

11 June 2013

Executive Cabinet

You are invited to attend a meeting of the Executive Cabinet to be held in Council Chamber, Town Hall, Chorley on Thursday, 20th June 2013 commencing at 6.00 pm.

AGENDA

1. **Apologies for absence**

2. **Minutes (Pages 1 - 10)**

To confirm as a correct record the minutes of the meeting of the Executive Cabinet held on 21 March 2013 (enclosed)

3. **Declarations of Any Interests**

Members are reminded of their responsibility to declare any pecuniary interest in respect of matters contained in this agenda.

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

4. **Public Questions**

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

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

5. **Overview and Scrutiny Task Group - Adoption of Estates final report (Pages 11 - 32)**

To receive and consider the report of the Chair of Overview and Scrutiny (enclosed).

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

6. **Chorley Inward Investment Plan** (Pages 33 - 38)

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

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

7. **Chorley Council Performance Monitoring Quarter Four 2012/13** (Pages 39 - 48)

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

8. **Chorley Partnership Performance Monitoring Quarter Four 2012/13** (Pages 49 - 54)

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

9. **Campaigns and Engagement Strategy** (Pages 55 - 60)

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

10. **Provisional Revenue Outturn 2012/13** (Pages 61 - 74)

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

11. **Capital Programme Provisional Outturn 2012/13 and Monitoring 2013/14 - 2015/16 Programme** (Pages 75 - 90)

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

12. **Approval for the procurement approach including the award procedure, evaluation methodology and criteria to purchase one large (15t) and two compact mechanical sweepers by working in partnership with South Ribble Borough Council** (Pages 91 - 94)

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

ITEM OF EXECUTIVE MEMBER (PLACES) (INTRODUCED BY COUNCILLOR ADRIAN LOWE)

13. **Response to Overview and Scrutiny Committee Recommendations on Private Rented Sector Housing Standards** (Pages 95 - 100)

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

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

14. **Local Enforcement Plan** (Pages 101 - 108)

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

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

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

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

16. **Information Technology Business Continuity (Pages 109 - 114)**

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

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

17. **Housing Benefit, Council Tax Benefit and Council Tax Support – Sanction and Prosecution Policy (Pages 115 - 132)**

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

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

Yours sincerely



Gary Hall
Chief Executive

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Distribution

1. Agenda and reports to all Members of the Executive Cabinet (Alistair Bradley (Executive Leader), Peter Wilson (Deputy Executive Leader) and Beverley Murray, Terry Brown, Dennis Edgerley and Adrian Lowe for attendance.
2. Agenda and reports to Gary Hall (Chief Executive), Lesley-Ann Fenton (Director of Partnerships, Planning and Policy), Jamie Carson (Director of People and Places), Alex Jackson (Senior Lawyer) and Ruth Rimmington (Democratic and Member Services Officer) for attendance.

If you need this information in a different format, such as larger print or translation, please get in touch on 515151 or chorley.gov.uk

PROCEDURE FOR PUBLIC QUESTIONS/SPEAKING AT EXECUTIVE CABINET MEETINGS

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

PROCEDURE FOR 'CALL-IN' OF EXECUTIVE DECISIONS

- Each of the executive decisions taken at the Executive Cabinet meeting are subject to the adopted 'call-in' procedure within 10 working days of the Executive Cabinet meeting at which the decision is made, unless the decision has been implemented as a matter of urgency.
- Guidance on the 'call-in' procedure can be accessed through the following internet link: <http://chorley.gov.uk/Pages/AtoZ/K-O/Overview-and-Scrutiny.aspx>
- If you require clarification of the 'call-in' procedure or further information, please contact either:
Ruth Rimmington (Tel: 01257 515118; E-Mail: ruth.rimmington@chorley.gov.uk) or
Carol Russell (Tel: 01257 515196, E-Mail: carol.russell@chorley.gov.uk)
in the Democratic Services Section.

Executive Cabinet**Minutes of meeting held on Thursday, 21 March 2013**

Present: Councillor Peter Wilson (Deputy Leader in the Chair) and Councillors Beverley Murray, Terry Brown, Dennis Edgerley and Adrian Lowe

Also in attendance

Lead Members: Councillors Julia Berry, Matthew Crow, Danny Gee and Marion Lowe

Other Members: Councillors Henry Caunce, John Dalton, Alison Hansford, Harold Heaton, Paul Leadbetter, Greg Morgan, June Molyneaux and Geoffrey Russell

Officers: Gary Hall (Chief Executive), Jamie Carson (Director of People and Places), Lesley-Ann Fenton (Director of Partnerships, Planning and Policy), Chris Moister (Head of Governance), Simon Clark (Head of Health, Environment & Neighbourhoods), Michael Coogan (Strategic Housing Officer), Jamie Dixon (Head of Streetscene & Leisure Contracts), Sarah James (Partnerships Manager), Kath Knowles (Housing Manager (Strategy)), Chris Sinnott (Head of Policy and Communications) and Dianne Scambler (Democratic and Member Services Office)

Members of the public: Three

13.EC.28 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Alistair Bradley – Executive Leader.

13.EC.29 MINUTES

RESOLVED – That the minutes of the Executive Cabinet held on 31 February be confirmed as a correct record for signed by the Deputy Leader.

13.EC.30 DECLARATIONS OF ANY INTERESTS

No declarations of any interests were received.

13.EC.31 PUBLIC QUESTIONS

The deputy Leader reported that there had been a request from one member of the public to speak on the agenda item relating to the Chorley Council Young People Engagement Programme.

The question was read out by Matthew Hansford and the detail is set out below:

What is the need for another Chorley Youth Council when there is already one in place that liaises and meets with Lancashire County Council County Cabinet Members and attends Chorley Council meetings?

The Executive Member for People responded by saying that the proposals were intended to enhance the engagement of young people and was not an attempt to either replace or duplicate existing mechanisms already in place. By using a variety of different communication methods it was hoped that more young people would engage in the process.

13.EC.32 CHORLEY COUNCIL YOUNG PEOPLE ENGAGEMENT PROGRAMME

The Chair brought this item forward on the agenda as it related to the question that had been raised by a member of the public.

The Executive Member for People presented the report on the proposal to roll out an innovative programme of work to enhance the engagement of young people in the workings of Chorley Council, including a programme of meetings, an ambassador scheme and an annual Chorley Council Young People's conference.

The Council's Corporate Strategy for the Council included a project to establish a Chorley Council Youth Council with the purpose of this project being to enhance the levels of engagement between young people and Chorley Council.

Whilst there were some concerns that the programme would be a duplication of the Youth Parliament scheme that already existed for the young people of Chorley, evidenced by the public question and voiced at the meeting by some non-Executive Members, reassurance was given that the proposals outlined in the report were intended to work alongside, and compliment, other forms of engagement with young people in Chorley. The use of social media within the programme would also help to engage young people in the rural areas of the borough.

Decision made

Approval granted for the establishment of a programme of meetings, an ambassador scheme and an annual Chorley Council Young People's conference.

Reason(s) for decision

To enhance levels of engagement between young people and Chorley Council

Alternative option(s) considered and rejected

Various options were considered including a different mix of contact with young people, for example, more meetings, less use of social media, more large scale events etc.. – rejected in favour of the proposals set out in the report.

13.EC.33 INTRODUCTION OF A CAPITAL GRANT SCHEME FOR EXISTING BUSINESSES - CHORLEY BUSINESS INVESTMENT FOR GROWTH

The Executive Member for Resources, Policy and Performance presented a report that set out the details for the introduction of a new capital grant scheme for existing businesses in Chorley from April 2013

Chorley Council currently provides a diverse range of support services to local businesses to deliver its key commitment of 'Developing a Strong Local Economy'. This grant scheme would complement existing Council, and partners, grant schemes and would provide financial support towards capital investments for businesses with a vision for growth and job creation.

The report presented an overview of the scheme and Members asked questions around the eligibility criteria, and application and approval process.

Decision made

To note the report and approval granted for the introduction of the Chorley BIG scheme.

Reason(s) for decision

1. To support businesses and encourage and enable local businesses to invest in growth activities, helping to create jobs, high commercial space and strong and sustainable local supply chains.
2. An eligibility criteria, application and approval process that is designed to be business friendly with a straight forward and timely application process whilst enabling the Authority to apply due diligence and transparency to applications to ensure sound grant decisions are made.

Alternative option(s) considered and rejected

The following options were considered:

1. Do nothing – rejected as this would not support the economic growth.
2. Variations of intervention levels, percentage contributions and payment terms – rejected as this may present barriers to applications and reduce the appeal of BIG.
3. Provide funding as a mix of grant and loan – rejected as the focus is to enable additional growth in Chorley at a time when lending is constrained, and for the applicant to be able to use the BIG funding to leverage additional loan, grant of equity funding that they require to deliver their plans.

13.EC.34 EXCEPTIONAL HARDSHIP POLICY (OUTSIDE THE COUNCIL TAX SUPPORT SCHEME)

The Executive Member for Resources, Policy and Performance presented a report seeking approval for an Exceptional Hardship Policy that set out the way in which Chorley Council would deal with requests for a reduction in Council Tax liability under Section 13A (1) (c) of the Local Government Finance Act 1992.

The Council Tax legislation had been amended under Section 76 of the Local Government Act 2003, effective from April 2004, to allow discretion to reduce the amount a Council Tax payer is liable to pay to nil, by way of allowing a discretionary discount or exemption in ad-hoc cases.

The granting of the hardship relief is wholly discretionary and it was considered that a reduction or remission of council tax on grounds of hardship would be by exception rather than the rule. The cost of granting relief in such cases would be borne 100% by the Council.

Any requests for Council Tax liability reductions for Council Tax support customers would continue to be dealt with under the Discretionary Hardship Policy within the Council Tax Support Scheme.

Decision made

Approval granted for the implementation of the Exceptional Hardship Policy.

Reason(s) for the decision

1. In January 2013, the amended Corporate Debt Recovery policy was approved, the Council Tax Support scheme (CTS) and, as part of the CTS scheme a Discretionary Hardship Policy within the CTS scheme was approved which is for Tax Payers who are receiving CTS but who are still suffering exceptional hardship.
2. As a separate issue, Section 13A (1)(c) of the Local Government Finance Association 1192 (under the section Billing Authority's power to reduce amount of tax payable) also states that we can also reduce, to such extent as the billing authority thinks fit, the amount of tax payable for any tax payer. This means that any tax payer could ask for a reduction in liability whether they receive CTS or not. This is not a new rule, but Chorley does not currently have a policy in place for dealing with requests for a reduction in liability under this discretionary power.

Alternative options considered and rejected.

To have no policy in place – rejected as any applications would still need to be considered because it is set in legislation that customers can ask for us to use our discretionary powers to reduce liability where necessary.

13.EC.35 ADOPTION OF A DISCRETIONARY HOUSING PAYMENTS POLICY

A report was presented by the Executive Member for Resources, Policy and Performance for the approval of the revised Discretionary Housing Payment Policy which had been amended to meet the requirements of new Department for Work and Pensions guidance.

The Council receives an amount of money from the Government each year to award Discretionary Housing Benefit to residents of Chorley who are in receipt of Housing Benefit to meet additional housing costs that the customer may have. These costs may be weekly housing costs or one-off housing costs.

The awards of Discretionary Housing Payments are made at the discretion of the Council subject to rules contained within the Discretionary Financial Assistance Regulations 2001 and the Council Discretionary Housing Payments Policy. The regulations gave details of the qualifying criteria of when payments can and cannot be made and the Councils policy provided details of the aims of the scheme and items to be taken into consideration when considering a request for an award. The awards made were subject to a cash limit of 2.5 times the government funding with the liability for any payments made above the Government funding falling to the Council and the Government contribution and maximum amount that could be awarded for 2013/14 was contained within the report.

Members raised questions around one-off payments for rents on up to two homes and support for the immediate family of the armed forces.

Decision made

Approval of the amendments to the Discretionary Housing Policy be granted.

Reason(s) for the decision

To update the Discretionary Housing Payment Policy (last updated May 2006) to reflect new guidance from the Department for Work and Pensions regarding what items Discretionary Housing Payments can meet and update the Council's priorities regarding who should receive Discretionary Housing Payments.

Alternative option(s) considered and rejected

None

13.EC.36 CORE FUNDING 2013/14

The Executive Member for People presented a report which outlined the Core Funding allocation for 2013/14. Although there were no direct allocations for rural based organisations, many of the groups supported provided services all across the borough.

Decision made

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

Reason(s) for the decision

To provide local voluntary, community and faith sector organisations with Core Funding for 2013/14, to enable them to deliver services in the borough which contribute towards the delivery of the sustainable Community Strategy.

Alternative option(s) considered and rejected

Not to award Core Funding Grants in 2013/14

13.EC.37 CONTRACT FOR PROVISION OF GENERALIST DEBT ADVICE AND SUPPORT SERVICES IN CHORLEY

The Executive Member for People presented a report to grant the contract for the provision of generalist advice and support services in Chorley to Lancashire West Citizens Advice Bureaux (CAB) to commence on 1 April 2013, in line with specified performance monitoring requirements.

Decision made

Approval of the contract for provision of generalist debt advice and support services be awarded to Lancashire West Citizens Advice Bureaux

Reason(s) for the decision

1. Awarding a contract for generalist debt advice and support services to the CAB will ensure that this service is maintained for the residents of Chorley and delivered by an organisation with evidence for providing good value for money.
2. Last year the Lancashire West Citizen's Advice Bureaux demonstrated excellent performance in contract monitoring and to date has delivered 918 advice appointments, well exceeding their target of 702. They provided generalist advice to 3952 clients, also exceeding their year to date target of 3750 (though a number of contact types including telephone and walk in). They have achieved over £8,000.000 of financial benefits for clients through take up and debts rescheduled.

Alternative option(s) considered and rejected

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

13.EC.38 UPDATE - CHORLEY REMEMBERS HLF PROJECT

The Executive Member for People presented a report that provided an update on the Chorley Remembers Heritage Lottery Fund (HLF) project.

Following the success of the Chorley Pals Memorial statue, the Trustees of the Chorley Pals memorial had secured HLF funding for a Remembrance project in Chorley. The project had four strands that involved Chorley Council assets, enhancement to the Chorley Cenotaph, remedial works to the Memorial Arch at the Park Road entrance to Astley Park, expansion and enhancement of the Memorial Room at Astley Hall and enhancements to the Chorley Pals Memorial statue.

Chorley Council and Chorley Remembers had been working closely to deliver these four elements of the project and the report provided update and progress to date.

Visitor attendance at the relocated Chorley Remembers Exhibition would be monitored closely and reviewed after two years to assess if the exhibition was correctly sited.

Decision made

1. **That progress to date be noted and approval granted of the Council's continued involvement as detailed in the report.**
2. **Approval granted for £36,082.77 to be allocated from the £250K 2013-13 capital budget for Astley Park to fund the remedial work to the arch including the repair and restoration of the main gates, side gates and cobbled area.**

Reason(s) for the decision

To provide an update on the Chorley Remembers HLF project, to note the progress to date and approve the further actions detailed in the report for the elements of the project that involve Chorley Council assets.

Alternative option(s) considered and rejected

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

13.EC.39 NEIGHBOURHOOD PRIORITIES

The Executive Member for Places presented a report which outlined the 24 neighbourhood priorities that had been put forward at the recent neighbourhood area meetings and to agree a budget where appropriate.

It was recognised that there was diverse range of priorities and that some will require further consultation to fully understand and determine community needs. Some priorities had similarities across neighbourhoods and some fall within programmes of work planned for 2013/14.

Decision made

Approval of the 24 priorities and actions outlined in Appendix 1 of the report

Reason(s) for the decision

To progress the priorities determined by the neighbourhood area representatives for the benefit of the communities within their respective neighbourhood areas.

Alternative option(s) considered and rejected

None

13.EC.40 DRAFT SELECT MOVE COMMON ALLOCATIONS POLICY

The Executive Member for Homes and Business presented a report that sought permission to consult on the new draft Select Move Commons Allocation Policy following a review by the Select Move Steering Group.

