of savings from non-priority to priority services in the 2004/05 budget
- E-Government progress
- Area Forum Pilots
- Communications improvements
- More pro-active Overview and Scrutiny
- Improved Human Resources and Staff Consultation
- Improving Performance Management
- Sickness absence reduction
- The Shared Service Contact Centre
- Improved Development Control performance
- The work on Housing Stock Options
- Continued Investment in a Greener, Cleaner, Safer, Chorley
- More positive staff attitudes in the Optima Survey of March/April 2004.
- Staff appraisals and a performance and competency culture
- The Improve4U initiative (this is an improvement-directed mechanism at officer level, whereby senior managers and staff at all levels work together to introduce improvements in a range of specific areas)

10. The report recognises the following as areas for continued attention:

- Monitoring improvement progress
- Converting the new Community Strategy into a Council Corporate Plan
- Monitoring progress against the objectives of the new Corporate Plan
- Member Training and Development
- Equalities and Diversity
- Business Planning
- Performance Management – the revised Performance Management Framework.

COMMENTS

11. While pointing out the areas for continued attention, which is helpful, the report gives recognition to the considerable number of improvements that have been achieved. It is of course disappointing that, unlike the position in the forthcoming new round of Progress

Assessments, there is no specific judgement made about the Council's overall improvement. The report also suffers from the disadvantage that when issued, it was addressing a situation that was then six months in the past and we had in the intervening period progressed considerably further, as the report on the Customer Access and Focus Inspection presented to the last meeting of the Executive Cabinet shows.

12. All the areas flagged up for continued attention are being actively addressed, with one exception. The exception is the monitoring of progress against the objectives of the new Council Corporate Plan. That Plan is still being developed and, clearly, progress against the objectives within it cannot be monitored until the Plan comes into operation, which was always programmed for 1 April 2006. The work to achieve that is on schedule.

THE FUTURE OF CPA

13. A consultation paper on the future of CPA for District Councils has recently been issued. This is currently being digested and will be reported on at future meetings.

RECOMMENDATION

14. The Executive Cabinet and the Overview and Scrutiny Committee are asked to note the July 2005 Progress Assessment Report.

J W DAVIES
CHIEF EXECUTIVE

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Chief Executive	5104	21 September 2005	EXECREP/Progress Assessment

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Progress Assessment Report

July 2005

Progress Assessment Report

Chorley Borough Council

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Introduction

- 1 In 2004, a Comprehensive Performance Assessment was published by the Audit Commission about the Council which categorised it as **fair**. The key strengths and weaknesses relating to this assessment are reproduced in Appendix 1.
- 2 This report, based on work undertaken in late 2004 and early 2005, presents an analysis of the Council's progress to date using the improvement plan agreed with the Audit Commission and comparison with the baseline position of the Comprehensive Performance Assessment.

Summary

- 3 The Council has drawn up a detailed improvement plan to address the weaknesses identified in its Comprehensive Performance Assessment report and has made good progress in delivering the actions identified. The challenge for the future is to be able to demonstrate that the actions have led to demonstrable improvement in outcomes for local people as expressed in the Community Plan and in the Council's soon to be revised corporate plan. The management team and senior management group have ownership of the improvement plan and receive updates on progress. Some of the actions are being incorporated into service plans and others have detailed action plans, so as to ensure delivery. Senior officers are confident of delivering most of the identified improvements in accordance with the agreed timescale.
- 4 It is too early to assess the full impact of the actions on outcomes at this initial stage in the improvement process, but the Council's approach indicates a positive attitude towards achieving improvement for local people and there is indication from analysis of best value performance indicators that improvement is taking place.
- 5 The capacity of the Council to deliver on what is a very ambitious programme of improvement, will require effective use of management and staff resources and will need to be carefully monitored. Challenges remain for the council in development of action plans to deliver the new community and corporate plans, integration of performance management at all levels, in demonstrating continuous improvement against outcome measures and in implementing comprehensive member development arrangements. The Council is currently well-placed to meet these challenges.

What is the Council trying to achieve?

- 6 The Council, working as a partner in the LSP, has made progress with the publication of a new draft community strategy in February 2005. The finalised version is online to be agreed for the June 2005 target date. The strategy is built upon engagement with a wide range of partners and has involved various consultation exercises. Once the community strategy is published, the Council will finalise its work on a new corporate plan encompassing its role in delivery of the community strategy. The Council through the Chorley Partnership has fully engaged and consulted the local community and partners on the strategy. It is recognised that thorough consultation by the Partnership will challenge the Council's own ability to demonstrate its role in achieving progress against key Community Plan objectives in the immediate future.
- 7 A process for identifying areas for investment or disinvestment has been implemented by the Council as part of the budget planning process, and this was used in 2004/05 to identify savings of around £700,000 in non-priority areas. Resources were redirected to priority services with a review of reserves being undertaken and assessed against the financial risks facing the Council.
- 8 Progress on the evaluation and impact of outcomes is developing. Engagement by the Council with its communities is demonstrated via the work on the new Community Strategy. User views have also played a role in the design and delivery of services. Electronic accessibility to information and services is being improved and the Council is well on target to meet the Government's target measures. The Council is to pilot area forums in three parts of the borough with effect from Autumn 2005.

- 9 A communications strategy is now in place, with clear aims and targets, including the aim to be at the IDeA Benchmark Level 3 by April 2007. The implementation of the strategy should improve consultation and engagement with partners, stakeholders and the wider community and allow the corporate objectives to be focused on community aspirations and be better understood by the community. We noted through interviews with key staff, however, a lack of clarity around roles and responsibilities for implementation of the strategy and delivery of the action plan.

How has the Council set about delivering its priorities?

- 10 The need to improve member training and development is recognised by the Council, and it is seeking to do this through a number of measures, including establishment of a member development steering group, standing agenda items at Overview and Scrutiny Committee, and visits to other authorities. A meeting with the Leader and Deputy Leader has taken place to raise its profile. A questionnaire was circulated to identify training needs for all members, as a precursor to the development of a detailed training and development programme. The attitude of members towards training is improving, but it is recognised that further work is required.
- 11 The Council has responded well to the recommendations in the previous Audit Commission report on democratic renewal, and additional resources are being put into scrutiny which should enable better support. The Overview and Scrutiny Committee is being more proactive in investigating areas, and has started to use its call in powers. There is scope to introduce resource considerations into Overview and Scrutiny recommendations and this has now started to happen.
- 12 The Council is looking more strategically at its HR function, and has increased its capacity as it changes to a more customer-focused service. The HR service provides advice, conducts surgeries and provides coaching for managers and is more proactive in tackling issues. Consultation with staff has increased. These developments will enable the many issues identified in recent reports to be tackled more systematically and consistently.
- 13 In the area of equalities and diversity, it is recognised that work is ongoing. A corporate diversity group exists which meets on a regular basis and has produced a consultation draft of an equality and diversity in employment policy, and is on target to develop an overall strategy and action plan in conjunction with partners in the Chorley Partnership by Summer 2005.
- 14 Measures have been put in place by the Council for reducing the number of days lost to ill-health. This has resulted in a significant reduction during the current financial year which if maintained is likely to put the Council near the top 25 per cent performance of district councils. This evidences the Council's significant and sustained effort in this area.
- 15 A performance management culture is beginning to develop, increasingly with the involvement of members. The Council has produced revised guidance aimed to integrate business planning for service units. This tackles a number of the issues raised in the corporate performance assessment, and aims to consolidate and reduce the burden of preparing a number of separate plans and improve co-ordination. It is currently being implemented for the financial year 2005/06. Links between the individual service objectives and performance indicators/targets are not consistently clear in Unit Business Plans and could be made more explicit in future. In addition, not all resource requirements/opportunity costs, have been quantified.
- 16 An outcome focus is not yet clearly reflected in current performance indicators. Specifically, there is scope to extend the number of local PIs that measure outputs and outcomes for local citizens. The introduction of 'Performance Plus' and the identification of a basket of key indicators are designed to help in this regard.
- 17 No significant risks have been identified as part of the facilitated self-assessment of corporate governance arrangements. The Council's strengths were identified as lying in internal processes and structures rather than with development of community focus and aspects of service delivery arrangements. The Council is now working to address this.

What has the Council achieved/not achieved to date?

- 18 Forty-two per cent of the BVPIs have improved during the period 2002/03 to 2003/04. The Council's BVPP update also reflects that 58 per cent either stayed the same or declined during this period. It is recognised that the BVPI data, on its own, is not an adequate measure of performance of achievement and that in some instances, performance has remained static whilst in the top performing quartile. Nevertheless, there is still more to be done to ensure more consistent levels of improvement across the Council.
- 19 The Council is rising to this challenge through the positive steps it is taking to strengthen arrangements for effective management, measurement and monitoring of performance. The application of the revised performance management framework will help to ensure that corporate and service areas are focused on achieving the Council's priorities. There have been achievements, such as the development with partners of the Lancashire Shared Services Centre, improving planning turn around times and receipt of substantial planning delivery grant, completing a new housing stock options as a pre-cursor to stock transfer the restructuring, and re-engineering office systems to take advantage of available technology.
- 20 However, target setting is not consistently used to drive improvement and it is important that the Council ensures that the new system is used effectively, so as to improve outcomes for service users. A key challenge for the future will be the definition of appropriate outcome measures and monitoring systems with partners in the Chorley partnership.
- 21 The Council has continued to invest in greener, cleaner, safer Chorley, particularly by increasing staff resources. Progress is being made in dealing with procurement, and a strategy has been produced. External resources are being used to help implement it, and the need for a change in culture has been recognised.

In the light of what the Council has learned to date, what does it plan to do next?

- 22 The Council is improving staff capability and competences to ensure delivery of its priorities and developed a human resources strategy which seeks to address these areas, together with various supporting policies and documents. The HR strategy includes clear objectives and measurable targets, and now also includes a detailed implementation plan. Since the CPA review the Council has employed independent consultants to carry out a detailed staff attitude and opinion survey. This suggested a more positive position than at the time of the CPA and has led to improvements for staff through the introduction of the 'Improve 4U' initiative.
- 23 Linked to the HR strategy, the Council has developed a competency framework and has a draft Learning and Development strategy. Regular staff performance reviews now take place. An online 360-degree feedback tool has been developed, and is currently being piloted to assess its effectiveness in supporting the developing performance and competency culture. A more proactive approach to training and development is underway, which will tie it more closely to the achievement of corporate priorities. Guidance has also been produced for managers and staff on performance management to ensure consistency across the Council.

Appendix 1 – summary of theme scores and strengths/weaknesses as reported in the Comprehensive Performance Assessment in 2004

Theme	Grade	Strengths	Weaknesses
Ambition	2	<ul style="list-style-type: none"> • Aims based on consultation. • Defined ambitions in some key areas for example, waste management. • Led on the sustainability agenda. • Clear internal ambitions around customer focus and organisational excellence. 	<p>Community plan weak in a number of areas:</p> <ul style="list-style-type: none"> • not clear how the longer-term vision will be delivered; • does not explore the economic and social potential of the district; • does not make clear links to key areas eg housing; • level of ambition not clear – lack of specific measurable and sustainable outcomes; • lack of structured approach to social inclusion and equality and no clear objectives for promoting social cohesion overall; and • non-inclusive leadership style leading to weaknesses in communicating aims and in engaging effectively with staff, partners and the local community to promote understanding and participation.

Theme	Grade	Strengths	Weaknesses
Prioritisation	1	<ul style="list-style-type: none"> • Some priorities contribute to the aims and the community plan. • Good use of national priorities to reinforce local ones. • Councillors are shifting resources. 	<ul style="list-style-type: none"> • Priorities do not link to aims. • Too internally focused. • Lack a clear view of outcomes for local people. • Unstructured approach to community engagement. • Ineffective at communicating its priorities or providing feedback. • Councillors have yet to spell out what are not their priorities. • Priorities not effectively driving performance in some areas. • Business and budget planning processes not yet sufficiently integrated to ensure resources aligned.
Focus	3	<ul style="list-style-type: none"> • Ability to maintain focus on key themes over a number of years resulting in delivery of tangible benefits. • Cabinet uses corporate priorities as basis for decision-making. • Councillors have avoided distractions. • Budget process streamlined to gain better focus. 	<ul style="list-style-type: none"> • Mechanisms for focusing on priorities are in their early stages and have yet to be tested.

Theme	Grade	Strengths	Weaknesses
Capacity	2	<ul style="list-style-type: none"> • Councillor training needs assessed. • Clear officer/member roles and responsibilities. • Overview and scrutiny toolkit. • Officer structures have improved accountability and responsiveness. • Internal communications improved. • Good use of external resources and IT to enhance capacity. • Financial capacity sound. 	<ul style="list-style-type: none"> • Training for councillors underdeveloped. • Poor political relationship with main opposition. • Scrutiny ineffective and lacking adequate support. • Limited role for standards committee. • Management team yet to find balance between strategic and operational focus. • Inconsistent approach to equalities and diversity. • Quality of consultation with staff is mixed. • Lack of strategic role for HR; policy framework incomplete; implementation and monitoring weak. • High sickness absence levels. • Lack of strategic approach to procurement; lack of skills and knowledge. • Partnership capacity not always used to best effect.

Theme	Grade	Strengths	Weaknesses
Performance management	2	<ul style="list-style-type: none"> • Business and service planning frameworks in existence and about to be updated. • Improvements or corrective actions initiated in some key service areas. • Service standards available in some areas. • Financial management is sound. • Risk management approaches are sound. 	<ul style="list-style-type: none"> • Existing mechanisms do not currently ensure effective delivery of priorities. • Councillors unclear about their role in monitoring performance. • Monitoring arrangements for the community plan not yet established. • Arrangements for tackling poor performance unstructured. • Performance management within services is inconsistent: review of individual performance; performance information is variable; communicating service standards. • Council does not routinely compare itself with high performers. • Inconsistent approach to demonstrating VFM.
Achievement in quality of service	3	<ul style="list-style-type: none"> • Strong performance in priority areas: top quartile waste recycling performance; recycling of materials on Buckshaw Village development; high passenger satisfaction with new bus interchange. • Service quality generally good - five out of six AC inspections assessed as 'good'. • 56 per cent of key PIs in top or second quartile. 74 per cent of citizens satisfied with overall council service (MORI). High satisfaction amongst council tenants. 	<ul style="list-style-type: none"> • Performance weaker in some areas: sickness absence, invoices paid on time. • Planning performance inconsistent. • Only 53 per cent of citizens satisfied with street cleanliness levels.

Theme	Grade	Strengths	Weaknesses
Achievement of improvement	3	<p>Strong and improving performance in priority areas (greener, cleaner, safer):</p> <ul style="list-style-type: none"> • greener – household waste recycled (from 12 per cent to 16 per cent in 2002/03); • cleaner – improvements in fly tipping, abandoned vehicles and graffiti; • safer - crime levels down by 7 per cent in 2002/03; vehicle crime and theft from vehicles reduced; road casualties decreased by 22 per cent; • town centre improvement leading to increase in visitor numbers by 9 per cent; and • income collection performance improving. 	<ul style="list-style-type: none"> • Overall performance improvement mixed – 59 per cent of comparable PIs deteriorated including planning.
Investment	3	<p>Investments addressing improvement needs:</p> <ul style="list-style-type: none"> • measures to improve political focus; • new business planning framework, performance management systems and project management; • IT to enhance service to customers; • resources to support cross-cutting agenda; • effective in securing external funds to support priorities; and • open attitude to alternative forms of service delivery. 	<ul style="list-style-type: none"> • Cross-cutting issues not effectively mainstreamed across all services. • Procurement issues not yet being addressed in a co-ordinated and systematic way. • Workforce planning is weak. • Selective approach to challenge.

Theme	Grade	Strengths	Weaknesses
Learning	2	<ul style="list-style-type: none"> • Willing to adopt new approaches. • Learns from feedback and its own experiences. • Learns from others eg peer authorities and adjusts the way it works. 	<ul style="list-style-type: none"> • Culture not embedded. • Not seen by staff and public as a learning organisation. • Shared learning is not systematic. • Not learnt from its own experiences of restructuring.
Future plans	2	<ul style="list-style-type: none"> • Number of plans to support corporate plan and ambitions in priority areas. • Plans devised to address known weaknesses eg new engagement strategy. 	<ul style="list-style-type: none"> • Hierarchy of plans is not robust or fully integrated. • Future plans for housing stock not fully developed. • Pace of response slow in some areas. • Inconsistency in engaging communities, partners, staff and other stakeholders in future planning. • Mechanisms for monitoring priorities not well developed eg use of data not systematic or well resourced.

Scoring key

- ◆ 1 – Weak.
- ◆ 2 – Weaknesses outweigh strengths.
- ◆ 3 – Strengths outweigh weaknesses.
- ◆ 4 – Strong.

Appendix 2 – Progress monitoring against the findings of the Comprehensive Performance Assessment

The original Comprehensive Performance Assessment was carried out under the Local Government Act 1999 and published in 2004.

Under section 3 of the Local Government Act 1999 ('the Act'), best value authorities have a duty to make arrangements to secure continuous improvement in the exercise of their functions, having regard to the principles of economy, efficiency and effectiveness. By virtue of sections 10 and 13 of the Act, the Audit Commission may carry out inspection activity to ensure that a best value authority is complying with this duty, and may issue a report as to its findings. This progress monitoring activity and reporting to assess improvement falls within sections 3, 10 and 13.

The main elements of this progress monitoring report were collation and analysis of evidence from:

- ◆ self-assessments of progress made, completed by the council;
- ◆ evidence from performance and financial audit activity;
- ◆ audited performance indicators;
- ◆ reviews of key corporate documents including performance reports, committee papers and management reports; and
- ◆ interviews with managers.

This progress monitoring report for Chorley Borough Council was collated by the Audit Commission.

This report has been discussed with the Council, which has been given the opportunity to examine the Audit Commission's assessment. This report will be used as the basis for reporting progress and updating and improving the improvement plan as appropriate.