The policy had been re-written in order to respond to the Localism Act 2011 and to meet the aims of the partners. Localism allowed more freedom to determine which groups of people don't qualify to join the housing register and changes had been made to reflect this.

Members asked questions in relation the qualification of emergency circumstances, for example, incidences of domestic violence, and those banding categories that had been added to assist those households under and over occupying gain priority with a review to mitigating welfare reform changes.

It was considered that the changes would ensure a higher percentage of Chorley properties are allocated to Chorley households, and more assistance will be available for households affected by welfare reform.

Decision made

1. **Approval for the Select Move partnership to consult on the draft Select Move Common Allocations Policy**
2. **That any minor changes to the policy prior to the consultation be delegated for approval to the Executive Member for Homes and Business**

Reason(s) for the decision

To respond to changes in legislation whilst fulfilling Chorley Council's Part V1 statutory duties and maximising the allocation of Chorley properties to households with a local connection to the borough.

Alternative option(s) considered and rejected

None

13.EC.41 HOME ENERGY CONSERVATION ACT (HECA) REPORT 2013

The Executive Member for Homes and Business presented a report on the Council's requirements in respect of the Home Energy Conservation Act (HECA), to advise on HECA- related activity carried out to date, and to set out the proposed HECA-related activity for the next two years.

The report had previously been approved by the Executive Leader, Executive Member for Economic Development and Governance, effective from 23 February 2013 and was being submitted to the Executive Cabinet for information.

Decision made

To note the report.

Reason(s) for the decision

By accepting the HECA report the Council has ensured that it is meeting its statutory obligations to publish such a report by 31 March 2013.

Alternative option(s) considered and rejected

None

13.EC.42 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED – To exclude the press and public for the following items of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraphs 1 and 3 of Schedule 12A to the Local Government Act 1972

13.EC.43 BENGAL STREET DEPOT: PROPOSED SHARING OF SITE

The Executive Member for Resources, Policy and Performance presented a confidential report on the proposed sharing of the Bengal Street Depot by a registered charity Recycling Lives.

Decision made

1. **Approval in principal to share the Bengal Street Depot site and to pursue negotiations and to enter into the appropriate legal agreements with Recycling Lives to lease the agreed areas of the site.**
2. **That the Executive Member for Resources, Policy and Performance be granted delegated authority to approve terms for the letting of part of the Bengal Street Depot and Offices to be in line with the figures in the report.**

Reason(s) for decision

1. The proposal best meets the Corporate Priorities of the Council. It brings investment into the Borough and provides employment opportunities to the residents. The charity will address issues relating to homelessness and education. It will also provide vocational skills to enable the long term unemployed to return to work.
2. By agreeing the split site, the Council can retain the use of the depot and will not be put to the expense of identifying and improving a new site for that use.

Alternative option(s) considered and rejected

There have been no other firm offers for this site. As such the only other option is to continue marketing which is not appropriate given the benefits of the proposal.

13.EC.44 98 - 102 MARKET STREET: REFURBISHMENT

The Executive Member for Resources, Policy and Performance presented a confidential report that sought to proceed to put out to tender works to renovate 98-102, Market Street, Chorley, to create three retail units with frontage onto Market Street, Chorley and to create a statutory car park area to the rear of the premises.

Decision made

1. **Approval of the refurbishment of 98-102 Market Street into three retail units in accordance with the proposal set out in Appendix A**
2. **That delegated authority be granted to the Executive Member for Resources, Policy and Performance to agree the suggested scoring matrix in the procurement exercise and based on that matrix to agree the award of the works to the successful tenderer.**
3. **Approval of the creation of a statutory car park on the area to the rear of 98-102 Market Street, Chorley (identified on the plan at Appendix B), to have free 30 minutes parking in bays adjacent to Gillibrand Street, Chorley, with delegated authority being given to the Executive Member for Resources, Policy and Performance to approve the final scheme.**

Reason(s) for the decision

The proposal to create three retail units on this location properly balances the need to invest in the town centre against planning for future changes to the town centre area.

Alternative option(s) considered and rejected

1. Partnering with a private sector organisation was considered and it was decided not to pursue this further. One of the aims for purchasing and investing in this site was for the Council to take control of the location and be in a position to actively promote the establishment of businesses through flexibility on rents. It also enables the Council to control who tenant the premises to promote a mix of retail offer in the town.
2. Renovation as a single retail unit was discounted. There had been no firm interest in this site as a single unit (that is its current offer) despite it being empty for in excess of 10 years and marketed for sale for a significant part of that period.
3. Housing. This was discounted at an early stage. The site had been marketed for some time and the Council had not had any interest from residential property developers. The actual cost of renovation for the buildings to a residential standard would have been prohibitive. The area was also zoned for retail/office use. The site is on a main link road between the current retail hub in the Booths/Market Walks area and the proposed Asda development which suggests retail should be retained.
4. The use as office space was considered and rejected. There are a number of vacant office space in the Town Centre which suggests there is no demand for this type of use.

13.EC.45 CAPITAL CONTRIBUTION TOWARDS THE COSTS OF THE CONVERSION FOR AFFORDABLE HOUSING AT ST GEORGE'S ST CHORLEY

The Executive Member for Homes and Business presented a confidential report on a capital contribution towards the costs of the conversion for affordable housing of 12-14 St Georges Street, Chorley (formerly Harry's Bar) into 8X1 bedroomed flats for rent.

Decision made

Approval granted for the capital contribution of £271,679 towards the cost of Progress Housing Group providing 8X1 bedroomed flats for Affordable rent.

Reason for decision

The new development will help to improve and regenerate an area of the town centre and will provide eight much needed affordable homes for single people and couples. The new units will assist in meeting the affordable housing target of 100 new homes per annum.

Alternative option(s) considered and rejected

The property has been empty for a number of years and if the Council does not contribute towards the cost of conversion of this building it is likely to remain empty for some time to come.

13.EC.46 CAPITAL CONTRIBUTION FOR THE PROVISION OF AFFORDABLE HOUSING (6 X 1BED FLATS AT HALLIWELL ST CHORLEY)

The Executive Member for Homes and Business presented a confidential report for the approval of a capital contribution towards the costs for affordable housing of 12-16 Halliwell Street into 6X1 bedroomed flats for rent.

The development of the site and payment of the grant would be on condition of Adactus' bid for Empty Homes funding from the Homes and Communities Agency being successful. The Council's capital contribution would assist in making the bid attractive to the HCA in terms of value for money.

Decision made

Approval granted for the capital contribution of £153,000 towards the cost of Adactus Housing Group providing 6X1 bedroomed flats for Affordable Rents.

Reason for decision

The new development would help to improve and regenerate an area of the town centre and would provide six much needed affordable homes for single people and couples. The new units will assist in meeting the affordable housing target of 100 new homes per annum.

Alternative option(s) considered and rejected.

The property has been empty for some time and if the Council does not contribute towards the cost of conversion of this building it is likely to remain empty for some time.

Executive Leader

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Report of the Overview and Scrutiny Task Group – Adoption of Estates

March 2013



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1. PREFACE

The Scrutiny inquiry into the Adoption of Estates was requested by Members of Chorley Council after very many requests by residents across the borough to address the growing number of estate and open space adoption issues.

We discussed in detail the present problems that many of our constituents face when trying to get their estates adopted. It was accepted that there are some real issues for residents across the Borough and Members thought that they needed to look at past performance to identify areas where the process of adoption of estates has been both successful or less successful, lessons could be learnt from those experiences and ways to improve the process could be identified for the future and further failures prevented.

We identified a mix of small and large housing estates across the Borough that had or were still having adoption issues to be used as case studies from which to identify the concerns and issues that existed. The Group then interviewed the developers of these estates, along with borough and county officers and residents.

The estates chosen were

- Gillibrand, Chorley
- Buckshaw Village
- Kittiwake, Heapey
- Fairview Farm, Adlington

It was also highlighted that the Council needed to improve relations and communications with existing developers and other partner organisations in the Borough and to better engage with the public to develop their understanding and knowledge of the adoption process.

Whilst undertaking the review we were informed about a national review that is taking place by the Department for Transport (DoT) and Department of Communities and Local Government (DCLG) and a similar scrutiny review that had been undertaken by Northamptonshire County Council that provided us with a platform from which to start.

I would like to thank the Task Group Members for their deliberations, the officers and external representatives and those residents of Chorley who made a contribution to this report. The representations that we received have proved extremely invaluable and enabled us to produce a set of recommendations that we feel will improve the present procedures and policies to better serve the residents in their experience of adoption processes.



Councillor Matthew Crow (Chair)

2. EXECUTIVE SUMMARY

The Overview and Scrutiny Committee asked the Task Group to undertake a scrutiny inquiry to look at the Adoption of Estates.

Objectives

- 2.1 Look at past performance and identify areas where the process of adoption of estates has been both successful and less successful and learn from those experiences; and
- 2.2 make recommendations to Executive Cabinet as to how processes may be improved for the future.

Desired Outcomes

- To recommend ways to improve the process for the adoption of new housing estates across the Borough.
- Improve relations and communications with existing developers and other partner organisations in the Borough.
- To work through targeted studies of un-adopted sites of varying sizes in Chorley and to make recommendations to both rectify existing sites and prevent further failures in the adoption process
- To have engaged in effective public consultation and to develop residents and future residents' knowledge and understanding of adoption processes.

Task Group Membership

Councillor Matthew Crow (Chair)
Councillor Julia Berry
Councillor Jean Cronshaw
Councillor Steve Holgate
Councillor Roy Lees
Councillor June Molyneaux
Councillor Dave Rogerson
Councillor Kim Snape
County Councillor Mike Devaney

Officer Support:

Lead Officers

Jamie Carson	Director of People and Places
Jennifer Moore	Head of Planning

Support Officers:

Alex Jackson Senior Solicitor
Paul Whittingham Development Control Team Leader
Robert Rimmer Business Support Team Leader

Democratic Services

Dianne Scambler Democratic and Member Services Officer

Meetings

The meeting papers of the Group can be found on the Council's website:
www.chorley.gov.uk/scrutiny. This includes the inquiry project outline and other relevant information on policy and procedures.

Contribution of Evidence

The Task Group would like to thank all those who have provided evidence and contributed to the Inquiry. Section 4 contains the details of those involved.

2. LIST OF RECOMMENDATIONS

The Executive Cabinet is asked to consider the following recommendations:

- 1. That the Executive Cabinet asks Lancashire County Council to consider building on existing work with local planning authorities to put in place arrangements to ensure the consideration of road and highways adoption issues commences at the planning application stage of the planning process, including:
 - Designing developments to provide separate access routes for residential and construction traffic
 - Phased implementation of larger development
 - Laying out and constructing roads to adoptable standards**
- 2. That the Executive Cabinet be asked to approve the use of a draft set of national planning conditions seeking pre-commencement on adoption matters, drawn up by the Department of Transport to be trialled by our planning service.**
- 3. That the Executive Cabinet be requested to commission a study of the existing adoptions 'caseload' in the Borough, to provide a full picture of all completed and partially completed agreements, including Section 38's and 106's.**
- 4. That the Executive Cabinet request Lancashire County Council to consider adopting a more flexible approach to the setting of bonds with developers, that are required before a Section 38 Agreement is made to enable the level of bond to be set on a site-by-site basis that reflects the actual cost of completing the road concerned to the required state of adoption.**
- 5. That the Executive Cabinet agrees to make representations to the National House-Building Council (NHBC) urging it to encourage developers to recognise potential benefits to them of the introduction of a mandatory requirement relating to Section 38 Agreements.**
- 6. That Lancashire County Council review their operational practices and resources to ensure a more timely response for developers to secure adoption.**
- 7. That both Chorley and Lancashire County Council consider developing a more co-ordinated approach to the process of adoption and that regular reports on the current status of adoptions across the borough be reported to the Neighbourhood Meetings of the Council**
- 8. That Lancashire County Council considers the introduction of a pre-application service with associated fees that would not only generate additional income and focus service delivery but would also benefit the early identification of estates for adoption.**

9. That a policy be adopted by the Parks and Open Spaces Team which provides for a risk based approach for the exercise of officer discretion when deciding whether or not to complete adoptions of open spaces; such policy to attach significant weight to outstanding maintenance issues likely to raise a public liability issue and less weight if the maintenance issues are minor and relate for example to soft landscaping.
10. That the Executive Cabinet considers putting into place arrangements for the development of a map based system to be accessed on or via the Council's website to show information about the status of the roads in the borough for use by the community. For example, an area specifically relating to "would you like to live in Chorley" be developed that could potentially be linked to the County's website. Individual roads would be tagged according to status and actively used by Contact Chorley for the provision of information to residents.
11. That a list of Frequently Asked Questions (FAQ's) about the adoption of estates be published on the Council's website.
12. That Chorley Council considers a pilot for the introduction of Development and or Site Exit meetings with developers, to identify new sites coming on stream.
13. That the Executive Cabinet agrees to make representations to the Law Society and the Council for Licensed Conveyancers urging them to consider whether conveyancers provide clients with sufficient information about the estate adoptions process and how they will be affected by the status of roads serving a property.
14. That developers be encouraged to nominate a dedicated officer that would work proactively with officers of both borough and county Councils on the adoption processes and be asked to consider reviewing their complaints procedures to improve relations with residents on their developments.

3. BACKGROUND AND CONTEXT

It is part of the County Council's role to adopt new roads as part of the public highway network, as long as they are built to adoptable standards. This process is often long and drawn out and in some disappointing cases still not completed after many years.

The adoption of a road refers to the process by which a road in private ownership but that is in public use, is formally taken on by the local highway authority as a public highway to be maintained at public expense. The Highways Act 1980 provides the legal basis for this process. This Act enables the highway authority (Lancashire County Council) to reach a legal agreement commonly referred to as a Section 38 Agreement, with the owner and developer of a site (usually the same) that a road will become a highway maintainable at public expense when completed to the highway authority's satisfaction. However this is a voluntary agreement between the highway authority and the developer as the 1980 Act does not give authorities any power to compel developers to enter into such an agreement. The developer has to want it and be prepared to pay the required inspection and legal fees and provide the necessary construction records etc.

The Agreement cannot set a fixed timescale on the process. The timescale generally depends on the process the developer makes with the selling of property (typically houses) along the road, as this is the main project cash-flow consideration. If houses don't sell quickly, the developer may not be able to afford to complete all aspects of the highway work to the agreed standard as quickly as was originally planned.

If a further phase of building is added at a later date leading off the original new road, the developer is unlikely to finish the new original road until he has stopped taking heavy delivery wagons and construction traffic over it, to reduce the risk of accidental damage.

4. METHOD OF INVESTIGATION

Evidence

The Group were provided with a pack of relevant information which had been collated for each of the housing estates that were identified and which included information on:

- The planning background
- Various planning applications
- Section 106 Agreements (Town and County Planning Act 1990)
- Section 38 and 278 Agreements (Highways Act 1980)
- Highways information
- Section 104/102 Agreements (Water Industry act 1991)
- Any issues that had arisen
- Public Open Spaces and Leisure facilities

- Site Plans
- Planning permissions that had been granted.
- Open Spaces provision
- Update from Lancashire County Council on adoption status

Presentation

Members received a presentation by Chorley Council officers and summary documentation from Lancashire Council County Council at a Member Learning Hour on 13 August 2012 for background information to the review, including the legal processes which make up adoption.

Northamptonshire Scrutiny Review

Chris Bond, Development Control and Road Adoptions Manager from Northamptonshire County Council attended a meeting to talk to the Group about a scrutiny review that his authority had undertaken on the adoption of new roads in their county area.

National Review

We also received information about a scrutiny review that had been undertaken between the Department of Transport, and the Department of Communities and Local Authorities regarding adoptions on a national scale. Problems associated with the status and safety of un-adopted new streets had been raised by a number of MP's in the Commons.