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Report of	Meeting	Date
Head of Customer, Democratic and Office Support Services and Head of Information and Communication Technology (Introduced by the Executive Member for Customers, Policy and Performance)	Executive Cabinet	29/09/05

CUSTOMER FOCUSED ACCESS AND SERVICE DESIGN STRATEGY

PURPOSE OF REPORT

1. To seek Executive Cabinet's approval of the proposed Customer Focused Access and Service Design Strategy.

CORPORATE PRIORITIES

2. The strategy relates directly to both the Customer and Capacity priorities.

RISK ISSUES

3. The report contains no risk issues for consideration by Members.

BACKGROUND

4. In March 2002, the Council approved its Accessible Public Services Strategy and as a result developed the One Stop Shop and, more recently, the Contact Centre. These developments were a focused response to the challenge of improving the accessibility and quality of the Council's services to its customers. In parallel to this, the Council has been investing significantly in technology to enable the delivery of more efficient services via a range of channels to maximise accessibility. Although it is recognised there is still work to do, the high customer satisfaction in the One Stop Shop and the recent excellent Best Value inspection is evidence of the real difference these strategic decisions are making to our customers.
5. Arguably, the most significant customer focused technology enabled by the investment is Customer Relationship Management or CRM. This technology will allow the Council to gain a fuller picture of customers and their requirements and use the information to target resources to improve take-up, service quality and, importantly, efficiency. The Council is now well placed to document its approach to redesigning its service delivery mechanisms to deliver true customer benefit.

WHY DO WE NEED A STRATEGY?

6. Customer intelligence is a common theme that exists in relation to both delivering better customer service and improving the efficiency of the organisation. The Council is now in a position to develop and use customer information to gain a fuller and more rounded understanding of our customers and their needs. This knowledge is vital as the Council rises to the challenge of increasing customer demand and their changing preferences of how and when they wish to deal with the Council, its partners and related agencies.
7. The Council has recognised the need for change. The recent restructuring proposals, that could result in the creation of a Customer Unit, seek to ensure the needs of the customer are placed at the centre of the organisation providing a platform from which the customer cause will be championed.
8. Research by external organisations e.g. MORI, as well as studies within the Council, consistently suggest that citizens:
 - Can find it difficult to make contact with the Council and to resolve their queries once they do make contact
 - Are frequently confused about which organisation does what, particularly in two-tier areas such as Chorley - Lancashire
 - Dislike being passed around different departments/services and having to give the same information several times
 - Would like more access outside of core working hours.
9. It is also recognized that a more structured approach to access can also improve the use of scarce resources. Improved access to services has the potential to deliver significant efficiencies. Examples are;
 - **Reducing unnecessary repeat contact.**

In some authorities where the nature of citizen demand has been analysed, a high proportion of contact has been found to consist of repeat calls prompted by initial difficulties in getting through or by a failure in the service delivery process. Early analysis of the calls received in our Contact Centre confirms this. Reducing the volume of such contact, which offers little value to either the citizen or the Council, should free resources for more worthwhile activity.
 - **Deploying staff resources more efficiently.**

One county council, for instance, found that around 40 per cent of the enquiries being handled by its education department specialists consisted of very basic requests for information. It may, therefore, be possible to make savings in scarce professional time by redesigning the way in which enquiries flow through the authority and are completed.
 - **Encouraging self-service.**

New electronic channels, such as the Internet, will offer some groups of citizens increased opportunities to resolve their queries with little or no direct contact with Council staff. This is particularly important in the light of legislation such as the Freedom of Information Act. Savings in staff time can be directed towards citizens who need or prefer more traditional forms of contact.

CONSULTATION

10. Given the subject matter, it was appropriate that an extensive consultation process was carried out prior to the submission of this report. The groups consulted included;

- Officers of the Council
- Members of the Council
- Members of the public (via the Councils web site)
- Parish Councils
- All Chorley Places of Worship
- Asian Women's Forum
- Ethnic consultative committee
- Disability Forum
- Youth Council
- Action for Blind People
- Age Concern
- LCC Learning Disabilities

At the time this report was written, responses to the consultation had been limited but generally positive. The Strategy document can be viewed on the Council's Intranet under the Local News area (this can be found in "My Space"... 'News & Views',..... 'Local News'). If you require a printed copy please contact the report author.

COMMENTS OF THE DIRECTOR OF FINANCE

8. There are no immediate financial consequences associated with this report. However the delivery of the strategy and its outcomes may have financial consequences. As these emerge they will be picked up and reported to members through the normal business planning/budget cycle.

COMMENTS OF THE HEAD OF HUMAN RESOURCES

9. There are no HR implications associated with this report.

RECOMMENDATION(S)

10. Executive Cabinet is requested to approve the Customer Focused Access and Service Design Strategy.

REASONS FOR RECOMMENDATION

11. To obtain Executive Cabinet's approval of the Customer Focused Access and Service Design Strategy allowing the programme of work necessary to deliver it to be planned and delivered.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

12. None

MARTIN O'LOUGHLIN
HEAD OF CUSTOMER, DEMOCRATIC AND OFFICE SUPPORT SERVICES

TIM MURPHY
HEAD OF INFORMATION AND COMMUNICATION TECHNOLOGY

Background Papers			
Document	Date	File	Place of Inspection
Draft Customer Focused Access and Service Design Strategy	August 2005	Access Strategy draft V0.02	Contact Centre, Union St. and www.chorley.gov.uk

Report Author	Ext	Date	Doc ID
Tim Murphy	5455	12.09.05	CUSTACCSTRATEXECAPPROVAL

Report of	Meeting	Date
Head of Corporate and Policy Services	Executive Cabinet	29/9/05

LOCAL PUBLIC SERVICE AGREEMENT – PROGRESS REPORT

PURPOSE OF REPORT

- To update Executive Cabinet on progress against the targets contained within the Lancashire Local Public Service Agreement (LPSA).

CORPORATE PRIORITIES

- The Council is a partner within the LPSA as we have ‘substantive involvement’ in the achievement of five of the twelve targets. The five targets are:

Target 2 - Improving the quality of life and independence of older people

Target 5 - Cost effectiveness

Target 8 - Prevention of youth offending

Target 11 - Youth participation

Target 12 - Customer Services – improving the handling of contact with the public utilising the e-government agenda.

- These targets were selected for our ‘substantive involvement’ as they supported the achievement of our corporate priorities of serving the customer better and creating a greener, cleaner, safer Chorley.

RISK ISSUES

- The issue raised and recommendations made in this report involve risk considerations in the following categories:

Strategy		Information	
Reputation		Regulatory/Legal	
Financial	✓	Operational	
People		Other	

- The attainment of the twelve ‘stretch’ targets within the LPSA attracts Performance Reward Grant (PRG). Performance below the identified ‘stretch’ target will see the amount of PRG reduce.

BACKGROUND

- The Local Public Service Agreement (LPSA) was signed in July 2003 and covers the period April 2003 to March 2006. It sets out to deliver 12 ‘stretch’ targets around the themes of improving life chances of young and older people and is a partnership between LCC, the 12 District Councils, other key partners and central Government.



7. The current LPSA is in its final year. Although there were delays in terms of deployment of resources needed to deliver the stretch performance, these resources are now in place and work on delivering the targets is well underway. Action plans have been produced for all targets and are reviewed regularly. Progress reports have been produced for the targets outlining activity and outcomes achieved so far and copies are available on the County Council website in the LPSA section:
http://www.lancashire.gov.uk/corporate/public_service_agreement/index.asp
8. This report summarises performance of the 12 targets up to the end of the first quarter 2005 – 2006 and projects the estimated level of PRG. A more detailed picture is appended in tabular form in Appendix A.

SUMMARY OF PROGRESS

9. Overall good progress is being made and there is a degree of confidence that the 60% threshold trigger for payment of the PRG will be reached for 10 of the 12 targets with 6 of these likely to achieve the full 100% stretch in performance. In terms of the PRG this means that the LPSA is likely to receive approximately £19.96 million. Clearly this is an indicative figure at this stage.
10. However, there are two targets that are currently causing concern.
 - a. **TARGET 9 – Education – Narrowing the Pupil Performance and Attendance Gap between primary Schools**

An aggregated estimate of PRG for all elements of target 9 = 0 (Zero).

Resources have been allocated to provide additional support staff to deliver improvement against this target which comprises 2 elements – school attendance and pupil attainment. Although feedback from the cohort of schools selected is positive in terms of input, the latest available data shows that overall absence rates have improved but there is deterioration in pupil attendance for part of this section of target 9 compared to 2003/04. This may be due in part to staffing resources being used to focus upon improving pupil attainment.

Data is not yet available for pupil attainment as exam results will not be published until 25 August 2005 although it is expected that performance has improved. However, if we are to achieve performance reward grant for this target, we will need to achieve 60% overall. Current indications are that we are unlikely to achieve this level of performance unless significant improvements can be made in terms of the pupil attendance element of the target. Steps are now being taken to identify ways to improve attendance figures but it is not clear whether action at this stage will achieve the required levels of improvement.

- b. **TARGET 12 – Customer Services – Improve handling of contact with the public utilising the E-Government Agenda.**

An aggregated estimate of PRG for all elements of target 12 = 0 (Zero).

The achievement of LPSA target 12 is dependent upon the success of the Shared Services Contact Centre project. This is a Partnership initiative between the County Council, the District Councils of Burnley, Chorley, Hyndburn, Pendle, Ribble Valley, Rossendale and Northgate Information Solutions. The goal of the Partnership is to transform access to public services in Lancashire making them more available, effective, efficient and joined up. A platform of new technology and consultancy services will ensure that citizens' service needs and enquiries are resolved quickly, to a consistent level of quality and, in many cases, at the first point of contact. This will

be regardless of who delivers that service or whether that service is provided face-to-face, over the telephone or via the internet. The Partnership will implement and manage a shared data and voice network and a Customer Relationship Management system linking a network of partners' Customer Service Centres, electronically 'joining up' services and 'virtually' overcoming the organisational boundaries inherent in a two tier local government environment. All Partners' Customer Service Centres are projected to be operation by January 2006.

There has been some difficulty with the negotiations for Target 12 relating to the calculation methodology for gathering baseline data and confirmation of targets. These have now been finalised but unfortunately the targets are more stretching than had originally been envisaged and it is unlikely that we will achieve the 60% threshold to trigger any performance reward grant for this target.

COMMENTS OF THE HEAD OF HUMAN RESOURCES

11. There are no HR implications at this stage.

COMMENTS OF THE DIRECTOR OF FINANCE

12. As stated in the report the indications are that Performance Reward Grant criteria will be achieved by the County as a whole and therefore funds should be distributed to the Districts. Our current estimate is that PRG could be between £150k - £200k. This will of course be dependent upon the final outcome. As the income is a one off and not recurrent it is proposed to treat any income as effectively a windfall in year, so as not to skew the Council's base budget for that year and cause potential financial difficulties in the future years following the receipt of the money.

RECOMMENDATION(S)

13. Executive Cabinet is asked to note the report.

REASONS FOR RECOMMENDATION(S)

14. The report is presented for information.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

15. None.

TIM RIGNALL
HEAD OF CORPORATE AND POLICY SERVICES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Tim Rignall	5140	16 September 2005	CPSREP/90379JM2

LPSA 1st Quarter Monitoring report 2005/06

LPSA Target		Measures	LPSA Target Performance			Performance 2004/05		Q1 2005/06	Narrative
			Baseline	Without PSA in 05/06	With PSA in 05/06	Target	Actual	Actual	
1	Education – Improve performance of 16 year olds	% of 16 year olds achieving the equivalent of 5 or more GCSEs grades A* to C	51.7%	59.7%	61.7%	57	53.8	No data Annual indicator	We are not on track to meet this target at the moment. However, the action plan is only progressively 'kicking in' over the period as more vocational courses started in Autumn 2003 (results in Summer 2005) and recently in Autumn 2004 for 2006. This should lead to improvements in the 5+ A*-C results which are better than the national trend. The relevant exam results will be announced on 25 August
		The number of secondary schools in which fewer than 28% of pupils achieve five or more GCSE grades A* to C	8	5	0	-	6	No data-Annual	As above, the relevant exam results will be announced 25 August.
		The average proportion of pupils achieving five or more GCSE grades A* to C or equivalent in Lancashire's 15 lowest performing schools	28.1%	36.1%	40.1%	-	32.1%	No data-Annual	The lowest performing schools are improving their results more quickly than the average, but not by the margin needed to reach the target. The aggregate target for this group of schools for 2006 is fairly close to the stretch target. As above, the relevant exam results will be announced 25 August.
Aggregated estimate of PRG for all elements of target 1 = 60%									
2	Social Care/Health – Improve quality of life and independence of older people	Supported admissions of older people to permanent residential and nursing care per 10,000 population aged 65 years and over	118.9	109	97	99	90.4	98.9	A change in definition has produced an apparent increase in submissions. This is on course to achieve the target.
		Households receiving intensive home care per 1,000 population aged 65 years and over	11.1	13.9	16	16.60	17.7	18.4	A high value is good. This is on course to achieve the target.
Aggregated estimate of PRG for all elements of target 2 = 100%									

- PRG – Performance Reward Grant
- Actual column is coded for 2004/05 as GREEN target met, YELLOW for target not met but within accepted tolerance, RED for target not met.
- Actual column is coded for Q1 2005/06 as GREEN for 100% PWG predicted, YELLOW for 60% predicted (though this may rise in some cases to 100%) and RED for 60% PWG not expected to be reached

LPSA 1st Quarter Monitoring report 2005/06

LPSA Target		Measures	LPSA Target Performance			Performance 2004/05		Q1 2005/06	Narrative
			Baseline	Without PSA in 05/06	With PSA in 05/06	Target	Actual	Actual	
3	Transport – Improve bus usage and road safety	Total number of single passenger journeys made annually on all buses within the are of the Authority	61.6 m	67.76 m	68.68 m	65.78	65.09	No data-Annual	This is an annual return so no data required for the 1 st quarter. A significant amount of work has been put into increasing passenger numbers in 2004/05 and a comprehensive action plan has been drawn up to ensure that every effort is made to rach the 100% stretch target.
		Number of people killed or seriously injured on the roads in Lancashire	1,215	994	905	873	887	230	This LPSA Target seems to be on track to achieve the stretch performance improvement by the end of the financial year.
		Aggregated estimate of PRG for all elements of target 3 = 60%							
4	Crime Reduction – Reduce youth re-offending	The rate of re-offending of young offenders aged 10-17	35.1%	30.1%	28.1%	28.1	28.0	20.6	The cohort is tracked for 12 months and a final outturn figure is provided in December not March, though the target is monitored monthly. The “actual” figure is cumulative, so will rise throughout the year. A modelling of LPSA 4 to the end of period out turn shows a level of 30.4% - the trigger level for PRG would be 29.2% (60% of target achieved) – the difference between anticipated performance without LPSA and the LPSA target is approximately an extra 32 young people from our cohort of 892 not re offending.
		Aggregated estimate of PRG for all elements of target 4 = 60%							
5	Cost effectiveness	Basket of performance Indicators for LCC and each of the 12 District Councils – scored on a measure of cost effectiveness	100	106	108	-	-		LCC is currently analysing the data and will share its findings with partners in the very near future.
		Aggregated estimate of PRG for all elements of target 5 = 100%							

- PRG – Performance Reward Grant
- Actual column is coded for 2004/05 as GREEN target met, YELLOW for target not met but within accepted tolerance, RED for target not met.
- Actual column is coded for Q1 2005/06 as GREEN for 100% PWG predicted, YELLOW for 60% predicted (though this may rise in some cases to 100%) and RED for 60% PWG not expected to be reached

LPSA 1st Quarter Monitoring report 2005/06

LPSA Target		Measures	LPSA Target Performance			Performance 2004/05		Q1 2005/06	Narrative
			Baseline	Without PSA in 05/06	With PSA in 05/06	Target	Actual	Actual	
6	Reduce under 18 conception rate	Under 18 conception rates as measured by conceptions per 1000 young women aged 15-17	46.2	38.5	35.5	42.7	40.6	No data-Annual	Under 18 conception rates are produced by calendar year, therefore the figure reported is for the calendar year 2003. On the current trajectory we would expect achieve the target over the 3 year period 2004-06. However it should also be noted that rates fluctuate year by year and teenage conceptions are influenced by a complex range of socio economic factors that will only benefit from long term solutions over a period of time. Aggregated district level data comparing 1997/9 and 2000/2 shows rates falling in most districts but continuing to rise in Lancaster, Preston, South Ribble and West Lancashire. Similar "hotspots" also exist within districts where the overall rate is falling. Due to the nature of this measure, the data for 2004 will be available in February 2006.
		Aggregated estimate of PRG for all elements of target 6 = 100%							
7	Increase participation in drug treatment programmes	Number of problematic drug users accessing drug treatment services	2,411	2,822	3,300	3086	4462	No data-Annual	Good progress being made with this target with district council/partner involvement through CDRPs. Locality drugs groups have been established and CDRPs have been invited to send representatives to these meetings. This target is likely to be achieved. A service level agreement is currently being developed with our major treatment provider, Lancashire Care NHS Trust, which will enable the DAT to monitor both service levels and service quality across the county. The SLA is being further developed to include criminal justice drug services and those provided for young people. This is an annual indicator so no data is required for the 1 st Quarter
		Percentage of problem drug users subject to planned discharges during the year	tbc	0%	+15%	+55%	+57%	No data-Annual	
		Aggregated estimate of PRG for all elements of target 7 = 100%							
8	Prevention of youth offending	Number of 10-17 year olds who come to the attention of YOT for the first time via Reprimand, Final Warning or Referral order	2,571	7,665	7,479	4986	4930	5714	Whilst the observed trend is not as clear to model as PSA 4, if the current performance remains unchecked we are likely to be over target by over 200 individuals at the end of March 2006. This increase in numbers appears to be mirrored nationally, the growth in Lancashire, being if anything slightly flatter than elsewhere
		Aggregated estimate of PRG for all elements of target 8 = 60%							

- PRG – Performance Reward Grant
- Actual column is coded for 2004/05 as GREEN target met, YELLOW for target not met but within accepted tolerance, RED for target not met.
- Actual column is coded for Q1 2005/06 as GREEN for 100% PWG predicted, YELLOW for 60% predicted (though this may rise in some cases to 100%) and RED for 60% PWG not expected to be reached