The Task Group received representations from:

Officers:

Rachel Crompton, Development Support Manager – Lancashire County Council
Nicola Hopkins, Principal Planning Officer, Chorley Council

Resident Representatives from:

- Buckshaw Village
- Fairview Farm, Adlington
- Gillibrand Chorley

Developer Representatives:

Phillip Powell, Development Engineer – Arley Homes North West Ltd
Peter Dartnell, Technical Director – Redrow Homes Ltd
Adam Ripplingham, Engineer – Redrow Homes Ltd
Stewart Gower, Adoptions Co-ordinator – Taylor Wimpey Homes

5. FINDINGS AND RECOMMENDATIONS

The findings of the Task Group and the specific recommendations resulting from them are set out in this section of the report and are for improvements for the customer and developer, adoption processes and partnership working.

The Task Group recognises that some of the recommendations will have financial implications for both the Borough and County Council, and will therefore need to be given particular consideration by both Executive Cabinets, given the current financial pressures on the public sector.

NATIONAL REVIEW

We received information about a scrutiny review that had been undertaken between the Department of Transport, and the Department of Communities and Local Authorities regarding adoptions on a national scale. Problems associated with the status and safety of un-adopted new streets had been raised by a number of MP's in the Commons.

Concerns included:

- A lack of knowledge or understanding by some parties of the existing complex and extensive system and how it is intended to work.
- Poor advice to those purchasing properties in explaining the processes, roles, responsibilities and liabilities that they and others have.
- Inconsistent processes and procedures used by Local Highways Authorities, (LHAs).
- How such processes can vary considerably across the Country with further differences between Unitary and Two Tier authorities.

In response to the House of Commons debates, the Department for Transport, (DfT) and Department of Communities and Local Government (DCLG) met with Local Highway and Planning Authorities to discuss options and opportunities to improve the existing systems associated with the adoption of new streets in developments and any legislative requirements that would assist. The resultant Policy and Legislative Review Working Party commissioned a sub group of LHA's, led by Northamptonshire County Council, to consider the matter in greater detail and prepare a paper for further discussion.

NORTHAMPTONSHIRE SCRUTINY REVIEW

An officer from Northamptonshire County Council attended one of our meetings to talk about a scrutiny review that his authority had undertaken on the adoption of new roads in their county area following the adjournment debates that had taken place in the House of Commons in relation to adoptions.

One important issue they felt had to be addressed was the part played by district and borough councils in the adoption process and the need for them to be involved from the very start on a partnership basis.

It had been considered extremely important to understand the current position in Northamptonshire and information collected about the current status of adoptions formed an important part of the evidence base for their scrutiny review that assisted the Group when considering possible action to address the associated challenges.

The biggest single issue affecting the road adoptions process that needed to be addressed was the voluntary element of the process.

Northamptonshire County Council highlighted that the Local Planning Authority (LPA) have no power to compel a developer to enter into a Section 38 Agreement or do anything more than encourage a developer to negotiate a draft agreement. At the same time, it became apparent that various factors can discourage a developer from seeking an agreement and then from constructing roads to an adequate standard.

They considered whether there were other ways in which the County Council could compel developers to complete Section 38 agreements or that could give developers a greater incentive to do so. Members were advised that it was not currently possible to set a planning condition that a developer must enter into an agreement, reflecting the fact that Section 38 agreements were based on highways rather than planning legislation.

Northamptonshire County Council had agreed to build on existing work with local planning authorities to put in place arrangements ensuring consideration of road adoption issues that commenced at the planning application stage of the process.

The planning process and adoption of new roads was a key factor in the process. It is extremely important that the local authority should be allowed significant opportunity to exert leverage over developers at the point when they are looking to secure planning permission.

A draft set of planning conditions was published in late September 2012 by Norman Baker, Minister of the Department for Transport. The minister was requesting local planning authorities to test these conditions and report back by April 2014. It was considered that the feedback from those authorities applying the conditions could be used to make the case for legislative change.

Recommendations:

- 1. That the Executive Cabinet asks Lancashire County Council to consider building on existing work with local planning authorities to put in place arrangements to ensure the consideration of road and highways adoption issues commences at the planning application stage of the planning process, including:**
 - **Designing developments to provide separate access routes for residential and construction traffic**
 - **A phasing implementation of larger development**
 - **Laying out and constructing roads to adoptable standards**
- 2. That the Executive Cabinet be asked to approve the use of the draft set of planning conditions seeking pre-commencement on adoption matters to be trialled by our planning service.**

Taking on board the recommendation that Northamptonshire County Council had implemented at an early stage in their review, the Group recognised the need for a clear picture of the size of the authorities existing 'caseload' and the factors preventing process from being progressed in each case. Upon its completion, a prioritisation programme could then be devised that would address the particular barriers to progressing the adoption process more effectively.

Officers from Lancashire County Council had extended their willingness to work together with Chorley on the issues surrounding adoption and thought that they could assist by sharing intelligence about developments across the borough.

Recommendation:

- 3. That the Executive Cabinet be requested to commission a study of the existing adoptions 'caseload' in the Borough, to provide a full picture of all completed and partially completed agreements, including Section 38's and 106's.**

PROCESS

The key steps that will bring a developer to the point of offering a road for adoption can be broadly summarised as follows:

- A developer decides to develop a parcel of land for housing.
- A planning application is made to the local planning authority (LPA) to build a housing estate.
- The LPA registers the application and then seeks views from the public and from relevant public bodies on the impact of the proposed development. The County Council is one of those public bodies and is able to make recommendations to the LPA on several matters, including transport issues. Its recommendations may include requesting that a planning condition or obligation requiring that roads are built to an adoptable standard be linked to the granting of planning permission.
- The LPA considers all recommendations made during the consultation period, although it is not obliged to accept them. It is the Development Control Committee who will take a decision to grant or refuse the planning application.
- Once planning permission is granted and the developer wants to start building work the developer contacts Lancashire County Council to discuss having roads that serve more than five dwellings adopted under a Section 38 Agreement. When a road has been constructed in accordance with specification set by Lancashire County Council, the developer is able to meet the conditions required and complete a Section 38 agreement and the road connects directly onto an

adopted highway or one which is subject to a Section 38 Agreement, the road is taken into a maintenance period of (minimum) one year. This period allows for any defects to be apparent and for any resulting remedial measures to be completed by the developer.

- The road is then formally adopted as a public highway that is maintainable by public expense.

Lancashire County Council requires that a developer must be able to meet the following criteria to complete a Section 38 Agreement:

- The developer can demonstrate title to the land making up all parts of the road to be dedicated; this should be relatively straight forward but can be complicated if there is more than one title to the land, more than one landowner involved, or the developer changes during negotiations.
- The developer has put in place a bond to the value of the works required to complete roads to an adoptable standard. If the developer fails to complete the roads (for example if it goes out of business) the County Council may call on the bondsman to pay a sum equal to the value of carrying out the works required or total bond sum, whichever is the lesser.
- The road is of sufficient 'public utility'; a development of five houses or less can be served by a private drive and will therefore not be taken into public maintenance as it would not be of sufficient 'public utility'.
- All other consents by relevant public bodies have been obtained; principally that the sewers beneath the road have been adopted by a water company (United Utilities) through an agreement under Section 104 of the Water Industry Act 1991 between the developer and the water authority. The County Council requires completion of such an agreement before a Section 38 Agreement is completed and the adoption of the sewers before the roads subject to the Section 38 Agreement are adopted. This is to protect the authority against future liabilities arising from problems with the sewers.

As a result of this a Section 38 Agreement can remain in draft status because one or more of the above criteria cannot be demonstrated. Similarly, it is not always in the public interest for Lancashire County Council to take on obligations or potential liabilities without assessing level of risk involved.

The Developer is required to deposit a Bond of Surety with Lancashire County Council to cover the cost of the adoptable highway works. This Bond ensures that the County Council does not incur any costs if the highway works are stalled, changed or aborted by the Developer. If the Developer fails to perform or observe any of the Agreement's conditions, the County Council can use the Bond to complete the highway works, recover fees and charges, and retain the Commuted Sums to cover future maintenance costs. The County Councils fees and charges element of the Bond must be deposited with them prior to any design works being undertaken. The cost of the highway works and Commuted Sums must be deposited with the County Council prior to any works commencing on site.

The Bond is released back to the Developer incrementally in accordance with the table below, except where a Commuted Sum is due from the Developer as part of the S38₁₃

Agreement – if this remains outstanding, the Bond shall not be reduced to a value less than the Commuted Sum.

Stage	Bond Value Reduced to % of original Value
Part 1 Certificate	55%
Part 2 Certificate	10%
Final Certificate	0%

At present the usual practice for County Councils is to set a bond on a nominal cross section on a per linear metre basis representing 100 per cent of the theoretical cost of constructing the road(s) in question to an adoptable standard. Northamptonshire County Council had given delegated authority to their designated officer to set the bonds to reflect more closely the likely cost of construction in the actual case concerned, based on constructional details that had been approved. This was an approach already being used by other highways authorities and was proving successful. The value of bonds would be reduced by much greater amounts than at present, when key milestones were reached, such as when roads were put on maintenance.

Recommendation:

- 4. That the Executive Cabinet request Lancashire County Council to consider adopting a more flexible approach to the setting of bonds with developers, that are required before a Section 38 Agreement is made to enable the level of bond to be set on a site-by-site basis that reflects the actual cost of completing the road concerned to the required state of adoption.**

It was also recognised that the National House-Building Council (NHBC) represents a powerful voice in the industry as they act as a bondsman for many developers entering onto Section 38 Agreements. The NHBC, rather than the developer, is therefore directly affected if the County Council are required to call in a bond because work required to complete a road to adoptable standard has not been carried out.

Recommendation:

- 5. That the Executive Cabinet agrees to make representations to the National House-Building Council (NHBC) urging it to encourage developers to recognise potential benefits to them of the introduction of a mandatory requirement relating to Section 38 Agreements.**

When a developer is ready for adoption, they make a request for Lancashire County Council to inspect their works and a list of snags on the site is produced, for example, broken curbs. The County Council will then either ask for all the remedial work to be completed by the developer or negotiate which jobs they may take responsibility for.

Once these works have been undertaken they will make an assessment. At this stage all completed highways works must be considered to be of low level risk before the County Council will adopt. Throughout the review it was brought to our attention that a key issue was time delays in the County Council responding to the requests to inspect. Developers liked the familiar, slightly informal service but frustrations occurred if not done in a timely fashion.

Recommendation:

- 6. That Lancashire County Council review their operational practices and resources to ensure a more timely response for developers to secure adoption.**

The highways design is key to the development and subsequent adoption of the site and effective partnership working between borough and county officer was key to maintain progress. A number of recent staffing changes at County had also meant a lack of continuity in the process and officer from both authorities felt that there were merits for a more co-ordinated approach to provide an enhanced level of co-ordination to the adoptions process and to oversee the recommendations of this Task Group and status updates could be reported to the eight Neighbourhood Area meetings of the Council.

Recommendation:

- 7. That both Chorley and Lancashire County Council consider developing a more co-ordinated approach to the process of adoption and that regular reports on the current status of adoptions across the borough be reported to the Neighbourhood Meetings of the Council.**

It was explained that officers from Chorley Council explained that they currently did a lot of work around pre-application processes and had implemented a scheme of fees and charges associated with this process. The service had become more customer focused and encouraged officers to work in a more business-like fashion to ensure that deadlines were adhered to and ensured smoother delivery. The pre-application process enables officers to sort out a number of issues that are associated with a development prior to an actual application for development being submitted and established and maintained good working relationships with developers.

It is the Council's understanding that Lancashire County Council does not offer such a service, although they undertake a lot of the work that is necessary for us to complete this process. It is considered that taking early advice of a pre-application opportunity allows for the planning of effective adoption.

Recommendation:

- 8. That Lancashire County Council considers the introduction of a pre-application service with associated fees that would not only generate additional income and focus service delivery but would also benefit the early identification of estates for adoption.**

Developers commented that the transfer of open space to a management company instead of the local authority was mainly down to cost implications. If the costs were lower, the developer would probably hand this land over more readily. There was a

view that often after around ten years, the land was often neglected and was at this stage that the ownership for its maintenance was taken on by the Council. Members felt that the authority may be able to take on this work sooner and asked for alternatives from the present policy to be explored, particularly on smaller developments in the Borough.

Recommendation:

- 9. That a policy be adopted by the Parks and Open Spaces Team which provides for a risk based approach for the exercise of officer discretion when deciding whether or not to complete adoptions of open spaces; such policy to attach significant weight to outstanding maintenance issues likely to raise a public liability issue and less weight if the maintenance issues are minor and relate for example to soft landscaping.**

RAISING AWARENESS/COMMUNICATION

Group Members brought to the review, many examples of how the road adoptions process had affected local residents and evidence taken throughout the review had highlighted the difficulties and frustrations experienced by members of the public.

There was also recognition by Members that the requirements of the road adoptions process and respective responsibilities of the County Council and developers would not be apparent to members of the public.

Developers remained responsible for maintenance and other amenities such as street lighting and litter picking until a new road was adopted, but residents did not necessarily seek redress from them if these responsibilities were not being met.

It also became apparent that even if the first owners of a new property were aware of any local adoption issues, subsequent purchasers may not have the same knowledge so the Group sought to identify different ways of supporting greater understanding of the roads adoption process and its implications for residents.

The Group were advised that issue often became more complicated when developers went bankrupt and were taken over by other companies. The new developers often had differing ideas about what they wanted to build and amended applications were often submitted, which in turn generated amended Section 38 and 106 agreements and planning permissions. This was a common occurrence and slowed progress down quite considerably. This also contributed to an issue that was considerable highlighted by residents, regarding inconsistencies surrounding the information issued on the status of the adoption of different developers on the same site. Although there was admittance by developers that staffing changes exacerbated the problem, there was also an acceptance that a more co-ordinated approach needed to be taken going forwards and there was a willingness to work with the Councils to improve the customer experience.

Members thought that an information portal could be developed on the Councils website that would enable members of the public to access information about the status of

particular roads, potentially using the information that would be gathered from the requested commissioned study and may be linked into areas within the Lancashire County Council's website.

It was also considered that the introduction of Development and or Site Exit meetings that would specifically deal with adoption of sewers, roads and green spaces, to include compliance with conditions would be beneficial. This would not only assist with the identification of new sites coming on stream and provide better working arrangements with developers regarding all matters to do with adoption but would also allow provide any future website with the required updated information, enabling search information to be accurate and would help to reduce back office questions about the compliance of developments with conditions. It would contribute to an end to end delivery of development and provide a degree of certainty for all involved in the development process including existing and new residents and developers.

Even with the proposed measures to include more information for members of the public on the Council's website, the Group recognised that it was not realistic to expect prospective home buyers to be experts in highways and planning law and its implications for them. Speaking with various residents, it became apparent that there are inconsistencies in the provision of information provided by legal professionals involved in the conveyancing process.

Recommendations:

- 10. That the Executive Cabinet considers putting into place arrangements for the development of a map based system to be accessed on or via the Council's website to show information about the status of the roads in the borough for use by the community. For example, an area specifically relating to "would you like to live in Chorley" be developed that could potentially be linked to the County's website. Individual roads would be tagged according to status and actively used by Contact Chorley for the provision of information to residents.**
- 11. That a list of Frequently Asked Questions (FAQ's) about the adoption of estates be published on the Council's website.**
- 12. That Chorley Council consider a pilot for the introduction of Development and or Site Exit meetings with developers, to identify new sites coming on stream.**
- 13. That the Executive Cabinet agrees to make representations to the Law Society and the Council for Licensed Conveyancers urging them to consider whether conveyancers provide clients with sufficient information about the estate adoptions process and how they will be affected by the status of roads serving a property.**
- 14. That developers be encouraged to nominate a dedicated officer that would work proactively with officers of both borough and county Councils on the adoption processes and be asked to consider reviewing their complaints procedures to improve relations with residents on their developments.**

5. CONCLUSION

The issues associated with the process of adoption are not just limited to this authority. It is recognised that changes are needed on a national scale and can only be achieved by changes to legislation.

That is not to say that Chorley Council can't play its part in ensuring that these changes are made. By developing existing procedures and policies and working more effectively with both our County Council colleagues and developers we believe that we can progress current practices and improve the customer experience of the adoption process.

6. GLOSSARY OF TERMS

Adopted Highway

An adopted highway is one where the authority has taken on the responsibility for maintenance.

Developer Bond

The developer is required to deposit a Bond of Surety with the Highways Authority to cover the costs of adoptable highways works. This Bond ensures that the County Council does not incur any costs if the highway works are stalled, changed or aborted by the developer.

LHA

Local Highway Authority (Lancashire County Council)

LPA

Local Planning Authority (Chorley Council)

Private Road

Roads that are intended to remain in private ownership.

Section 38 Agreement (Highways Act 1980)

A Section 38 Agreement is completed to secure adoption by the Highway Authority of new estate roads on private land owned by a Developer. The estate road may be either residential or commercial.

Planning permission is initially obtained in respect of an indicative layout. Following this the Developer prepares detailed technical drawings and these are forwarded to County for approval. Once satisfactory, these drawings are added to the completed Section 38 agreement and used to supervise the construction works. The works are carried out by the Developer entirely at their own expense.

Under the terms of the Section 38 Agreement the Developer is required to provide either a cash deposit or other form of security is provided to prevent any purchasers of properties being liable for any street works charges. Once the roads have been completed in accordance with the terms of the agreement, the County Council will adopt the roads as highways maintainable at the public expense.

Section 104/102 Agreements (Water Industry Act 1991)

These are sewers bonds as required by local authorities, including the Scottish Irish equivalents. Other highways bonds can also be facilitated. A statutory agreement for adoption, or Section 104 agreement (so called because it is made under section 104 of the Water Industry Act 1991), is an agreement between the owners of a private sewer₁₉

(usually a developer) and the water authority whereby, subject to the owner constructing the sewer to an agreed standard and maintaining it for an agreed period the water authority will adopt it and it will thereafter become a public sewer.

Section 106 Agreement (Town and Country Planning Act 1990)

S106 of the Town and Country Planning Act 1990 provides for agreements to control the development or use of land. A Local Planning Authority (District Council or County Council) may enter into a Section 106 Agreement with a Landowner which, for example, prevents a certain activity being carried out on a site, or which prevents the development proceeding until a particular time.

Councils also use Section 106 Agreements as a way of approving and securing works to the existing highway. Where a Developer requires work to be carried out on the existing highway (other than a simple access) and the Council is satisfied that the works will be of benefit to the public, an Agreement will need to be completed between the Developer and the County Council under Section 106. Traffic calming, a new roundabout or other junction improvement are a few examples where such an Agreement would be necessary. Under no circumstances shall works be permitted within the limits of the publicly maintained highway until the Section 106 Agreement and bond or cash deposit is secured.

As a minimum, the general arrangements for the highway works must be agreed prior to the signing of the Section 106 Agreement and bond after which full engineering drawings will need to be formally approved prior to works starting on site.

Unadopted Highway

Roads that are constructed under a Section 38 agreement that are not adopted yet.

Chorley Council



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



2009-2010
Cohesive and resilient communities



2009-2010
Better outcomes for people and places

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Report of	Meeting	Date
Director of Partnerships, Planning and Policy (Introduced by the Executive Member for Economic Development and Governance)	Executive Cabinet	20 June 2013

CHORLEY INWARD INVESTMENT PLAN

PURPOSE OF REPORT

1. To ensure that Members are informed about the Inward Investment Plan and to gain Member’s approval to move to the delivery stage.

RECOMMENDATION(S)

2. Members are recommended to note the contents of the report and to approve the delivery of the recommended inward investment plan activities.

EXECUTIVE SUMMARY OF REPORT

3. The 2012 Economic Development Strategy was adopted in November 2012 and significant strides have been made to support new and existing businesses in Chorley. A key priority within the Strategy is to promote and increase inward investment in Chorley to support economic growth in the borough and provide a mix of well paid, high and low skilled jobs. Following a thorough procurement process, Breeze Strategy was appointed in November 2012 to recommend a series of activities to articulate a compelling Chorley offer to attract inward investors to our key development sites and premises with the potential to create between 3,000 and 19,000 jobs. The report highlights the main messages and recommended activities within the Inward Investment Plan and provides a budget estimate for their delivery which is in accordance with the approved allocation within the 2013/14 revenue budget.

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

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

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

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

4. To realise our Corporate Strategy outcome to create ‘A strong local economy’ and to deliver a key priority within the 2012 Economic Development Strategy which aims ‘to promote and increase inward investment in Chorley to support economic growth in the borough and provide a mix of well paid, high and low skilled jobs’.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

5. None.

CORPORATE PRIORITIES

6. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all		A strong local economy	✓
Clean, safe and healthy communities		An ambitious council that does more to meet the needs of residents and the local area	✓

BACKGROUND

7. The 2012 Economic Development Strategy was adopted in November 2012 and significant strides have been made to support new and existing businesses as follows:

- Business Advisor appointed to help start up businesses; 95.4% satisfied with service with 79 new business starts (at May 2013), a forecasted 345 new jobs and £4.1m turnover.
- Business Advisor for existing businesses has advised 140 businesses (at May 2013) and intensively assisted a further 23 whom project to create 297 jobs and increase turnover by £407k in the short term; 97.1% satisfied with service.
- A Starting In Business Grant has supported 56 businesses (at May 2013).
- Our business community are positively engaging in a new programme of workshops in order to improve their competitiveness and growth potential; including the Business JIGSAW, ‘Ask the Expert’ and Boost Your Business Seminars.
- 100 businesses are making new contacts at our quarterly Choose Chorley Business Network
- Keeping businesses informed via a new Choose Chorley enewsletter
- Recently launched, 8 expressions of interest for Chorley Business Investment for Growth (BIG) grant to support existing business with capital investment and who are creating jobs.

8. A key priority within the 2012 Economic Development Strategy is to promote and increase inward investment in Chorley to support economic growth in the borough and provide a mix of well paid, high and low skilled jobs.

In a global economy and a very competitive market place, the challenge for Chorley is to develop and articulate a succinct and targeted proposition to enable it to stand out from its competitors, particularly from within the Manchester conurbation, and bring new investment and jobs. Chorley has some fantastic assets but it needs to make sure that potential investors hear about them.

Given the current stagnating economy, Chorley simply cannot afford to leave its inward investment activities to other agencies. Of the 54,407 inward investment jobs created in England last year, only 89 were in Lancashire at 5 companies. There is potential for Chorley to raise its game and be at the forefront of the impending economic recovery that has the potential to bring new jobs and investment to the borough.

9. Following a thorough procurement process, Breeze Strategy was appointed in November 2012 to recommend a series of activities to articulate a compelling Chorley offer to attract inward investors to key development sites and premises with a specific focus on the following:

The Chorley Offer - a simple, compelling and unique offer in order to sell Chorley as a place to do business.

An Inward Investment Action Plan - an action plan which details the barriers to inward investors and provides detailed priority actions to be undertaken up to March 2015, along with timescales and budget estimates.

A Database of Target Intermediaries - to reach out to potential investors and their advisors who are likely to be involved in the expansion and relocation plans of businesses that are suited to the town.

Sectoral Propositions - create articulated propositions that are likely to attract growing companies, giving particular consideration to advanced manufacturing and engineering sectors to supply Enterprise Zone based businesses at Salmesbury and Warton.

Choose Chorley for Business Website - produce a set of recommendations for establishing a business website to send out a clear message that Chorley is open for business.

10. The Chorley Local Plan will provide a future supply of employment land in Chorley upto 2026. Prior to the local plan hearing, 17 employment sites have been identified and 11 of these are larger than 1 hectare and have significant inward investment potential. Chorley Council has a responsibility and has a role as facilitator to ensure that there is a continuous supply of land for employment uses. Whilst it is impossible to predict with any degree of accuracy the number of jobs which might be attracted through inward investment, based on industry-standard guidelines, the following table shows the average potential job numbers depending on different types of users. In essence, over the next 15 years there is potential to create between 3,000 and 19,000 jobs:

Site	Potential Jobs if B1 Offices	Potential Jobs if B2 Manufacturing	Potential Jobs if B8 Distribution
Buckshaw: The Revolution	-	1,145	580
Buckshaw: Group 1	1,350	448	-
Buckshaw: Southern Commercial	2,075	688	348
Chorley: M61 Botany Bay	1,475	489	247
Coppull: Discover Leisure	500	166	84
Chorley: Carr Lane	625	207	105
Chorley: North of Euxton Lane	3,275	1,087	550
Chorley: Botany/Great Knowley	3,525	1,170	-
Clayton Le Woods: Land east of Wigan Road	3,750	1,245	630
Chorley: Land to NE of M61 Junction	1,725	572	290
Chorley: Cowling Farm	875	290	147

An analysis of the existing stock for employment uses against recent inward investment activity that has successfully landed elsewhere in the last few years, shows that if Chorley had had an effective inward investment function in place, Chorley's existing stock should have been able to respond to:

- Medium Advanced Engineering/Automotive industries (100,000 sq ft)
- Small to Medium Back Office businesses (10,000 sq ft)

CHORLEY INWARD INVESTMENT PLAN, SUMMARY OF MAIN MESSAGES

11. The main messages and recommended activities are detailed below. A copy of the full Executive Summary is available in the Member's Room from 11th June and can also be found in the library on the Council's web site at <http://democracy.chorley.gov.uk/documents/s37220/FINAL%20Chorley%20Inward%20Investment%20Plan%20EXEC%20SUMMARY%20130513.pdf>

Inward Investment Market Place – Lancashire is an under-performing area in inward investment terms, Chorley has the opportunity to compete for many projects that are choosing similar locations.

Barriers to Inward Investment – The lack of available property, lack of awareness of Chorley and lack of distinctive offer are identified as barriers which need to be addressed.

Target Audiences – Our target audiences include existing businesses, intermediaries and advisors in Manchester, Liverpool and Preston, partner organisations like the LEP and UKTi, and potential investors such as growth companies in the North West and Midlands.

The Chorley Offer – The key elements of the Offer are:

- **Lancashire** – reinforcing the wider positive connotations of the county and giving Chorley a more familiar context to external audiences that may not be aware of its location. Communication should mention 'Chorley, Lancashire'.
- **Manchester** – leveraging the great city-brand that is only 30 minutes away, in particular using proximity to assets like the Airport, universities and wider supply-chains. Using phrases like 'on the doorstep of Manchester'.
- **Chorley is a City Gateway** – not only to Manchester, but also to Preston and Liverpool. Its geographic location and connections mean that its real offer to inward investors is far bigger than the advantages of the district itself. The Chorley Offer can be communicated through several key messages relating to accessibility and these are shown on the next page.

The Chorley Offer



Pipeline of Employment Sites – Acting as facilitator to bring forward a pipeline of employment sites.

Choose Chorley Grant – A local incentive scheme for inward investors looking to locate in Chorley would be a significant help in promoting the town to potential investors and offers the possibility of making a real difference to companies deciding on new locations.

Choose Chorley Web Site – A business-facing promotional web site is fundamental.

Social Media – Using tools such as LinkedIn and Twitter to initiate, facilitate and amplify conversations and relationships with business people and the inward investment community.

Downloadable Marketing Materials – A Choose Chorley Folder and presentation slides to promote the Chorley offer are recommended.

Sectoral Propositions – Use broad-based sectoral propositions to flexibly target potential investors.

Signage – Bespoke ‘Choose Chorley for Business’ signage at key entry points to Chorley.

Chorley Business Inward Investment Event – An annual event to showcase the town’s assets and sharing of the story, propositions and activity programme.

Chorley Soft Landing Scheme – Bringing together reputable local companies to provide free initial advice (tax, law, HR) to potential investors. Senior players assisting in site visits or discussions over investment projects.

Target Intermediaries – Explaining the offer to a selection of intermediaries and build relationships.

TIMELINE AND COSTS

12. An Action Plan has been prepared to commence delivery now and upto March 2015 and has an estimated cost as follows:
- Priority 1 Actions (must do) = £49,500
(Website, social media, photography, downloadable marketing materials, sectoral propositions, events, soft-landing scheme, intermediary contact)
 - Priority 2 Actions (should do) = £44,000
(Hard copy folder and inserts, mail-outs, signage, other events)
 - Priority 3 Actions (could do) = £20,000
(On-line marketing sponsorship)
 - Choose Chorley Grant and Bringing forward a pipeline of Employment Sites = £235,000
13. The total estimated cost can be met by the £350,000 which was allocated as new investment within the 2013/14 revenue budget setting process.

IMPLICATIONS OF REPORT

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

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

COMMENTS OF THE STATUTORY FINANCE OFFICER

15. The report sets out that during the budget setting process for 2013 / 14 a sum of £350 thousand was set aside for inward investment activities. Therefore the proposals are within the financial plan set out at the time of the budget.

COMMENTS OF THE MONITORING OFFICER

16. There are no comments.

LESLEY-ANN FENTON
DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Cath Burns	5305	30 th May 2013	***



Report of	Meeting	Date
Chief Executive (Introduced by the Executive Member for Resources, Policy and Performance)	Executive Cabinet	20 June 2013

CHORLEY COUNCIL PERFORMANCE MONITORING QUARTER FOUR 2012/2013

PURPOSE OF REPORT

1. This monitoring report sets out the performance against the delivery of the Corporate Strategy and key performance indicators during the fourth quarter of 2012/13, 1 January to 31 March 2013.

RECOMMENDATION(S)

2. That the report be noted.

EXECUTIVE SUMMARY OF REPORT

3. This report sets out performance against the Corporate Strategy and key performance indicators for the fourth quarter of 2012/13, 1 January to 31 March 2013. Performance is assessed based on the delivery of key projects, against the measures in the 2012/13 – 2015/16 Corporate Strategy and key service delivery measures.
4. Overall performance of key projects is good, with a majority of the projects on track or scheduled to start later in the year. One project, the trial reopening of Market Street has been rated amber due to recommendations to amend the scheme, however completion is due to happen by the end of the second quarter 2013/14.
5. Overall performance on the Corporate Strategy measures and key service delivery indicators is satisfactory. 69% of the Corporate Strategy measures and 80% of the key service measures are performing above target or within the 5% tolerance.
6. The Corporate Strategy measures performing below target are; the percentage of customers dissatisfied with the way they were treated by the Council, Town Centre visits, the % of 16-18 year olds who are not in education, employment or training (NEET), growth in the business rate base, and the number of long term empty properties in the borough. Action plans have been developed to outline what action will be taken to improve performance.
7. The key service delivery measure performing below target is the processing of minor planning applications and again an action plan is included within the report that outlines what actions are being taken to improve performance.

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

(If the recommendations are accepted)

- To facilitate the on-going analysis and management of the Council's performance in delivering the Corporate Strategy.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- None

CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all	x	A strong local economy	x
Clean, safe and healthy communities	x	An ambitious council that does more to meet the needs of residents and the local area	x

BACKGROUND

- The Corporate Strategy is the key strategic document for the authority and includes performance indicators and key projects which focus on delivering the Council's four priorities. The Corporate Strategy also continues to align to the priorities set out in Chorley's sustainable community strategy, delivery of which is taken forward by the Chorley Partnership.
- This report includes an update on the key projects and targets set out in the 2012/13 – 2015/16 Corporate Strategy.

PERFORMANCE OF KEY PROJECTS

- Following the refresh of the Corporate Strategy in November, there are 20 key projects for 2012/13 – 2015/16. At the end of the fourth quarter overall performance of key projects is excellent. 19 of the 20 projects (95%) are either on track or scheduled to start later in the year.
- At the end of the fourth quarter, sixteen projects (80%) were rated green, meaning that they are progressing according to timescale and plan:
 - Produce an inward investment plan

- Implement a joint employment initiative with Runshaw College
- Develop a town centre master plan
- Implement a programme to support the expansion of local businesses
- Introduce local solutions to address homelessness
- Deliver affordable homes through the use of council assets
- Develop and deliver a scheme to improve housing standards
- Produce a development plan for Astley Park
- Chorley sports village
- Implement improvements to neighbourhood working
- Establish a process to deliver working together with families
- Launch the civic pride campaign
- Migrate services into the front office
- Deliver a project to improve the productivity of council services
- Establish a Chorley Council Youth Council
- Tackling Fuel Poverty

15. Three projects (15%) had not started by the end of the fourth quarter, as they are scheduled to start later in the year in order to balance out project work with core business and manage staff capacity.