LPSA 1st Quarter Monitoring report 2005/06

LPSA Target		Measures	LPSA Target Performance			Performance 2004/05		Q1 2005/06	Narrative
			Baseline	Without PSA in 05/06	With PSA in 05/06	Target	Actual	Actual	
9	Education – Narrowing the pupil performance and attendance gap between primary schools	% of 11 year olds in listed schools achieving level 4 or above in English	47.38%	62%	66%	-	59.9%	No data	Target 9 is an annual indicator. The figures in the Actual field are as at Summer 2004, next results will be available end of Summer 2005. Each of the schools involved is subject to a range of improvement initiatives aimed at raising attainment. In terms of absences, 04/05 shows an improvement on 03/04 but the target may prove difficult to reach. 11 of the 19 schools have been selected for focused work for the autumn term 2005.
		% of 11 year olds in listed schools achieving level 4 or above in Maths	52.49%	64%	67%	-	55.8%	No data	
		% of authorised and unauthorised absences in listed schools	8.49%	7.31%	6.9%	-	7.78%	No data	
		Aggregated estimate of PRG for all elements of target 9 = 0 (zero) %							
10	Increase take up of welfare benefits by older people	Number of claims made by people aged 60 or over resulting in award of IS/MIG/PC	500	2,125	3,225	1075	-	No data	Initial indications suggest that we are nearing the 60% level of the Pension Credit claims.
		Number of claims made by people aged 60 or over resulting in award of AA	0	0	1,100	624	569	659	The data is shown cumulatively. The target is to achieve 1100 people receiving Attendance Allowance by March 2006. Performance remains steady and there are many results pending for Attendance Allowance. Results from associated project work will be added in the final quarter of 05/06 which should address any remaining shortfall.
		Aggregated estimate of PRG for all elements of target 10 = 100%							
11a	To increase the number of young people aged 13 – 19 who undergo personal and social development which results in an accredited outcome	Number of young people aged 13–19 achieving accredited outcomes recognised by national awarding bodies	2314	2545	3124	-	1668	No data-Annual	<p>The number of accreditations recorded for 2004/05 was 1668. This is running at 54% of the LPSA target. The main things the audit showed were:</p> <p>i)that our data recording systems aren't bedded in yet, ii)staff need to think more about how to record their work in such a way that it can be accredited.</p> <p>An action plan for the coming year has now been agreed with the Youth & Community Service Senior Staff and Voluntary Sector partners to remedy this.</p> <ul style="list-style-type: none"> meetings with all District Team Managers and relevant Voluntary Sector partners have now been held. although the new data recording system (Cognisoft) is not up and running yet, staff are now more familiar with the recording process and a better data flow is happening

- PRG – Performance Reward Grant
- Actual column is coded for 2004/05 as GREEN target met, YELLOW for target not met but within accepted tolerance, RED for target not met.
- Actual column is coded for Q1 2005/06 as GREEN for 100% PWG predicted, YELLOW for 60% predicted (though this may rise in some cases to 100%) and RED for 60% PWG not expected to be reached

									<ul style="list-style-type: none"> • there has been a significant increase in the use of the AQA Unit Award scheme which demonstrates that staff are beginning to record their work in a way which can be accredited. • there is now generally a higher level of optimism that the action plan will be implemented successfully and that the target will be met. • we will be closely monitoring progress and will have a better indication around the middle of October
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- PRG – Performance Reward Grant
- Actual column is coded for 2004/05 as GREEN target met, YELLOW for target not met but within accepted tolerance, RED for target not met.
- Actual column is coded for Q1 2005/06 as GREEN for 100% PWG predicted, YELLOW for 60% predicted (though this may rise in some cases to 100%) and RED for 60% PWG not expected to be reached

LPSA 1st Quarter Monitoring report 2005/06

LPSA Target		Measures	LPSA Target Performance			Performance 2004/05		Q1 2005/06	Narrative
			Baseline	Without PSA in 05/06	With PSA in 05/06	Target	Actual	Actual	
11b	Increase access to leisure activities for young people with disabilities	The number of children & young people with significant disabilities aged 0-19 years who participate on a regular basis in community based leisure and recreational activities	245	301	520	-	486	No data-Annual	The stretch target is 520 (with a 60% trigger of 432). The actual performance for July 2005 is 340. This is considerably down on the performance figure of 486 recorded at April 2005. However, this fall in performance had been expected and reflects the drop in participation in clubs during the summer holidays. Partners are confident that numbers will rise again significantly once we move into the Autumn. The stretch from 340 in July to 520 by March 2006 is quite a challenge, but there is cautious optimism within the partnership that this will be achieved. The 60% trigger point would seem to be more assured.
11c	To increase the number of schools gaining the Healthy Schools standard in Healthy Eating and Physical Activity	Number of schools gaining Healthy Schools Quality Mark Certificate in Standard 1 – Healthy Eating	6	50	100	60	84	No data-Annual	Schools are actively engaging in improving their standards in healthy eating and therefore we expect to meet the end target by December 2005.
		Number of schools gaining Healthy Schools Quality Mark Certificate in Standard 1 – Physical Activity	2	50	100	60	76	No data-Annual	At least 20 schools have submitted their work for moderation at the end of the summer term which will be moderated during September. These will be assessed as to whether they meet the required standard.
		Aggregated estimate of PRG for all elements of target 11 = 100%							
12	Customer Services – Improve handling of contact with the public utilising the E-Government Agenda	% of enquiries resolved at first point of contact	tbc	+5%	+10%	-	No data	No data	Mori poll conducted to establish baseline data. Negotiations with ODPM to establish baseline and stretch targets completed in April 2005. Targets are more stretching than originally envisaged. Shared Service Contact Centre to be operational early 2005. First outturn figures will be available during 2005.
		% of customer satisfaction with resolution of enquiries referred to in Indicator 1	tbc	+10%	+20%	-	No data	No data	
		Aggregated estimate of PRG for all elements of target 12 = 0 (zero) %							

- PRG – Performance Reward Grant
- Actual column is coded for 2004/05 as GREEN target met, YELLOW for target not met but within accepted tolerance, RED for target not met.
- Actual column is coded for Q1 2005/06 as GREEN for 100% PWG predicted, YELLOW for 60% predicted (though this may rise in some cases to 100%) and RED for 60% PWG not expected to be reached

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Report of	Meeting	Date
Director of Legal Services(Introduced by the Executive Member for Service Delivery and Procurement)	Executive Cabinet	29 September 2005

NEW CONTRACTS PROCEDURE RULES

PURPOSE OF REPORT

- To introduce the proposed new Contracts Procedure Rules, which it is intended will replace the existing Rules contained in Appendix 3, Part C of the Council's Constitution.

CORPORATE PRIORITIES

- A more efficient and effective procurement process will assist in serving our customers better.

RISK ISSUES

- The issue raised and recommendations made in this report involve risk considerations in the following categories:

Strategy	✓	Information	
Reputation		Regulatory/Legal	✓
Financial	✓	Operational	
People		Other	

- The Corporate Procurement Strategy identified that the Council needed updated Contracts Procedure Rules to enable the procurement process to be carried out efficiently and effectively. If the existing Rules are not replaced, there will be a strategic risk in respect of the procurement of goods and services by the Council. The current financial thresholds in the Rules need amending in order to provide a more streamlined tendering process. The Council needs to ensure that the regulatory/legal requirements of the European public procurement process are complied with, which will lessen the risk of legal challenge.

BACKGROUND

- The existing Contracts Procedure Rules are part of the Standing Orders of the Council, and are contained in Appendix 3, Part C of the Council's Constitution. In May 2004, the Council adopted a new Corporate Procurement Strategy, which recognises the importance of strategic procurement, which includes having efficient and effective tendering procedures. A new Corporate Procurement Team has been established and the Corporate Procurement Working Group meets regularly to monitor progress in respect of the implementation of the Corporate Procurement Strategy. The existing Contracts Procedure Rules needed to be revised and updated, which was also recognised in an internal audit report into tendering procedures, within the Council. The opportunity has been taken to draft new Contracts Procedure Rules, which will support more effective procurement by all Service Units, within the Council

NEW CONTRACTS PROCEDURE RULES

6. The proposed new Contracts Procedure Rules, which are exhibited at Appendix 1 have been drafted by members of the Corporate Procurement Working Group and have been discussed extensively with internal audit. The draft Rules were circulated to Senior Management Group on 2 September 2005 for the purposes of consultation, with a deadline for responses by 16 September 2005. Meetings have taken place with Service Heads in order to discuss future procurement requirements. The new Contracts Procedure Rules are required to be approved by Council, as this will be an amendment of the Constitution. It is intended that a comprehensive programme of training will be given to enable the new Rules to be embedded and owned as soon as possible by all relevant staff. This will reduce the need to waive the requirements of the Rules and ensure that the whole procurement process in respect of the purchase of goods/supplies or the procurement of services is carried out more effectively than at present. A Procurement Manual in respect of the new tendering procedures has been drafted by the Corporate Procurement Team, to accompany the introduction of the new Contracts Procedure Rules and will be available on the intranet.
7. The current European Union financial thresholds in respect of Supplies, Services and Works are annexed to the proposed new Rules, which will assist Service Heads when calculating the aggregate value of contracts prior to the commencement of any tendering process. Provision has also been made to enable future electronic tendering to take place which is one of the milestones in the National Local Government Procurement Strategy. The procedure in respect of the opening of tenders has been modified and will come under the remit of the Corporate Procurement Officer. New requirements concerning the keeping of Contracts Registers will ensure more information is available concerning the total procurement spend by the Council.

COMMENTS OF THE HEAD OF HUMAN RESOURCES

8. Human Resources support the amended contract procedure rules but it is essential that training and guidelines should be given to all affected staff members to ensure that they fully understand the process they are being requested to undertake. This training should also be evaluated to ensure that learning transfer has been achieved.

COMMENTS OF THE DIRECTOR OF FINANCE

9. The new rules are welcomed and as suggested in the report have been agreed in conjunction with the Internal Audit Section. I am confident the changes will benefit everyone and make the process more transparent and importantly more effective in procurement terms.