- Friday Street health centre (due to start in the first quarter,2013/14)
- Improving access to services
- Develop volunteering in the Borough (due to start in the first quarter, 2013/14)

16. One project (5%) is currently rated as ‘amber’, which is early warning that there may be a problem with this project.

Project Title		Project Status
Trial re-opening of Market Street		Amber
Explanation	<p>Lancashire County Council have made some recommendations to amend the scheme. Following the redesign further consultation with Lancashire County Council will need to take place and the amended scheme will need to be resubmitted for a safety audit.</p> <p>Work completed:</p> <ul style="list-style-type: none"> • Lancashire County Council response received recommending changes to the scheme • Meeting held with Lancashire County Council to discuss the recommended changes 	

Action Required	<ul style="list-style-type: none"> • Redesign consultation has taken place with Lancashire County Council Officers in April • The safety audit is currently being re-submitted. • Formal consultation on a zebra crossing (if required) - June 2013 • Award of experimental order - June 2013 • Tender for contract to Lancashire County Council - June/July 2013 <p>The project completion date would then be September 2013.</p>
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PERFORMANCE OF CORPORATE STRATEGY MEASURES

17. At the end of the fourth quarter, it is possible to report on 17 of the key performance indicators within the Corporate Strategy. 10 (59%) indicators were performing on or better than target. The full outturn information for the performance indicators is included at Appendix A.
18. The following indicators are performing better than target:
- % of the population with NVQ level 3 and above
 - Median workplace earnings in the borough
 - % of working age people on out of work benefits
 - % of domestic violence detections
 - The number of visits to Council's leisure centres
 - Number of young people taking part in 'Get Up and Go' activities
 - Number of affordable homes delivered
 - Number of homelessness preventions and reliefs
19. Two indicators are baseline indicators in order to establish a meaningful target:
- Number of jobs created through targeted interventions – this is a new indicator and we will continue to review trends over time.
 - % of households living in fuel poverty - although this is a baseline indicator further analysis can be done and 14.8% of the borough's households were experiencing fuel poverty in 2011, this is a 12% decrease from 2010 which was 16.8%. Chorley is the lowest in Lancashire, and the county-wide average for 2011 is 18.4%.
20. Two indicators (12%) are performing slightly below target, but are within the 5% tolerance threshold:
- The % of businesses ceasing to trade: Performance is at 11.2% against the target to be better than the North West average. This is currently 10.7%. These figures are based on VAT registered businesses and businesses have to be VAT registered if their level of turnover is greater than £77,000. It may be in the business interest to de-register if their turnover falls below this threshold; however the business still continues to be operational, which could explain some of the increase in this indicator. Some businesses deliberately aim for turnover levels below the VAT threshold with the objective of deregistering.

- Overall employment rate: Performance is at 76.6% against a target of 80%, Chorley is the third highest district in Lancashire. Performance also remains above the Lancashire (71.3%), North West (69.3%) and England (71.6%) average.

21. Five indicators (29%) performed below target; the percentage of customers dissatisfied with the way they were treated by the Council, Town Centre visits, the % of 16-18 year olds who are not in education, employment or training (NEET), growth in the business rate base, and the number of long term empty properties in the borough.
22. The table below gives the reasons for this worse than anticipated performance, and the steps that are being taken to improve performance. A brief analysis of trend has also been provided to give some context to the performance value:

Performance Indicator		Target	Performance
Town Centre Visits		37,500	34,692
Reason below target	At the refresh of the corporate strategy in November, the target for was made more challenging, to recognise the council's ambitions to develop a vibrant town centre. Most of the plans for the town centre will take place over a longer timescale – such as the redevelopment of the Pall Mall triangle, town centre masterplan.		
Action required	The council has identified a series of key projects and budget investment over the past twelve months, including the development of a town centre masterplan, the redevelopment of Market Street/Gillibrand Street and a town centre marketing campaign.		
Trend	Performance at the end of quarter four 2011/12 was 33,339, therefore over the last twelve months performance has continued to improve.		

Performance Indicator		Target	Performance
The % of 16-18 year olds who are not in education, employment or training (NEET)		5%	5.3%
Reason below target	The nature of NEET amongst young people is split into two areas: 1. Young people with high academic levels (at least 5 A-C GCSEs) who are unable to access, or have left, College/Work Based Training. 2. Young people who have no qualifications on leaving school, which is a barrier to gaining education, employment and training opportunities.		
Action required	Positive activities continue by the Children's Trust. The NEET Task and Finish Group have developed a poster to promote a new web page designed specifically for Chorley NEETs, held on the Young People's Services web site. The purpose of the website is to help with employment, education and training options and should support young people with their future options. The project to implement a joint employment initiative with Runshaw College aims to reduce the NEET figure, this commenced delivery in quarter one.		
Trend	Performance at the end of quarter four 2011/12 was 5.5%, over the last twelve months the number of NEETs has reduced by 5.1% (from 197 to 187). Previous performance for 2012/13 was; quarter one 5.3%, quarter two 5.8% and quarter three 4.8%. Current performance is better than the Lancashire County Council target of 6.2%, and Chorley is currently the second best district in Lancashire.		

Performance Indicator		Target	Performance
Growth in business rate base		3%	0%
Reason below target	Growth in the business rate base is a new target and our economic development projects which will ultimately achieve business growth are now increasing momentum.		
Action required	<p>The Business Support function has been established as follows:</p> <ul style="list-style-type: none"> • Business Advisors for start-up and existing businesses • Starting in Business Grant Programme of workshops (Business JIGSAW, 'Ask the Expert', Boost Your Business seminars) • Choose Chorley for Business Network (with over 100 businesses attending) • Choose Chorley e-newsletter (first edition released in Feb 2013) • Chorley Business Investment for Growth (BIG) grant to support the capital expansion of existing Chorley companies where growth is linked to job creation. <p>The projects to create a Town Centre Masterplan and Inward Investment Plan are now well underway, with the ultimate aim of attracting new investment into the Borough.</p>		

Performance Indicator		Target	Performance
Number of long term empty properties in the borough		240	265
Reason below target	Within the 265 figure there are 12 Registered Provider properties of which 4 will shortly be removed from the list due to demolition or re-let. There are 33 long term vacant rented flats out of a total of 78 in one development, and the reasons why they have been vacant for so long needs to be investigated further. The current list also includes 6 pubs, 2 club premises and 14 farms. Such properties which combine businesses will be more difficult to sell due to changes in the leisure and agricultural industries.		
Action required	The effect of Council Tax changes for 6 months from April to September 2013 will be monitored to establish whether owners are taking action to sell or rent their property in view of their Council Tax bill which will also support targeted action. Further analysis will be carried out with options developed for additional activity to reduce the total figure and a report to be prepared for future consideration. As at end of April 2013, the figure had reduced to 255.		

Performance Indicator		Target	Performance
% of customers dissatisfied with the way they were treated by the Council		20%	32.2%

Reason below target	The email survey is a more efficient and effective way of understanding customer satisfaction and provides a greater opportunity for customers to express their views, although this may result in a more negative response than if the feedback were provided to a person (via telephone for example). Dissatisfaction due to lack of response following an enquiry or not keeping the customer informed of progress continue to be key causes although new reports are now available to managers to help tackle issues within specific services or teams.
Action required	The results of the survey, including customer reasons and comments, continue to be reported to Strategy Group on a monthly basis and Information Exchange to enable Heads of Service to address any service related issues. The survey has been optimised to ensure that respondents are able to quickly and easily give their views. Further year end analysis will be used to identify key themes or trends and develop interventions both internally and with partners (LCC) to target recurring issues.
Trend	The email survey was only collected from May 2012. In May 2012 dissatisfaction was 29%, and by March 2013 the in month figure had reduced to 17%. Fluctuations throughout the year have resulted in the year to date performance of 32.2%.

PERFORMANCE OF KEY SERVICE DELIVERY MEASURES

23. There are some important indicators that are not included within the Corporate Strategy, but are measured locally as indicators of service performance. There are five indicators that can be reported at the end of the fourth quarter. The full outturn information for this is included at Appendix B: Key Service Delivery Measures.

24. The following are performing better than target:

- Time taken to process housing benefit/council tax new claims and change events
- Processing of planning applications as measured against targets for 'major' application
- Processing of planning applications as measured against targets for 'other' application types
- Number of families in temporary accommodation

25. There is currently one indicator that is performing worse than target. This indicator relates to the percentage of 'minor' planning applications determined within a timely manner. The table below gives the reasons for this worse than anticipated performance, and the steps that are being taken to improve performance:

Performance Indicator	Target	Performance
Processing of planning applications as measured against targets for 'minor'	65%	55.7%

<p>Reason below target</p>	<p>The issues which affected performance, as reported in quarter one, continued to impact on the performance of this indicator throughout the rest of the financial year. The issues as reported previously include:</p> <ul style="list-style-type: none"> • a significant increase in the volume of minor applications; • significant printing demands generated from safeguarded land applications <p>Overall, as the target timescales for these types of applications are relatively short (8 weeks), issues such as these can easily impact on performance.</p>
<p>Actions required</p>	<p>A number of measures have been put in place including additional staffing, workflow modifications and management controls. The enterprise module to improve the ability to monitor and manage workflow has been implemented and is enabling managers to more easily monitor and manage performance within the service. In addition the service has:</p> <ul style="list-style-type: none"> • implemented improvements to processes and workflow; • introduced a traffic light system for the processing stages; • introduced a red box system to fast track processing tasks; and • introduced twice weekly case management discussions. <p>This has resulted in a slight improvement in performance over the financial year, however the indicator remains below target.</p>

IMPLICATIONS OF REPORT

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


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
















GARY HALL
CHIEF EXECUTIVE

Background Papers			
Document	Date	File	Place of Inspection
Previous report	21 February 2013	Online	http://democracy.chorley.gov.uk/ielIssueDetails.aspx?IId=29358&Opt=3

Report Author	Ext	Date	Doc ID
Louise Wingfield	5061	30 May 2013	Fourth Quarter Performance Report 2012/13


Appendix A: Performance of Corporate Strategy Key Measures


 Performance is better than target
  Worse than target but within threshold
  Worse than target, outside threshold






Indicator Name	Polarity	Target Value	Performance Value	Symbol
% of the population with NVQ level 3 and above	Bigger is better	50%	58.1%	
Town Centre Visits	Bigger is better	37500	34692	
% of businesses ceasing to trade	Smaller is better	10.7%	11.2%	
Median workplace earnings in the borough	Bigger is better	£458	£459.6	
Overall employment rate	Bigger is better	80%	76.6%	
Number of jobs created through targeted interventions		Baseline	54	
% of working age people on out of work benefits	Smaller is better	11.7%	10%	
The % of 16-18 year olds who are not in education, employment or training (NEET)	Smaller is better	5%	5.3%	
Growth in business rate base	Bigger is better	3%	0%	
% of domestic violence detections	Bigger is better	70%	70.5%	
The number of visits to Council's leisure centres	Bigger is better	1,000,000	1,008,586	
Number of young people taking part in 'Get Up and Go' activities	Bigger is better	15000	24743	
Number of affordable homes delivered	Bigger is better	100	183	
Number of Homelessness Preventions and Reliefs	Bigger is better	200	246	
Number of long term empty properties in the borough	Smaller is better	240	265	
% of households living in fuel poverty		Baseline	14.8%	
% of customers dissatisfied with the service they have received from the council	Smaller is better	20%	32.2%	

Appendix B: Performance of key service delivery measures

 Performance is better than target

 Worse than target but within threshold

 Worse than target, outside threshold

Indicator Name	Polarity	Target Value	Performance Value	Symbol
NI 181 YTD Time Taken to process HB/CT benefit new claims and change events	Smaller is better	10Days	9.65Days	
(NI 157a) Processing of planning applications as measured against targets for 'major' application types	Bigger is better	70%	70.59%	
(NI 157b) Processing of planning applications as measured against targets for 'minor'	Bigger is better	65%	55.66%	
(NI 157c) Processing of planning applications as measured against targets for 'other' application types	Bigger is better	80%	80.62%	
Number of households living in Temporary Accommodation (NI 156)	Smaller is better	25	11	



Report of	Meeting	Date
Chief Executive (Introduced by the Executive Member for Resources, Policy and Performance)	Executive Cabinet	20 June 2013

CHORLEY PARTNERSHIP PERFORMANCE MONITORING QUARTER FOUR 2012/13

PURPOSE OF REPORT

1. To update the Executive on the performance of the Chorley Partnership during the fourth quarter of 2012/2013, from 1 January to 31 March 2013.

RECOMMENDATION(S)

2. That the report be noted.

EXECUTIVE SUMMARY OF REPORT

3. This report sets out performance against the Chorley Partnership delivery plan and key performance indicators for the fourth quarter of 2012/13, 1 January to 31 March 2013. Performance is assessed on the delivery of partnership projects, against the measures in the delivery plan and key service delivery measures.
4. Performance of the Chorley Partnership in achieving the key performance targets remains good. In summary:
 - Latest figures available for alcohol related hospital admissions show a year to date reduction of 5.3% at quarter two 2012/13.
 - Primary fires in Chorley are lower than anticipated.
 - Crime overall has shown a decrease of 11.6% in quarter four compared to the same period last year, following the trend over the past twelve months this has resulted in an overall increase of 1%.
5. Overall performance on the key projects / priorities in the Chorley Partnership delivery plan is good, with 79% rated 'green' or complete.
6. Overall performance of the key projects of the Chorley Partnership remains excellent, with all four projects now complete.

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

(If the recommendations are accepted)

- To facilitate the on-going analysis and management of the Chorley Partnership’s performance and delivery of funded projects.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- None.

CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all	✓	A strong local economy	✓
Clean, safe and healthy communities	✓	An ambitious council that does more to meet the needs of residents and the local area	✓

PERFORMANCE INDICATORS

- This section includes an overview of the key performance indicators for the Chorley Partnership. This does not include indicators that are the responsibility of Chorley Council, as they are reported in the Council’s Quarter Four Performance Report.

11. All Crime

The table below shows the crime levels at the end of quarter four:

Category	Q4 Last Year	Q4 This Year	% Change	YTD	% Change
All Crime	1416	1252	-11.6%	5686	+1%
Serious Acquisitive Crime	169	167	-1.2%	754	+12%
Burglary Dwelling	52	55	+5.8%	260	+10%
Vehicle Crime	113	109	-3.5%	478	+14%
Robbery	4	3	-25%	16	-11%
All Violent Crime	369	330	-10.6%	1453	0%
Violence Against the Person	342	301	-12%	1335	-1%
Alcohol related violence	110	108	-1.8%	413	+12%
Domestic Abuse	141	160	+7.5%	702	+18%
Domestic Abuse Detections (70%)	70%	65%		73%	
Domestic Violence Murder	0	0		0	
Criminal Damage (inc arson)	247	203	-17.8%	702	+4%
Anti Social Behaviour	1016	947	-6.8%	4702	-6%
Detected Arsons (20%)	10.0%	14.0%		12.0%	

The year-end figures were slightly higher than anticipated due to the figures for quarter three which have had a negative impact on the overall total. There has been a focus on increasing the detections for Domestic Abuse which has had a positive effect.

12. **Fire related Key Performance Indicators**

Indicator	Target	Performance
Deliberate Primary Fire	29	25
Accidental Primary Fire	56	53
Vulnerable people including single occupancy households to receive home fire safety checks	60%	73%

13. **Alcohol Related Admissions**

Latest data for quarter two 2012/13 shows a reduction of 5.4% for alcohol related hospital admissions in Chorley when compared to the same period last year.

Rate of alcohol related admissions per 100,000 population				
		2011/12	2012/13	% change
Quarter two	Chorley	552	523	- 5.2%
	Lancashire	564	545	- 3.3%
	North West	613	606	- 1.2%
	England	491	492	+ 0.4%
Year to date	Chorley	1099	1041	- 5.3%
	Lancashire	1125	1094	- 2.8%
	North West	1209	1203	- 0.5%
	England	965	975	+ 1.1%

This represents the latest information published by the North West Public Health Observatory and further analysis of these results is not yet available. The most recent detailed analysis available is from 2010/11.

SUSTAINABLE COMMUNITY STRATEGY DELIVERY PLAN 2012/13

- 14. The Chorley Partnership has 52 key projects/priorities in the delivery plan for 2012/2013. These projects/priorities are being delivered by eight of the key partners of the Chorley Partnership; Chorley Council, Lancashire County Council, Lancashire Constabulary, Lancashire Fire and Rescue, NHS Central Lancashire, Lancashire Teaching Hospitals, Runshaw College, and the Voluntary, Community and Faith Sector (VCFS), as well as partnership projects.
- 15. Of these 52 key priorities/projects, 41 (79%) were reported as either green, complete or re-categorised to business as usual. There are eleven key priorities/projects which remain unreported at this moment in time. This includes five which were the responsibility of NHS Central Lancashire, which was abolished on 1st April 2013 and all services transferred to the responsibility of the Chorley and South Ribble Clinical Commissioning Group, Lancashire County Council and Lancashire Care Trust.

PARTNERSHIP PROJECTS DELIVERY

- 16. The Chorley Partnership has four key projects for delivery during 2012/2013. These projects support the delivery of the vision, themes and priorities of the Sustainable Community Strategy 2010-2020. Each project uses Chorley Council’s project management methodology to manage and monitor delivery.
- 17. Overall performance of the key projects is excellent, with all four of the projects now complete. Two projects ‘Increasing opportunities for NEET young people in Chorley’ and ‘Managing personal finances – protecting vulnerable people’ were completed in earlier quarters as reported in previous reports.
- 18. Two projects have been completed during the last quarter, and the initial outputs of these projects are detailed below:

Volunteering in Chorley	
<p>The aim of the project was to develop actions to increase recruitment, retention and support for volunteers in Chorley.</p> <p>Managed by the sector, it would assess the current provision for volunteers and put in place actions to increase recruitment, retention and support.</p>	
Lead Partner: Chorley VCFS Network	
<p>RAG Status:</p> <p>Complete</p>	<ul style="list-style-type: none"> • The aims of the project were delivered and the data is available. • The VCFS Committee has demonstrated its ability to deliver a project on behalf of the sector and to manage a member of staff. • Chorley VCFS along with Chorley Council has increased its visibility and network links in the sector and will continue to do so within the successful joint bid with West Lancashire CVS and Volunteering Lancashire. • The project has been working with SPICE to enable volunteers in Chorley to be valued for their contributions to volunteering through the time credits and this continues to build upon its success.

Embedding the NHS Reform in Chorley	
<p>The aim of this project was to enable the NHS reform changes to be embedded locally within Chorley. It would work with the emerging Clinical Commissioning Groups (CCG) and county wide structures to ensure that an appropriate local structure and strategy is put in place.</p>	
Lead Partner: Chorley Council	
<p>RAG Status</p> <p>Complete</p>	<p>The Chorley and South Ribble Health and Wellbeing Partnership is now functioning and is developing a local health and wellbeing plan which augments partner strategies e.g. the CCG and the Health and Wellbeing Board at County level.</p> <p>The Chorley and South Ribble Clinical Commissioning Group and the Lancashire County Council structures for public health are now formalised and delivery is commencing.</p>

FUTURE CHANGES TO PARTNERSHIP REPORTING

19. Following a review of the Chorley Partnership during 2012/13, a new approach to delivery planning has been implemented for the next financial year. This will provide greater clarity on the links and performance of the sub groups as well as partner organisations. The performance reports will be adapted to reflect this, and Members will see a new format of report from quarter one 2013/14.

IMPLICATIONS OF REPORT

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

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

GARY HALL
CHIEF EXECUTIVE

Background Papers			
Document	Date	File	Place of Inspection
Previous report	21 February 2013	Online	http://democracy.chorley.gov.uk/ieIssueDetails.aspx?IId=29360&Opt=3

Report Author	Ext	Date	Doc ID
Louise Wingfield	5061	30 May 2013	Chorley Partnership 4th Quarter Report

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Report of	Meeting	Date
Chief Executive (Introduced by the Executive Member for Resources, Policy and Performance)	Executive Cabinet	20 June 2013

CAMPAIGNS AND ENGAGEMENT STRATEGY

PURPOSE OF REPORT

1. To seek Executive Cabinet approval for the new Campaigns and Engagement Strategy, which replaces the Communications and Marketing Strategy Chorley Council.

RECOMMENDATION(S)

2. That the Executive Cabinet approve the Campaigns and Engagement Strategy

EXECUTIVE SUMMARY OF REPORT

3. It is vital that the council has an up-to-date and clear focused strategy for communicating information to local residents so this report sets out how we are going change the emphasis of our approach to ensure we make best use of the ever-changing communication world to achieve the objectives set out in the corporate strategy.
4. It outlines some of the key issues and challenges ahead as well as setting out the main key areas of focus and campaigns for the year ahead.

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

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

5. To provide an up-to-date strategy that enables the council to best communicate with local residents.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

6. To continue with the current Communications and Marketing strategy.

CORPORATE PRIORITIES

7. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all	✓	A strong local economy	✓
Clean, safe and healthy communities	✓	An ambitious council that does more to meet the needs of residents and the local area	✓

BACKGROUND

8. This strategy outlines how we will develop from where we are now to where we want to be. It reflects a change in focus of the Policy and Engagement team to be more campaign-led in order to achieve the objectives set out in the corporate strategy, rather than having an external focus of improving and protecting the council’s image and reputation.
9. Although it is a change of emphasis, this strategy will play a central role in improving residents’ satisfaction. If customers understand and are aware of the services that are available to them, know how to access them and are able to communicate openly with the council, they are more likely to appreciate that they receive value for money services in exchange for the council tax they pay. We want to be sure customers know:
 - Who we are, what we’re doing and why
 - How to contact us, get involved or suggest changes or improvements
 - How public money is spent and what is available to them
10. The document attached sets out how implementing coordinated and effective campaigns and engagement can help us serve our residents better and make the council a clearly visible part of improving life in Chorley.

IMPLICATIONS OF REPORT

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

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

COMMENTS OF THE STATUTORY FINANCE OFFICER

12. No comments to add

COMMENTS OF THE MONITORING OFFICER

13. No comments to add

GARY HALL
CHIEF EXECUTIVE

Background Papers			
Document	Date	File	Place of Inspection
Communications and Marketing Strategy	June 2007	Campaigns and Engagement Strategy	Report: http://democracy.chorley.gov.uk/documents/s5836/CommMarktgRept.pdf and Plan: http://democracy.chorley.gov.uk/documents/s5883/CommMarktgStratDoc.pdf
Report Author	Ext	Date	Doc ID
Andrew Daniels	5265	31 May 2013	EC – CEstrategy

**Chorley Council
Campaigns and Engagement strategy 2013**

BACKGROUND

This strategy outlines how we will develop from where we are now to where we want to be. It reflects a change in focus of the Policy and Engagement team to be more campaign-led in order to achieve the objectives set out in the corporate strategy, rather than having an external focus of improving and protecting the council's image and reputation.

Although it is a change of emphasis, this strategy will play a central role in improving residents' satisfaction. If customers understand and are aware of the services that are available to them, know how to access them and are able to communicate openly with the council, they are more likely to appreciate that they receive value for money services in exchange for the council tax they pay.

We want to be sure customers know:

- Who we are, what we're doing and why
- How to contact us, get involved or suggest changes or improvements
- How public money is spent and what is available to them

This document sets out how implementing coordinated and effective campaigns and engagement can help us serve our residents better and make the council a clearly visible part of improving life in Chorley.

Key issues and challenges

The change of focus will redirect resources away from communications and onto the development of campaigns that support the council's priorities, and events that support community engagement. The focus of the service will change to be more project orientated; to deliver campaigns, events and other initiatives that are priorities for the council. This will mean that resources can be more flexible and respond to the needs of the organisation in making it more open and accessible, and encourage greater engagement with residents.

Media and external perception

There are strong relationships with the local media but this has been and will be a key area of change in the next few years. We have started to see a decrease in the influence of the local press with declining circulation figures and quality as media companies have been affected by the tough economic climate. The two main local newspapers – the Chorley Guardian and Chorley Citizen – are increasingly being put together with more influence outside of the borough and by 2015 we could see no journalists based in the borough. This, combined with the opportunities that social

media bring, is a key factor in how we engage with residents as we direct less resources at dealing with the media and focus on directly communicating with residents.

We have established a strong consistent corporate brand that is carried through all our activities to help increase visibility of the council. This helps to make sure customers can easily recognise the council and its services. With the ambitions of the current administration to create inward investment, it is important this strategy considers how we ensure people from across the region have a positive perception of Chorley and the borough as a whole.

The Making it Happen campaign launched in August 2012, to go along with the fresh approach from the new administration, which is all about getting things done and acting as a catalyst for others to make a difference in their neighbourhood.

Internal communications

An important aspect of the campaigns and engagement strategy will be to get the support of staff who are a key channel of communication as they are in contact with residents on a daily basis.

Delivering the internal communications plan and the development of the new intranet will be vital in maintaining staff satisfaction and ensuring everyone is kept informed about what's happening at the council.

KEY AREAS OF FOCUS AND CAMPAIGNS

To take the strategy forward we have identified six key areas:

1) Inward investment

One of the key priorities of the council is a strong local economy so it's important we support this aim by having inward investment as one of the campaign areas. This will not just be about promoting Chorley in the borough, but to look at what opportunities are out there to grab the attention of businesses and take advantage of Chorley's excellent location in the heart of the North West with excellent transport links:

- Put Chorley on the map as a key place to do businesses in the North West during the economic recovery
- Develop an inward investment marketing package
- Identify ourselves as a key source of information so we can act as a catalyst to increase investment and get local businesses working together
- Help get more people into work by matching employers and jobseekers
- Supporting a programme of networking events

Measures: Increased business start-ups, increased investment and jobs from businesses relocating to Chorley, reduction in unemployment figures.

2) Town centre

A strong local economy needs a vibrant town centre and so this campaign will be one that aims to first of all get a better understanding of who is coming into the town centre, but more importantly, who isn't and whether there's anything we can do to get them to visit. It will also support a more co-ordinated approach to events so that there is a better experience for people visiting and it can then build a reputation for Chorley town centre as somewhere people from further afield would want to visit more often.

- Undertake research to gain a better understanding of who does and who doesn't visit the town centre and why
- Develop a marketing campaign specifically for the town centre
- Increase the take up of grant support packages and be proactive in identifying areas it can be used
- Co-ordinate a programme of town centre events

Measures: Increased footfall in the town centre, increase in amount of time spent in the town centre, increase in amount of grant funding spent, reduction in number of empty shops

3) Promoting the council's assets and tourism

As an ambitious council we need to make sure that we set an example by getting the most out of the assets we own. There are many places such as Astley Hall, Park and Coach House, the Lancastrian Suite, award-winning parks and community centres that are not achieving their full potential in terms of use and income generation. This campaign would need a review of what is already being done but also to ensure that the main corporate events have a purpose and tie in with other campaigns within this strategy so they are not just 'one offs' that get people into Chorley for a short period of time with no further benefit.

- Review how all of the council's main assets are promoted
- Put together a programme of activity throughout the year that will attract people from across the borough into the main centre
- Develop the main corporate events to give people a reason to come into Chorley more regularly
- Work with other tourist attractions in the borough to see what options are possible for joint promotion

Measures: Increased visitor numbers, increased hire of council facilities

4) Getting people involved in their community

Including residents in improving their local area is a key aim of the council as by working together we are able to achieve and do more in communities. We can only do this if people know how to get involved and what help we can offer them. This will tie in heavily with the council's neighbourhood working scheme and also support the Spice time banking programme.

- Develop a new civic pride campaign

- Promote neighbourhood working – what it means, how people can get involved and what is achieved
- Make it easier for people to come to the council for helping in setting up own improvements
- Raise the profile of elected members

Measures: Increased positive perception of Chorley, increase in number of community-organised improvements, increased volunteering

5) Cleaner Chorley

Having clean communities is important to residents as we get lots of calls about a wide variety of work we undertake from grass cutting to fly-tipping and dog fouling to litter. This area of focus would demonstrate what we do and educate residents on how they can help.

- Make people aware of the amount of work the council does to keep Chorley clean and safe
- Produce/develop relevant campaigns around high volume/key areas of work such as dog fouling, litter etc
- Tie in with civic pride and promote what support we will give to empower residents to keep their neighbourhoods clean
- Improve branding of cleaning equipment

Measures: Improvements in cleanliness of streets, reduction in calls/complaints about dog fouling, litter etc.

6) Open and accessible council

If we are to achieve all the above then we need to make sure we are open and honest with residents and that they are all aware of what we are doing regardless of where they live in the borough. The opportunities new technology has opened up mean that we now have far more direct ways of communicating with residents so we will look to build on this but also make sure we are accessible to those who don't have access to the internet.

- Develop, improve and introduce new methods of direct communication with residents
- Ensure service information is available in all parts of the borough
- Make it easier and publicise new channels of contact through the website
- Develop a smartphone app
- Increase participation at the main corporate events

Measures: Increased participation in consultations, reduce amount of contact via phone and in person, reduction in confusion over who provides services and whose responsibility it is to resolve issues,



Report of	Meeting	Date
Chief Executive (Introduced by the Executive Member for Resources, Policy and Performance)	Executive Cabinet	20 June 2013

PROVISIONAL REVENUE OUTTURN 2012/13

PURPOSE OF REPORT

1. This report sets out the provisional revenue outturn figures for the Council as compared against the budgets and efficiency savings targets it set itself for the financial year 2012/13.
2. The accounts are provisional at this stage and are also subject to final checking and scrutiny by the Council's external auditor. Should there be any significant changes to the outturn as a result of this process I shall submit a further report to Executive Cabinet.

RECOMMENDATION(S)

3. That Executive Cabinet are asked to consider the following recommendations.
 - Approval of slippage requests outlined in Appendix 2 of the report to finance expenditure on specific items or projects in 2013/14.
 - Transfer a sum of £100,000 from general balances to a specific reserve to fund buildings maintenance and improvement works.

EXECUTIVE SUMMARY OF REPORT

4. The Council expected to make overall target savings of £200,000 in 2012/13 from management of the establishment. As reported in September, the full savings target for 2012/13 has been achieved.
5. After taking slippage of budgeted underspends on committed items into account, the Council's initial net expenditure at the end of the year shows an underspend against the budget of around £91,000.
6. The Council's Medium Term Financial Strategy proposed that working balances were to be no lower than £2.0m due to the financial risks facing the Council. I am pleased to report that should the recommendations in this report be accepted, the level of balances proposed at 31 March 2013 will exceed the minimum of £2.0m by £0.060m. This puts the Council in a strong position for the start of the next financial period.

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

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

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

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 8. None.

CORPORATE PRIORITIES

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

Involving residents in improving their local area and equality of access for all		A strong local economy	
Clean, safe and healthy communities		An ambitious council that does more to meet the needs of residents and the local area	√

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

BACKGROUND

- 10. The Council’s approved revenue budget for 2012/13 included target savings of £200,000 from management of the staffing establishment. The September budget monitoring report announced that the full savings target for 2012/13 had been achieved.
- 11. The June budget monitoring report recommended the use of General Balances to create a specific earmarked reserve for use in 2012/13. A sum of £300,000 was approved for investment in the Town Centre. Work has already started in a number of areas including:
 - Car Park improvements
 - Market Street reopening
 - Town centre land acquisition
- 12. Also approved in the June report was the use of underspends on existing staffing budgets to fund the creation of an additional Business Advisor post. This will provide a service for existing businesses that have been trading for more than three years.
- 13. In my report to the Executive Cabinet of 21 February I advised on the projected outturn for 2012/13 which outlined a forecast underspend of £564,000 based on information to the end of December and that the level of General Balances at year-end would exceed the minimum £2.0m set out in the Medium Term Financial Strategy. In setting the Council’s budgets for 2013/14 it was agreed that the revenue underspend of £564,000 would be utilised to set aside £450,000 to restructure debt and £114,000 to invest in the Corporate Strategy.