RECOMMENDATION(S)

10. To recommend to Council the adoption of the new Contracts Procedure Rules attached to this Report at Appendix A

REASONS FOR RECOMMENDATION(S)

11. To ensure that the Executive Cabinet had an opportunity to consider the new draft Contracts Procedure Rules, before submission to Council

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

12. To continue with the existing Contracts Procedure Rules. This would hinder the implementation of the Corporate Procurement Strategy and meeting the milestones contained in the National Local Government Procurement Strategy.

ROSEMARY LYON
 DIRECTOR OF LEGAL SERVICES

Background Papersc			
Document	Date	File	Place of Inspection
Corporate Procurement Strategy	May 2004	***	***

Report Author	Ext	Date	Doc ID
Rosemary Lyon	235810	19 September 2005	ADMINREP/REPORT

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APPENDIX 1**Draft Contracts Procedure Rules****1. Compliance**

1.1 Every contract entered into by the Council shall be entered into pursuant to or in connection with the Council's functions and shall comply with:

- (a) all relevant statutory provisions;
- (b) the relevant European procurement rules (i.e. the EC Treaty, the general principles of EC law and the EC public procurement directives implemented by the UK Regulations);
- (c) the Council's Constitution including these Contracts Procedure Rules, the Authority's Financial Regulations and Financial Procedure Rules and Appendix 2- Responsibility for functions; and
- (d) the Authority's corporate priorities, Corporate Strategy , Corporate Procurement Strategy and other policies.

1.2 The highest standards of probity are required of all officers and members involved in the procurement, award and management of Council contracts. It is essential to maintain effective audit trails at all stages throughout the procurement procedure particularly where approval or agreement is required.

1.3 As a general rule members and officers must not accept from contractors or potential contractors or from any firm or organisation with whom the Council has had, is having or may have any dealings of any kind –

- (a) any gift (other than an inexpensive seasonal gift such as a calendar or diary for use in the office); or
- (b) any hospitality without the written authorisation of a Service Head and members and officers should comply with the Council's Code of Conduct in this respect.

1.4 Service Heads must immediately enter in a register kept for this purpose by the Council particulars of –

- (a) any gift (including how it has been returned to the giver or otherwise disposed of e.g. donated to the Mayor for charitable purposes) ;and
- (b) any hospitality.

1.5 Hospitality includes drink, meals, entertainment, overnight accommodation, travel and holidays, but does not include a lift in a private or company car or a taxi or refreshments in the course of office duty (e.g. a working lunch).

1.6 All staff must enter in their own departmental register:

- (a) any gift (including how it has been disposed of); and
- (b) any hospitality.

1.7 Service Heads are responsible for the maintenance of the hospitality register for their service area.

2. Procurement Plan

2.1 For each financial year, the Council shall agree a Procurement Plan setting out its current contracts and contracts to be procured for the forthcoming three financial years.

2.2 At the beginning of each financial year, the Council shall publish a PIN in the OJEU listing the above threshold (See Appendix 1) contracts for services and supplies which it expects to procure for that financial year. In relation to contracts for works, the Council shall publish a PIN in the OJEU when the works are approved.

2.3 To achieve 2.1 and 2.2 above Service Heads must ensure that the Corporate Procurement Officer is notified in writing prior to the end of the financial year of contracts planned for the next three years.

3. Delegated Authority

3.1 Any procurement carried out on behalf of the Council may only be undertaken by officers with the appropriate delegated authority to carry out such tasks as set out in the Council's Constitution Appendix 2 Responsibility for Functions.. Officers with delegated authority may only delegate to other officers who have the appropriate skills and knowledge appropriate to the task. Officers shall be informed by his/her Service Head, in writing, of the extent of any delegated authority and any applicable financial thresholds for each procurement.

3.2 Within approved budgets and in accordance with the Annual Procurement Plan where applicable, Authorised Officers may authorise members of their staff to place orders against Framework Agreements which have been entered into by the Council.

3.3 Any contracts awards above £75,000 or those which involve any potential transfer of the Council's employees to a Supplier shall be referred to the Executive Cabinet for a decision.

4. Exempt Contracts

4.1 The following contracts are exempt from the requirements of these Contracts Procedures Rules:

- (a) individual agency contracts for the provision of temporary staff (The arrangements with staffing agencies, however, should be subject to a competitive procurement process in accordance with these Contracts Procedure Rules);
- (b) employment contracts and
- (c) contracts relating solely to disposal or acquisition of an interest in land.

5. Pre-Procurement Procedure

5.1 Before commencing a procurement, it is essential that the Authorised Officer leading the procurement has identified the business need and fully assessed any options for meeting those needs. Consideration shall be given to the Council's Corporate Procurement Strategy as appropriate.

5.2 Before undertaking a procurement the Authorised Officer shall:

- (a) consider all other means of satisfying the need (including recycling and reuse where appropriate);
- (b) prepare an estimate of expenditure in accordance with Rule 6;
- (c) establish a business case for the procurement;
- (d) for high value, complex, service procurements complete the Council's Options Appraisal Model in accordance with Appendices A and B of the Council's Corporate Procurement Strategy;
- (e) for high value, complex procurements complete a Procurement Risk Register;
- (f) consider whether there is an appropriate Framework Agreement that should be used;

The level of resource and detail deployed in carrying out the requirements of 5.1 and 5.2 shall be appropriate to the nature and the value of the Procurement.

6. Estimating the Contract Value

6.1 Contract values should be calculated exclusive of VAT in accordance with the Regulations, even when the Regulations are not applicable for consistency. Where contracts are of a regular nature, 12 months expenditure of the commodity should be aggregated to identify which procedure should be followed. For a period (specified term) contract, the value of the contract shall be the value of the full contract period, or, where the contract is for an indefinite period, or where it's term cannot be defined, the monthly value multiplied by 48. The Council should make the best use of its purchasing power by aggregating purchases wherever possible. Particular supplies, services or works shall not be split in an attempt to avoid the applicability of these contract Procedure Rules or the Regulations.

6.2 If, following calculation of the estimated value, the intermediate route (below £75,000) is selected, and, after evaluating in accordance with the evaluation criteria, the preferred offer is valued at over £75,000, then the matter shall be referred to the Director of Legal Services for further advice. The Director of Legal Services shall be given full details including how the estimated value was calculated, the amount of the estimated value, the value of all quotations received and the evaluation model applied leading to selection of the preferred offer.

6.3 If, after following the intermediate route, some of the quotations received are valued at over £75,000, but the preferred quotation is less than £75,000, then the preferred quotation may be accepted in accordance with these Contracts Procedure Rules.

7. Low Value Procurement: Below £10,000

7.1 Officers with appropriate delegated authority shall, on behalf of the Council, procure works goods and services with an estimated value of below £10,000. Service Heads are responsible for ensuring that best value is achieved and that the arrangements made secure the best available terms to the Council. A written or electronic quotation shall be obtained from the Supplier before a formal purchase order can be issued. The purchase order form shall specify the services, supplies or works to be provided and set out the price and terms of payments. Any appropriate Framework Agreements in place shall be used regardless of value, provided the standing order requirements in relation to delegated authority are met. An effective audit trail shall be maintained in compliance with Rule 1.2.

8. Intermediate Value Procurement: £10,000 to £75,000 (Quotations)

8.1 For procurements valued over £10,000 but at or below £75,000 at least 3 written Request For Quotations shall be invited before a formal purchase order is issued specifying the supplies, services or works to be provided.

8.2 Unless considered inappropriate, quotation documentation shall be made available on the Council's Website (Current Contract Opportunities).

8.3 Where practicable completed quotations shall be submitted electronically to the Council's secure folder set up specifically for this purpose. Further information may be obtained from the Corporate Procurement Team. Quotations which are submitted in hard copy shall be submitted to the Corporate Procurement Officer in a plain sealed envelope, clearly marked with the contract title. The Corporate Procurement Officer will arrange for all quotations to be opened at one time in the presence of 2 officers and for the results to be recorded in a Quotation register.

8.4 The Authorised Officer must notify the Corporate Procurement Officer of the eventual outcome of the procurement exercise for entry into the Contracts Register.

8.5 Where the risk in a specific procurement is perceived to be high, then that procurement shall be treated as a High Value Procurement.

8.6 Any procurement that may involve a transfer of staff shall be treated as a High Value Procurement.

9. High Value Procurements: Above £75,000 (Tenders)

9.1 All high value procurements shall be advertised (and quotation documents made available as portable document files (pdf) on the Council's website (Current Contract Opportunities), a trade journal and where considered appropriate, the local press.

9.2 For procurements valued at above £75,000, a contract award procedure shall be conducted in accordance with these contract procedure rules. The outcome of the contract award procedure shall be recorded in the Contracts Register.

9.3 For all procurements valued at above £75,000 prior approval of the proposed

contract award procedure including the evaluation criteria to be applied, shall be sought from the relevant Executive Cabinet Portfolio Member

9.4 One of three contract award procedures shall be used as appropriate for the particular procurement i.e. open, restricted or negotiated. (See 11, 12 and 13 below)

10. Contracts Subject to the Regulations: Above the EU Threshold

10.1 Where an estimated value of a contract exceeds the current EU threshold then the contract shall be tendered in accordance with the Regulations. A Summary of the current thresholds and timescales under the Regulations is included at Appendix 1 of these Contracts Procedure Rules.