CURRENT FORECAST POSITION

14. Set out in Appendix 1 is the summary provisional outturn position for the Council for 2012/13. No individual service directorate figures are attached. These can be viewed <http://democracy.chorley.gov.uk/documents/s37341/UpdatedDirectorateStatementsProvisionalOutturn201213FINAL.xls.pdf> and are also available as hard copies for inspection in the Members' Room.
15. The net expenditure at the end of the financial year shows a provisional underspend against the Council's budgets of £91,000 (after taking requests for slippage into account). Details of the revenue outturn position are shown in Appendix 1. An analysis of the main variances over and above those previously reported in monitoring is shown in the table below. Further details are contained in the service unit analysis available in the Members' room.

ANALYSIS OF MOVEMENTS**Table 1 – Significant Variations from the last monitoring report**

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

	£'000	£'000
Expenditure		
Staffing costs	(81)	
ERVS/Redundancy	74	
United Utilities - Surface Water & Highway drainage	(17)	
Bus Shelter refurbishment	(13)	
Dog Fouling Campaign	(34)	
Grounds maintenance supplies	(11)	
Business Rates on Gillibrand St Offices	28	
Other Expenditure	<u>(30)</u>	
		(84)
Income		
Planning & Building Control Fees	(23)	
Cemetery Income	(18)	
Change in Parking Tariffs Proposal	25	
Lease of Gillibrand Street Offices	50	
Other Income	<u>(41)</u>	
		(7)
Net Movement		(91)

16. An additional saving of £81,000 on staff salaries has been achieved in the period since the last monitoring report, predominantly from the People and Places and Transformation directorates. As the Council's annual corporate savings target for 2012/13 has already been achieved, these additional savings can be used to fund the one-off severance and redundancy costs of £74,000 incurred as a result of departmental restructures.
17. In previous monitoring reports I outlined the issues raised with United Utilities Water Plc where it appeared that charges for surface water and highway drainage were being duplicated or made on the wrong tariff. Following further review of the charges made by United Utilities an additional site was identified where the council had been overcharged for a number of years. As a result a further refund has been received in the sum of £17,000.

18. Included in the base budget for 2012/13 was a one-off growth item of £75,000 for a programme of repair, refurbishment and replacement of Chorley Council owned bus shelters. Total expenditure in 2012/13 for this scheme was £21,000 with an additional £18,000 requested to be carried forward as slippage for use in 2013/14. The total cost, once this programme of work has been completed, is expected to be around £39,000 giving a saving against budget of £36,000. This is an increase of £13,000 on the forecast saving reported in previous monitoring reports.
19. Also included in the 2012/13 base budget was a further growth item of £75,000 to provide a borough wide campaign for tackling dog fouling and owners of aggressive dogs through marketing, education and enforcement. The total cost of the campaign for 2012/13 was £41,000 giving a saving against budget of £34,000. Although no slippage request has been made to carry forward this budget underspend, a mainstream budget provision of £25,000 has been made for use in 2013/14 and future years to continue the campaign.
20. The budget for Grounds Maintenance Supplies is subject to a certain level of reactive expenditure making it difficult to accurately predict future costs against the budget. Based on profiled and committed expenditure information available in December, it was anticipated that the full costs for the year would be broadly in line with the 2012/13 budget at around £90,000. Costs were lower than anticipated in the final quarter resulting in a saving of around £11,000 against budget.
21. The 2012/13 budgets for the Council's Gillibrand Street offices included the assumption that the property would be sub-let to the Probation Service as a result of the Asda development once their property was demolished. At the time of setting the budget, a rental income of £50,000 was included for 2012/13 together with the assumption that the business rates would be paid by the occupying tenant for the full year.

Unfortunately, due to significant delays with the development, this agreement has still not taken place resulting in not only the potential loss of rent of £50,000 but also incurring the annual cost of business rates of £28,000. Although the Council has been asked to continue to hold the premises with the expectation of the Probation Service moving in when Asda are seeking to demolish their existing building, as a result of the delays the Council has notified Asda that it will be re-marketing the property and the lease particulars will be re-published soon. In the event the Asda development proceeds and the probation service take residence, the Council would be looking to backdate the lease and seek reimbursement for both the lost rent and business rates expenditure.
22. Having seen income levels improve over the third quarter, the December monitoring report detailed the latest forecast for Planning Fee income to be around £565,000 for the year compared to the 2012/13 budget of £600,000. Income levels have continued to improve over the final quarter to March resulting in total income of £584,000 for the year, an improvement of £19,000 from the December forecast. Building Control income also improved over the final quarter with an additional £4,000 income over previous forecasts, although the total income received for the year was still around £13,000 below budgeted levels.
23. Cemetery income levels also increased significantly over the final quarter compared to the first 9 months of the year. The forecast in December was for a shortfall of around £34,000 but the position has since improved resulting in additional income of around £18,000 above the previous forecast.
24. The Council initially introduced revised car parking tariffs on a trial basis for the period October 2012 to January 2013. In the last monitoring report in December, the forecast was for an estimated loss of income of around £39,000 as a result of the new tariffs, based on income data received during the first three months. The trial period has since been extended resulting in further loss of income in February and March. It is now estimated that

the full cost of the tariff change for 2012/13 is around £64,000 although it is difficult to distinguish whether the reduced income levels are directly attributable to the tariff changes or an underlying trend. The Council's budget for 2013/14 has subsequently been reduced by £75,000 as a result of the tariff scheme being extended for a further 12 months and income levels will have to be monitored closely throughout the year to assess the on-going impact of the scheme.

COMMITTED ITEMS/SLIPPAGE REQUESTS

25. Each year the Council commits itself to expenditure that may not always be incurred in the financial year. It is customary to allow directorates that have a budget underspend to carry forward these resources to pay for specific items in the following year. This is an important part of the budget management process as it allows officers to commit earmarked resources to specific projects particularly towards the end of the financial year.
26. Two areas warrant particular mention in respect of the slippage requests received as together they make up around £307,000 of the total slippage requested, £145,000 on neighbourhoods and the environment, and around £162,000 on ICT projects.
27. A request of £78,200 has been made in respect of the residual budget from the Neighbourhood/pump priming budget originally created in 2008/09 and has been earmarked for outstanding works on Buttermere Green and Clayton Green projects. The exact nature and extent of the works is yet to be determined but once works on the two community centres is completed the project can be continued subject to Member and resident consultation. A request in the sum of £66,650 has also been made in respect of environmental clean-ups/grot spots. A number of projects are yet to be started or are already in progress and the process of identifying grot spot areas for improvement will continue and augment the new clean up team resource created for 2013/14.
28. Slippage in ICT Services' budgets totalling £162,450 is requested. This investment and programme of work enables the Council to continue with the digitisation of paper records which reduces the risk of loss and damage to information and simultaneously provides the capability to share information more efficiently enabling automation which will help to reduce operational costs in the longer term. The projects include Digitisation of plotting burial records (£10,000), Digitisation of plotting sheets and micro fiche records (£47,000), Review of Member IT kit (£25,000), Improvements in the management of the Booking System (£25,000) and Review of the Telephony System (£50,000).

A full schedule of the slippage requests received for 2012/13 is outlined in Appendix 2.

GENERAL FUND RESOURCES AND BALANCES

29. With regard to working balances, and as per Appendix 1, we started the year with a balance of £2.264m. The approved MTFs proposes that working balances are to be no lower than £2.0m given the budgetary challenges facing the Council. However there are a number of items that will impact on this position that should be considered by Cabinet, these being:
 - Carrying over items into 2013/14 via slippage requests (outlined in Appendix 2).
 - Creation of reserve to fund buildings maintenance and improvement works.
 - Uncertainty in MTFs over local Business Rate retention scheme after 2012/13.
30. The Council's budget for 2012/13 included an in-year contribution to general balances in the sum of £57,950 which is shown in the table below. The other in-year transfer to reserves for 2012/13 was a sum of £300,000 approved for investment in the Town Centre which has been earmarked for car park improvements, the reopening of Market Street, and town centre land acquisition.

31. At the end of 2011/12 the Council approved the transfer of £75,000 to an earmarked reserve to cover the potential liability of charges from the Council's Collection Fund. The actual charges to the Council's General Revenue Fund have since been confirmed in the sum of £27,780 leaving a balance of £47,220 which can now be transferred back to general balances.
32. The provisional outturn position for 2012/13 for the Council's General Revenue Fund shows an underspend against the Council's budgets of around £91,000 (after taking requests for slippage into account). Details of the 2012/13 revenue outturn position are shown in Appendix 1.
33. The impact of the provisional underspend, together with the in-year transfer to and from reserves, is a potential closing balance of £2.160m for working balances. This position provides an ideal opportunity to increase investment in the Council's buildings by creating a specific reserve to fund buildings maintenance and improvement works. The Council's property services advisor Liberata UK has identified a three year programme of repair and improvement works for which the Council has no current budget provision. Use of the 2012/13 underspend will enable the essential works required for 2013/14 to be carried out. Given the revenue outturn position and the level of general balances, I feel it is prudent at this stage to recommend that a sum of £100,000 is transferred to an earmarked reserve to finance the buildings maintenance and improvement works in 2013/14.
34. The effect of the above recommendations and decisions taken previously on working balances is detailed as follows. It can be seen from the table below that the General Fund Balance will exceed the minimum level set in the MTFs by £0.060m.

Table 2 – Movement in General Fund Balance

General Balances	£m
Opening Balance 2012/13	2.264
Budgeted Contribution to General Balances	0.058
Transfers to Reserves - Town Centre Investment	(0.300)
Balance of Collection Fund write-offs reserve	0.047
Provisional revenue budget underspend	0.091
Potential Closing Balance 2012/13	2.160
Reserve to fund buildings maintenance/improvements	(0.100)
Proposed Working Balances for 2013/14	2.060

35. Appendix 3 provides further information about the earmarked reserves and provisions that would be available during 2013/14 if the recommendations of this report are approved.

IMPLICATIONS OF REPORT

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

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

COMMENTS OF THE STATUTORY FINANCE OFFICER

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

COMMENTS OF THE MONITORING OFFICER

38. The Monitoring Officer has no comments.

GARY HALL
CHIEF EXECUTIVE

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Dave Bond	5488	21/05/13	Revenue Budget Monitoring 2012-13 Provisional Outturn Draft 2.doc

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	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
General Fund Revenue Budget Monitoring Provisional Outturn 2012/13	Original Cash Budget	Impact of Council Restructure	Agreed Changes (Directorates)	Agreed Changes (Other)	Amended Cash Budget	Contribution to Corp. Savings (Staffing)	Contribution to Corp. Savings (Other)	Current Cash Budget	Forecast Outturn	Variance	Variance
	£	£	£	£	£	£	£	£	£	£	%
Chief Executive & Transformation	6,210,360		(117,460)	421,760	6,514,660	(110,000)		6,404,660	5,871,302	(533,358)	-8.3%
Partnerships, Planning & Policy	779,900		151,970	320,280	1,252,150	-		1,252,150	1,256,461	4,311	0.3%
People & Places	6,454,280		(25,920)	342,220	6,770,580	(90,000)		6,680,580	6,252,714	(427,866)	-6.4%
Directorate Total	13,444,540	-	8,590	1,084,260	14,537,390	(200,000)	-	14,337,390	13,380,477	(956,913)	-6.7%
Budgets Excluded from Transformation Directorate Monitoring:											
Pensions Account	203,460				203,460			203,460	232,371	28,911	14.2%
Benefit Payments	68,880		(8,590)		60,290			60,290	55,539	(4,751)	-7.9%
Corporate Savings Targets											
Management of Establishment	-			(200,000)	(200,000)	200,000		-	-	-	-
Reduction in Pension Rate	-			-	-			-	-	-	-
Efficiency/Other Savings	-			-	-			-	-	-	-
Total Service Expenditure	13,716,880	-	-	884,260	14,601,140	-	-	14,601,140	13,668,387	(932,753)	-6.4%
Non Service Expenditure											
Contingency Fund	-				-			-	-	-	-
Contingency - Management of Establishment	(200,000)			200,000	-			-	-	-	-
Efficiency/Other Savings	-				-			-	-	-	-
Revenue Contribution to Capital	-			325,680	325,680			325,680	140,272	(185,408)	-
Voluntary set aside for debt reduction	-				-			-	450,000	450,000	-
Net Financing Transactions	304,350			(23,750)	280,600			280,600	78,326	(202,274)	-
VAT Shelter Income	-				-			-	-	-	-
Transfer to Earmarked Reserve - VAT Shelter Income	-				-			-	-	-	-
Parish Precepts	567,220				567,220			567,220	567,220	-	-
Total Non Service Expenditure/Income	671,570	-	-	501,930	1,173,500	-	-	1,173,500	1,235,818	62,318	
Forecast underspend earmarked for transfer to reserves	-	-	-	-	-	-	-	-	-	-	-
Total Expenditure	14,388,450	-	-	1,386,190	15,774,640	-	-	15,774,640	14,904,205	(870,435)	-5.5%
Financed By											
Council Tax	(6,969,390)				(6,969,390)			(6,969,390)	(6,969,390)	-	-
Grant for freezing Council Tax	(318,000)				(318,000)			(318,000)	(161,684)	156,316	-
Aggregate External Finance	(5,883,290)				(5,883,290)			(5,883,290)	(6,042,991)	(159,701)	-
New Homes Bonus	(1,044,250)				(1,044,250)			(1,044,250)	(1,044,254)	(4)	-
LAA Reward Grant (PRG)	(89,000)				(89,000)			(89,000)	(89,000)	-	-
Local Services Support Grant	(71,470)				(71,470)			(71,470)	(71,470)	-	-
New Burdens Grants	-				-			-	(16,120)	(16,120)	-
Collection Fund (Surplus)/Deficit	(40,000)				(40,000)			(40,000)	(37,222)	2,778	-
Use of Earmarked Reserves - capital financing	-			(465,870)	(465,870)			(465,870)	(296,973)	168,897	-
Use of Earmarked Reserves - revenue expenditure	(31,000)			(838,400)	(869,400)			(869,400)	(869,328)	72	-
Mortgages De minimis receipts	-				-			-	(6,022)	(6,022)	-
Conts in CGUA Reclassified as Revenue	-			(81,920)	(81,920)			(81,920)	(81,850)	70	-
Budgeted Contribution to General Balances	57,950				57,950			57,950	57,950	-	-
Total Financing	(14,388,450)	-	-	(1,386,190)	(15,774,640)	-	-	(15,774,640)	(15,628,354)	146,286	-0.9%
Net Expenditure	-	-	-	-	-	-	-	-	(724,149)	(724,149)	
General Balances Summary Position				Target	Forecast				Slippage Requests to 2013/14	518,850	
				£	£				Underspend	(205,299)	
General Fund Balance at 1 April 2012				2,000,000	2,263,890				Use of underspend for debt restructuring	-	shown above.
Budgeted Contribution to General Balances					57,950				Use of underspend for new investment	114,500	
Transfers to Earmarked Reserves - Town Centre Investment					(300,000)				Surplus (Change from Dec)	(90,799)	
Balance of Collection Fund Adjustments Reserve					47,220						
Provisional (Over)/Under Spend					90,799						
Forecast General Fund Balance at 31 March 2013				2,000,000	2,159,859						