Under the Regulations, the contract may be tendered under the open, restricted or, in exceptional circumstances exhaustively set out in the Regulations, the negotiated procedure. A contract notice in the prescribed form shall be published in the OJEU in order to invite tenders for or expressions of interest for Part A Services contracts and supplies and works contracts subject to the rules. Contracts for Part B Services do not need to be advertised in OJEU. However, the rules relating to technical specifications and the publication of contract award notices shall be observed for all contracts as shall the EC Treaty and the general principles of EC law including non-discrimination, equal treatment, proportionality and transparency.

10.2 The Regulations set out the minimum timescales for receipt of expressions of interest and tenders (bids for the negotiated procedure). Where the Council has published a Prior Information Notice announcing its forthcoming contracts for the year ahead, then the Council may rely on reduced timescales if appropriate.

11. Open Procedure

11.1 The Council publishes a notice. The notice shall contain details of the proposed contract including the last date and time for receipt of tenders. All contractors responding to the notice are invited to tender. Tender documents must be supplied to all companies who have expressed an interest within 6 working days from the receipt of their request provided the request is received within the date/time specified for expressions of interest if one is prescribed in the contract notice and any fee specified in the notice has been paid. Any requests from prospective suppliers received after the due time/date in the contract notice should not be provided with tender documents. A record should be made of all requests received and tender documents issued including dates.

11.2 If publication of a notice in the Official Journal of the European Union is not required then the notice shall be published on the Council's website, a trade journal, and, where considered appropriate, the local press, in order to target the relevant market for the particular contract. The advertisement shall contain details of the proposed contract and the relevant closing dates..

12. Restricted Procedure

12.1 The Council publishes a notice. Only those suppliers selected by the Council are invited to tender. Suppliers shall be selected on the basis of published pre-qualification criteria.

12.2 If publication of a notice in OJEU is not required the advertising requirements are the same as in the open procedure except that the notice shall state that a restricted procedure is being used. If the Regulations apply a minimum of five suppliers shall be invited to tender and in all other cases a minimum of three shall be invited to tender.

13. Negotiated Procedure

13.1 The Council publishes a notice. Only those suppliers selected by the Council are invited to negotiate. Suppliers are selected on the basis of published pre-qualification criteria.

13.2 If a publication of a notice in the OJEU is not required, the advertising requirements are the same as in the restricted procedure, except where the procurement falls within one of the exemption provisions of the Regulations. Any notice shall state that a negotiated procedure is being used.

13.3 A minimum of three suppliers should be invited to negotiate following publication of a notice.

13.4 At least two officers, at least one of whom shall be a Service Head or their authorised representative, shall be present at all times during the negotiations.

13.5 The Authorised Officer shall keep proper records of all negotiations and these shall be signed as such by all participants.

13.6 At all times during the negotiations, the Council shall consider and implement the principles of non-discrimination, equal treatment and transparency.

13.7 The negotiated procedure is not recommended for contracts valued at below the EU thresholds. The negotiated procedure will only be applicable in limited circumstances, usually where the Council is unable to ascertain prior overall pricing of the services or is unable to draw up specifications which are sufficiently precise.

13.8 Reliance on this flexible procedure is justified by the exceptional circumstances in which the contract has to be awarded and so is allowed only in the exceptions listed in the Directive and Regulations.

14. Pre-qualification

14.1 The Council shall only enter into a contract with a Supplier if it is satisfied as to the Suppliers –

- (a) eligibility;
- (b) financial standing.
- (c) technical capacity.

14.2 Technical capacity includes the Supplier's quality management systems including human resources, health and safety and environmental management systems where relevant to the performance of the contract.

14.3 Any procurements subject to the Regulations shall be in full compliance with those Regulations.

15. The Invitation to Tender

15.1 The ITT or ITN shall include details of the Authority's requirements for the particular contract including:

- (a) a description of the services, supplies or works being procured;
- (b) the procurement timetable including the tender return date and time, which shall allow a reasonable period for the applicants to prepare their tenders;
- (c) instructions for completing and returning the tender documentation
- (d) notification that tenders received after the closing date and time will not be considered
- (e) a specification and instructions on whether any variants are permissible;
- (f) the Council's terms and conditions of contract
- (g) the evaluation criteria including any weightings as considered appropriate;
- (h) in procurement processes for partnerships, a requirement on bidders to submit optional priced proposals for the delivery of specified community benefits which are relevant to the contract and can add value to the Community Plan
- (i) pricing mechanism and instructions for completion;
- (j) whether the Council is of the view that TUPE may apply;
- (k) form and content of method statements to be provided
- (l) in procurement processes for partnerships, inviting bidders to demonstrate their track record in achieving value for money through effective use of their supply chain, including the use of small firms; this should continue to be examined as part of contract management.
- (m) rules for submitting of tenders and whether tenders may be submitted electronically;
- (n) any further information which will inform or assist tenderers in preparing tenders.

16. Submission and Opening of Tenders

16.1 Tenders shall be submitted in accordance with requirements set out in the ITT or ITN. Any tenders received shall be addressed to the Corporate Procurement Officer in a sealed envelope clearly endorsed with the word "Tender" followed by the subject matter to which it relates. Tenders shall be date and time stamped on receipt and kept in a safe place by the Corporate Procurement Officer and remain unopened until the time and date specified for its opening. No tenders received after the specified date and time for receipt of tenders shall be accepted or considered by the Council.

16.2 Tenders shall be opened by a member of the Corporate Procurement Team and a representative from the procuring unit. Upon opening a summary of the main terms of the submission received shall be recorded in the permanent register of tenders, together with the name of the Tenderer and the date and time of tender opening.

16.3 The closing date for the receipt of tenders may be extended, in appropriate circumstances, at the discretion of the Director of Legal Services

17. Electronic Tendering

17.1 Where appropriate, and unless the restricted procedure is used, RFQ's and ITT's shall be posted on the Council's website to allow electronic downloading of the documents by prospective bidders.

The Council is considering the adoption of an e-tendering solution. If an e-tendering solution is implemented, the following Clause 17.2 will apply:

17.2 RFQs and ITTs may be transmitted by electronic means. Quotations and tenders may be submitted by electronic means provided that:

- (a) evidence that the transmission was successfully completed is obtained and recorded and;
- (b) electronic tenders are kept in a separate secure folder under the control of the Corporate Procurement Officer which is not opened until the deadline has passed for receipt of tenders.

18. Tender Evaluation

18.1 Tenders subject to the Regulations shall be evaluated in accordance with the relevant regulations and the evaluation criteria set out in the ITT. All other tenders shall be evaluated in accordance with the evaluation criteria which was notified to tenderers in the ITT. All contracts, except works contracts where lowest price was predetermined to be the appropriate criteria, shall be awarded on the basis of the offer which represents Best Value for Money to the Council. The evaluation criteria shall be predetermined and listed in the ITT documentation, in order of importance

In addition, the criteria shall be strictly observed at all times throughout the contract award procedure by any officer involved in the tender evaluation. The Authorised Officer shall keep comprehensive records of the evaluation exercise and the final selection record shall be signed by the lead officers of the evaluation team.

19. Post Tender Negotiation

19.1 Where a procurement is conducted pursuant to the Regulations through either the open or restricted procedures no post tender negotiations are permitted. The Council may seek clarification from Suppliers where appropriate.

19.2 At all times during the procurement (whether subject to the Regulations or not), the Council shall consider and implement the principles of non-discrimination, equal treatment and transparency.

20. Evaluation Team

20.1 For each contract subject to the Regulations or above the **£75,000** threshold, the Authorised Officer shall form an Evaluation Team with responsibility for evaluating

tenders. Advice on tender evaluation can be found in the Council's Staff Guide to Procurement published on the intranet, or, from the Corporate Procurement Team.

21. Bonds, Guarantees and Insurance

21.1 For high value procurements, the Evaluation Team shall consider as part of its prequalification assessment and evaluation process whether a performance bond and/or a parent company guarantee (if applicable) shall be required from the preferred Supplier.

21.2 The Evaluation Team shall consider the appropriate type (employee liability, public liability, professional indemnity, etc.) and level of insurance requirements for each contract.

22. Awarding Contracts

22.1 The Council shall only award a contract where this is the Best Value for Money.

22.2 A contract may only be awarded by an officer with the requisite delegated authority to award contracts. The Authorised Officer should ensure that the budget holder responsible for the contract has sufficient funds in place to sustain the contract prior to award. For all procurements valued at above £75,000 the decision to award a contract shall be made by the Executive Cabinet or relevant Executive Cabinet Portfolio Member. A Tender acceptance pro-forma must be completed for all procurements above £75,000.

23. Debriefing

23.1 The Authorised Officer responsible for each procurement shall provide a debriefing to unsuccessful tenderers on written request. Where the Procurement is subject to the Regulations, the Council must, within 15 days of a written request, inform any contractor who was unsuccessful, of the reasons why they were unsuccessful, and, if an admissible tender was submitted, the characteristics and relative advantages of the successful tender. The name of the person awarded the contract (subject to certain exceptions e.g. commercial confidentiality) must also be provided.

24. Contract Award Notice

24.1 Where a contract has been tendered pursuant to the Regulations, the Council shall publish a contract award notice in OJEU no later than 48 days after the date of award of the contract. Contract award notices are not required for Part B Services except where the Council published a contract notice prior to commencement of the procurement.

25. Letters of Intent

25.1 Letters of intent shall only be used in exceptional circumstances and, by prior agreement with the Director of Legal services, as follows:

(a) Where a Supplier is required to provide services, supplies or works prior to formal written acceptance by the Council; or

(b) Where the Council's form of tender does not include a statement that until such time as a formal contract is executed, the Council's written acceptance of a tender shall bind the parties into a contractual relationship

26. Contract Terms and Conditions

26.1 Contracts shall be entered into on the Council's terms and conditions, which shall be included with each purchase order and invitation to tender or negotiate. Exceptions to this rule must be approved by the Director of Legal Services.

26.2 Where contracts are subject to the Regulations, the rules relating to technical specifications shall be followed and any reference to a technical standard, make or type shall be prefaced with the words "or equivalent". This requirement applies to both Part A and Part B Services.

27. Execution of Contracts

27.1 Any contracts valued at above £75,000 shall be executed as a deed unless otherwise agreed with the Director of Legal Services. All other contracts may be signed by an officer with appropriate delegated authority.

27.2 Electronic signatures may be used in accordance with the Electronic Signature Regulations 2002 provided the sufficiency of security arrangements has been approved by the Director of Legal services

28. Records of Tenders and Contracts/ Contracts Register

28.1 The Authorised Officer with delegated authority in respect of a particular procurement shall maintain a list of all tenders received.

28.2 Each Chief Officer shall maintain his/her own register of all other contracts entered into by his/her department.

28.3 A Contracts Register of all contracts awarded above £75,000 shall be maintained by the Corporate Procurement Officer. A further register of intermediate value (£10,000 to £75,000) contracts will also be maintained by Corporate Procurement. These Contracts Registers may be maintained electronically.

28.4 For every individual contract a Contracts file shall be maintained.

28.5 Authorised Officers shall notify the Corporate Procurement Officer of all intermediate and high value contract awards for entry into the appropriate Contracts Registers.

29. Approved Lists

29.1 The Council may maintain approved lists of Suppliers that meet its pre-qualification requirements. Quotations and tenders for contracts that are not subject to the Regulations may be invited from Suppliers included on an approved list. Where the Authority intends to use an approved list for services, supplies or works contracts, the

selection of which contractors should be included on such list should itself be advertised.

30. Nominated and Named Sub-contractors

30.1 If a sub-contractor, supplier or sub-consultant is to be nominated or named to a main contractor quotations or tenders must be invited in accordance with these Contracts Procedure Rules and the terms of the invitation shall be compatible with the main contract.

31. Framework Agreements

31.1 Framework Agreements are flexible arrangements that enable the Council to procure goods, works and services for low risk, low value requirements. Initially tendered in accordance with these Contracts Procedure Rules, framework agreements allow the Council to make specific purchases (call-offs) throughout the term of the agreement, without the need to conduct further tendering exercises.

31.2 Where the Council has entered in to a framework agreement through procurement or is able to call off from existing framework agreements procured by central government agencies, then the Council may benefit from using those agreements without entering into a separate procurement.

32. Joint Procurement

32.1 Any joint procurement arrangements with other local authorities or public bodies including membership or use of Purchasing Consortia shall be approved by the Director of Finance and the Director of Legal Services prior to the commencement of any procurement on behalf of the Council.

32.2 Approval shall only be given where the joint procurement arrangement assures compliance with the Regulations and the Council's Policy Framework for Partnership Working.

33. Procurement by Consultants

33.1 Any consultants used by the Council shall be appointed in accordance with these Contracts Procedure Rules. Where the Council uses consultants to act on its behalf in relation to any procurement, then the Authorised Officer shall ensure that the consultants carry out any procurement in accordance with these Contracts Procedure Rules. No consultant shall make any decision on whether to award a contract or who a contract should be awarded to. The Authorised Officer shall ensure that the consultant's performance is monitored

34. Statistical Returns

34.1 Each year the Council shall make a statistical return to the OPDM for onward transmission to the European Commission concerning the contracts awarded during the year under the European rules.

34.2 Corporate Procurement is responsible for this statistical return and will make the necessary arrangements for information to be collected annually. Chief Officers shall comply with these arrangements.

35. Contract Extension

35.1 Any contract may be extended in accordance with its terms. Where the terms do not expressly provide for extension, contracts subject to the Regulations may be extended by negotiation in accordance with the rules set out in the Regulations. Such extension shall be notified to the Executive Cabinet. Any extension exceeding £75,000 in value shall require the approval of the Executive Cabinet or relevant Executive Cabinet Portfolio Member.

35.2 Other contracts may be extended by negotiation in the same circumstances. The Authorised Officer shall always be satisfied that extension will achieve Best Value for Money and is reasonable in all the relevant circumstances. Such extension shall be notified to the Executive Cabinet

36 Termination of Contract

36.1 For any contract exceeding £75,000 in value, termination shall be approved by the Executive Cabinet. Contracts of a lesser value may be terminated early by agreement prior to the expiry date or in accordance with the termination provisions set out in the contract. Legal advice should be sought as appropriate.

37 Waivers of Contract Procedure Rules

37.1 Waivers of any of these contract Procedure Rules shall only be given in exceptional circumstances and only with the prior written approval of the Director of Legal Services and the Director of Finance. If this is considered necessary, the appropriate Service Head must notify the Corporate Procurement Officer, in writing, via the Contracts Procedure Rule Waiver Form, which can be downloaded from the Procurement area on the intranet. On receipt of a fully completed form the Corporate Procurement Officer will record the request and seek the approval of the Director of Legal Services and the Director of Finance. Waivers may not be made retrospectively.

38 Review and Amendment of Contracts Procedure Rules

38.1 These Contracts Procedure Rules shall be reviewed and updated on a regular basis, not less than annually. Amended Contracts Procedure Rules shall be agreed and adopted by the Council

Definitions

“Annual Procurement Plan”

A plan identifying major projects so that appropriate resources can be identified. It also provides a basis for PINs and other information provided to suppliers to give advance notice of bidding opportunities;

“Authorised Officer”

A person with appropriate delegated authority under Appendix 2 of the Constitution-Responsibility for Functions to act on the Council’s behalf;

“Council”

“Council” means Chorley Borough Council

“Best Value for Money”

The optimum combination of whole life costs and benefits to meet the customer’s requirement. Such term equates to the EU procurement requirement “most economically advantageous offer”;

“Contracts Register”

A register held and maintained by the Corporate Procurement Officer containing details of contracts entered into by the Authority

“Framework Agreement”

An agreement which allows the Council to call off from a supplier to provide supplies, services or works in accordance with the terms of the agreement. The Framework Agreement itself usually constitutes a non binding offer with no obligations on the Authority to call off from the Supplier. If the Council calls off from the Supplier a binding contract comes into being. A Framework Agreement can be a binding agreement where it is executed as a deed;

“ITN”

Invitation to negotiate;

“ITT”

Invitation to tender;

“OJEU”

Official Journal of the European Union;

“PIN”

Prior Information Notice for publication in OJEU;

“Regulations”

The UK regulations implementing the EC public procurement directives;

“RFQ”

Request for quotations;

“Supplier”

Any person or body of persons providing, or seeking to provide, supplies, services or works to the Council.

EC PROCUREMENT DIRECTIVES**SUMMARY OF THRESHOLDS AND MINIMUM TIME SCALES****FOR CALENDAR YEARS 2004 AND 2005**

	Supplies	Services	Works
Prior Indicative Notice (PIN)	£485,481	£485,481	£3,834,411
Contract Notice	£153,376	£153,376	£3,834,411
Small Lots Exemption	Not Applicable	£51,785	£647,308

(All values are net of VAT)

MINIMUM TIME LIMITS

Open Procedure*	52 calendar days between despatch of notice to the Official Journal and closing date for the receipt of tenders. Tender documents to be issued within 6 days of request
Restricted Procedure*	37 calendar days between despatch of notice to the Official Journal and closing date for requests to participate. 40 days from despatch of tender to return of tender.
Negotiated Procedure	37 calendar days between despatch of notice to the Official Journal and closing date for applicants to register interest.
Accelerated Procedure	15 days for applicants to register interest. 10 days from despatch of tender to return of tender. <i>This procedure may only be used in cases of genuine urgency and there are specific limited criteria for using this process.</i>

Potential to reduce time scales with PIN:*Restricted Procedure**

The time limit laid down for receipt of tenders (minimum 40 days) may be reduced to not less than 26 days provided a prior information notice (PIN) has been sent to the EU within a minimum period of 52 days and a maximum period of one year.

Open Procedure

The time limit laid down for receipt of tenders may be replaced by a period sufficiently long enough to permit responsive tendering, which shall, as a general rule, be not less than 36 days and in any case not less than 22 days, provided a prior information notice (PIN) has been sent to the EU within a minimum period of 52 days and a maximum period of one year.

Part A and Part B Services

For EU procurement purposes, services are classified as either “priority” Part A or “residual” Part B. All Part A service contracts that exceed the EU threshold must be tendered in accordance with the EU Directives. Part B services are not subject to the requirements for advertising, although it is good practice to use the prescribed timescales to allow adequate time for responses. However, when a contract is awarded for a Part B service, a contract award notice must be sent to the OJEU.

Where there is a contract for both a Part A and a Part B service then you will need to decide which takes precedence. Where the Part A service element is the greater proportion then all the provisions of the EU Directive will apply. Where the part B service element is the greater then you may follow the less prescribed process for Part B services.