Schedule of Slippage Requests 2012/13

Directorate/Service	Cost Centre Name	Amount £	Details of Request
Chief Executive & Transformation			
Chief Executives Office	Chief Executives Office	21,670	Reward & recognition budget to fund initiatives in 2013/14.
Governance	Civic Services Team	1,000	Mayors medals - goods ordered in March but not received in 2012/13.
Human Resources	HR Transformational Team	21,000	Implementing Organisational Development courses delayed to 2013/14.
Human Resources	HR Transformational Team	6,000	Employee health scheme - additional cover required for year 2.
Human Resources	HR Transformational Team	2,500	Professional development for year 1 costs for a member of the HR & OD team.
Policy & Performance	Communications	20,000	Programme of events for 2013 including Picnic in the Park.
Policy & Performance	External Funding	6,800	Councillor Community Grant Fund - balance remaining to be paid in 2013/14.
ICT Services	Customer & Communication Services	10,000	Digitisation of plotting burial records.
ICT Services	Customer & Communication Services	47,000	Digitisation of plotting sheets & microfiche records.
ICT Services	Customer & Communication Services	25,000	Review of Member IT kit.
ICT Services	Customer & Communication Services	25,000	Improvements in management of booking system to support online take up.
ICT Services	Customer & Communication Services	50,000	Siemens replacement of telephone system with MS Lync.
ICT Services	Customer & Communication Services	5,450	Further Northgate EDMS Roll Out for Housing & Customer Services.
Shared Financial Services	Systems Development	8,550	Essential ICT upgrades with Civica UK Ltd.
Shared Financial Services	Financial Accounting	6,000	Staffing resource to retain specialist knowledge to meet statutory year-end obligations.
Shared Financial Services	Audit Services	4,000	Budget required to fund maternity cover in Assurance Services.
Shared Financial Services	Head of Financial Shared Services	1,500	Staff Development.
Chief Executive & Transformation	TOTAL	261,470	
Partnerships, Planning & Policy			
Housing	Cotswold House	3,780	To continue with lifeskills activities at Cotswold Supported Housing.
Housing	Housing Options	12,950	Arbitras homelessness software - final instalments due in 2013/14 (order PRD033712)
Housing	Cotswold House	6,000	Arbitras rent recovery module software (order PRD033712)
Partnerships, Planning & Policy	TOTAL	22,730	
People & Places			
Health, Environment & Neighbourhoods	Street Games	12,000	Delivery of Door Step Sports project - extend contract of Team Sports Activator.
Health, Environment & Neighbourhoods	Active Generation	3,500	Additional capacity for Active Generation projects.
Health, Environment & Neighbourhoods	Neighbourhood Coordination Initiative	78,200	Neighbourhood working/pump priming - balance remaining from reserve.
Health, Environment & Neighbourhoods	Neighbourhood Coordination Initiative	66,650	Environmental clean-ups/grot spots.
Streetscene & Leisure Contracts	Play Areas	7,870	Playground Equipment - budget required once play strategy document completed.
Streetscene & Leisure Contracts	Assistance to Public Transport	18,410	Bus Shelter Improvements (part of 2012/13 Growth Item).
Streetscene & Leisure Contracts	Chorley Cemetery	3,900	Order PRD034504 for Cemetery matting raised in March. Goods not received.
Streetscene & Leisure Contracts	Parks and Open Spaces	20,000	Public Realm Adoption growth item - extension of Parks & Open Spaces Officer post.
Streetscene & Leisure Contracts	Streetscene Delivery Teams	5,400	Purchase of quad bike ordered in 2012/13 only received in April.
Streetscene & Leisure Contracts	Astley Hall	8,000	Astley Hall electrical works.
Streetscene & Leisure Contracts	Allotments	10,720	Allotments development fund - balance remaining required for 2013/14.
People & Places	TOTAL	234,650	
TOTAL		518,850	

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Analysis of Reserves and Provisions 2012/13 to 2013/14

Reserve or Provision	Purpose	Balance 31/3/13 £	Use in 2013/14 £	Balance 31/3/14 £	Notes
<u>Reserves</u>					
General Fund Balance		2,059,860		2,059,860	(1)
Restructuring Reserve	Unused balance from 2012/13	22,990		22,990	(2)
VAT Shelter Income	Capital/revenue financing	152,260	(152,260)	0	
Provision for Pension Liabilities	Payment to Lancashire Pension Fund	1,750,000	0	1,750,000	
Non-recurring growth	Budgeted financing of new investment	114,500	(114,500)	0	
	Non-Directorate Reserves	2,039,750	(266,760)	1,772,990	
<u>Chief Executive's Office</u>					
	Slippage from 2012/13	21,670	(21,670)	0	
	<i>Chief Executive's Office</i>	21,670	(21,670)	0	
	Slippage from 2012/13	26,800	(26,800)	0	
	PRG - capital financing	50,720	(50,720)	0	
	PRG - uncommitted	29,350	(29,350)	0	
	<i>Policy & Performance</i>	106,870	(106,870)	0	
	Chief Executive's Office	128,540	(128,540)	0	
<u>Partnerships, Planning & Policy</u>					
	Slippage from 2012/13	22,730	(22,730)	0	
	Government Grants	584,730	(274,740)	309,990	
	Handyperson Scheme	48,530	(2,660)	45,870	
	Capital financing	7,920	(7,920)	0	
	<i>Housing</i>	663,910	(308,050)	355,860	
	Town Centre Grants	188,540	(80,000)	108,540	
	Town Centre Reserve	233,330	(233,330)	0	
	<i>Economic Development</i>	421,870	(313,330)	108,540	
	Planning Appeal Costs	183,130	(170,000)	13,130	
	Government Grants	34,350		34,350	(2)
	Local Development Framework	42,030	(42,030)	0	
	<i>Planning</i>	259,510	(212,030)	47,480	
	Partnerships, Planning & Policy	1,345,290	(833,410)	511,880	
<u>People & Places</u>					
	Slippage from 2012/13	145,730	(145,730)	0	
	Astley Hall Works of Art	5,780		5,780	(2)
	Neighbourhood Working	78,200	(78,200)	0	
	Allotment Development	10,720	(10,720)	0	
	Maintenance of Grounds	52,200	10,000	62,200	(2)
	People & Places	292,630	(224,650)	67,980	

Analysis of Reserves and Provisions 2012/13 to 2013/14

Reserve or Provision	Purpose	Balance 31/3/13 £	Use in 2013/14 £	Balance 31/3/14 £	Notes
<u>Transformation</u>					
	Slippage from 2012/13	1,000	(1,000)		0
	Legal Case Mgt System	2,350	(2,350)		0
	Town Hall Roof Safety Boards	16,000	(16,000)		0
	Union Street Roof Safety Boards	10,000	(10,000)		0
	Clayton Brook Public House	73,760	(73,760)		0
	Buildings Fund	100,000	(100,000)		0
	Elections	0	85,000	85,000	
	<i>Governance</i>	203,110	(118,110)	85,000	
	Slippage from 2012/13	20,050	(20,050)		0
	<i>Shared Financial Services</i>	20,050	(20,050)		0
	Slippage from 2012/13	29,500	(29,500)		0
	Additional NEETs	79,040	(79,040)		0
	<i>Human Resources & OD</i>	108,540	(108,540)		0
	Slippage from 2012/13	162,450	(162,450)		0
	Capital financing	8,450	(8,450)		0
	<i>ICT Services</i>	170,900	(170,900)		0
	Transformation	502,600	(417,600)	85,000	
	Directorate Reserves	2,269,060	(1,604,200)	664,860	
	Earmarked Reserves	4,308,810	(1,870,960)	2,437,850	
	Total Reserves	6,368,670	(1,870,960)	4,497,710	
<u>Provisions</u>					
Insurance Provision	Potential MMI clawback	15,000	0	15,000	
	Total Provisions	15,000	0	15,000	

Notes

(1) See provisional outturn report for further explanation.

(2) Use of these reserves would be proposed in revenue budget monitoring reports during 2013/14.

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Report of	Meeting	Date
Chief Executive (Introduced by the Executive Member for Resources, Policy and Performance)	Executive Cabinet	20 June 2013

CAPITAL PROGRAMME PROVISIONAL OUTTURN 2012/13 & MONITORING 2013/14 – 2015/16 PROGRAMME

PURPOSE OF REPORT

1. To present the provisional outturn figures for the 2012/13 Capital Programme, which at this stage is subject to scrutiny by the Council's external auditor.
2. To update the Capital Programme for financial years 2013/14 to 2015/16 to take account of the rephasing of expenditure from 2012/13 and other proposed budget changes.

RECOMMENDATION(S)

3. That the Council be recommended to approve the financing of the 2012/13 Capital Programme, as presented in Appendix 1.
4. That the Council be recommended to approve the rephasing of capital budgets between 2012/13 and 2013/14, as presented in column (2) of Appendix 2.
5. That the Council be recommended to approve the other amendments to the Capital Programme for 2013/14 to 2015/16, as presented in columns (3), (6) and (9) of Appendix 2.
6. That the Council be recommended to approve the virement of £40,000 from the Head of Governance's Bengal Street depot revenue budget to the budget for revenue financing of capital expenditure.

EXECUTIVE SUMMARY OF REPORT

7. Council of 28th February 2013 approved amendments to the 2012/13 Capital Programme which reduced the budget from £5,184,590 to £2,679,450. The provisional outturn for 2012/13 is £1,827,008, a net reduction of £852,442. Of this variance, £917,710 is the net rephasing of budgets from 2012/13 to 2013/14; costs totalling £61,600 have been transferred to the revenue account; and £126,868 is a net increase in resources and roundings.
8. No capital receipts had been assumed in the financing of the 2012/13 Capital Programme. Receipts totalling £123,742 became available after approval of the revised estimate. The proposed financing of the 2012/13 programme in Appendix 1 recommends that the receipts be used to add a replacement vehicle to the programme and to increase the Asset Improvements budget without increasing borrowing.

9. It is proposed that £163,000 of the £450,000 revenue budget savings identified for debt reduction in 2012/13 should be used to finance capital expenditure instead of incurring new borrowing. This helps to achieve the savings in the capital financing revenue budget from 2013/14 onwards.
10. In 2013/14, it is proposed that £107,000 uncommitted budget provision for Leisure Centre Improvements should be transferred to the budget for Planned Improvements to Fixed Assets. The Affordable Housing budget should be reduced by £90,000 until further S106 contributions for provision of affordable housing are received. Additional Government grant to fund Disabled Facilities Grants has been allocated, so the 2013/14 budget could be increased by £4,720. Use of £75,000 of the uncommitted Housing Renewal budget is required to provide residential accommodation for Recycling Lives at Bengal Street Depot. Further modifications to the depot for Recycling Lives could be funded by transferring £40,000 revenue budget savings. CCTV could be provided in Pilling Lane by using £30,000 of the S106 contribution received from the development of the former Lex site.
11. Revenue budget savings could be achieved by financing replacement People and Places directorate vehicles by borrowing rather than leasing.
12. It is proposed that the DFG budgets for 2014/15 and 2015/16 should both be increased by £4,720 on the assumption that Government funding will continue at the same level as 2013/14.

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

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

13. It is necessary for Council to approve the financing of the 2012/13 Capital Programme, and to approve the rephasing of budget provision between 2012/13 and 2013/14.
14. It is also necessary for Council to approve the revised 2013/14 Capital Programme, taking account of the rephasing of budgets, transfer of budgets between projects, changes to resources, and the proposed use of uncommitted budgets and resources.
15. The revenue consequence of adding £40,000 to the Capital Programme for further modification of Bengal Street Depot, to be funded from savings, should be reflected in the General Fund revenue budget.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

16. None

CORPORATE PRIORITIES

17. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all	✓	A strong local economy	✓
Clean, safe and healthy communities	✓	An ambitious council that does more to meet the needs of residents and the local area	✓

BACKGROUND

- 18. Council of 28th February 2013 approved amendments that reduced the 2012/13 Capital Programme by £2,505,140 to £2,679,450. The net reduction consisted of budget increases of £88,550 less rephasing of budgets to later years of £2,593,690.
- 19. The rephased expenditure was added to the following financial years: 2013/14 £2,387,650; 2014/15 £79,210; and 2015/16 £126,830.
- 20. New capital budgets to meet Council strategic priorities were added to the 2013/14 Capital Programme. These were: Regeneration Projects (£1,000,000); Astley Hall/Park Development Works (£250,000); Clayton Brook Village Hall Extension (£135,000); Astley Hall Farmhouse (£30,000); and Yarrow Valley Country Park Reservoir Works (£60,000).
- 21. The 2015/15 Capital Programme was added to the three-year programme, and consisted of the regular commitments, being Asset Improvements, Disabled Facilities Grants, Leisure Centres Improvements, and Replacement of Refuse/Recycling Bins. The grant available to finance DFGs was assumed to be £269,000, but would be updated when further information became available.

PROVISIONAL OUTTURN 2012/13

- 22. The Capital Programme provisional outturn for 2012/13 is £1,827,008, a net reduction of £852,442. Detailed figures are presented in Appendix 1.
- 23. Of the £852,442 reduction, there has been a net increase of resources of £126,868; £61,600 has been transferred to the revenue account; and it is proposed that £917,710 budget provision should be carried forward to 2013/14.
- 24. The main resource increase was unbudgeted capital receipts. None had been assumed in the financing of the 2012/13 Capital Programme, but £123,742 became available at year-end. Most of this total was in respect of the Council’s share of Preserved Right to Buy receipts from Chorley Community Housing, receivable under the stock transfer contract.

Such receipts had been negligible in recent years, but an increase in the RTB discount contributed to an increase in sales in the last quarter of the financial year. At present it is not known whether this will continue, but CCH will provide monitoring information quarterly. Once further capital receipts are known to be definite, Council would have the option of using them to increase the capital programme without increasing borrowing, or to use them to reduce borrowing.

25. The recommended use of the 2012/13 capital receipts is to finance a replacement People and Places vehicle rather than leasing it; and to increase the Planned Improvements to Fixed Assets capital budget without requiring additional borrowing. The increase is shown in column (5) of Appendix 1, but the additional budget provision would be rephased to 2013/14 to meet commitments.
26. Much of the £917,710 budget provision that is proposed to be rephased to 2013/14 has already been spent or committed. Timing of some expenditure depended on partners or contractors. Clayton Brook Public House has been demolished. Affordable housing schemes are being developed in Halliwell Street and St George's Street. The Duxbury Park Golf Course Access Road improvements are in progress.

CAPITAL PROGRAMME 2013/14

27. The revised Capital Programme for 2013/14 would increase from £11,591,340 to £12,813,770. The main change would be the net rephasing of £917,710 from 2012/13, as presented in column (2) of Appendix 2. It is also recommended that a £30,000 budget for Pilling Lane CCTV should be added to the programme, to be financed with a S106 contribution received for that purpose. The budget for Disabled Facilities Grants should be increased by £4,720, because the Government grant allocated for 2013/14 exceeds the amount assumed when the programme was approved by Council on February 28th. The Affordable Housing budget should be reduced by £90,000, because the estimate exceeds the S106 contributions currently held by the Council. The budget could be increased again should further S106 contributions for provision of affordable be received during 2013/14.
28. After adding slippage from 2012/13, the revised budget for improvements to Leisure Centres and Swimming Pools exceeds the planned expenditure for 2013/14. It is proposed that £107,000 of the uncommitted budget should be transferred to increase the budget for Planned Improvements to Fixed Assets.
29. In order to facilitate the proposed use of Bengal Street Depot by Recycling Lives, it is proposed that £75,000 of the uncommitted Housing Renewal budget should be used to provide residential accommodation on site. In addition, a £40,000 grant for further modification of the depot by Recycling Lives should be added to the programme, to be funded by revenue budget savings to be vired from the Head of Governance's Bengal Street Depot budget.
30. Also on this agenda is a report by the Director of People and Places requesting approval of the procurement methodology for replacing mechanical sweepers. In previous Capital Programme monitoring reports I have reported the possibility of achieving revenue budget savings by funding replacement vehicles by borrowing rather than leasing. Local authorities can generally borrow from the Public Works Loan Board at lower rates of interest than are reflected in leasing charges. When purchase figures are obtained, if revenue budget savings could be achieved, I would recommend adding a budget for vehicle replacement to the Capital Programme, to be funded by an increase in borrowing. The revenue budget would also need to be amended by transferring budget provision from the People and Places directorate's leasing budget to the corporate budget for capital financing costs (repayment of debt and interest).

CAPITAL PROGRAMME 2014/15 and 2015/16

31. The only change proposed is to increase the DFG budget each year to match the Government funding received in 2013/14. This proposed change is shown in columns (6) and (9) of Appendix 2.

DEVELOPERS' CONTRIBUTIONS

32. Appendix 3 presents the S106 and similar contributions received and applied in 2012/13, and the sums budgeted to be received and applied in 2013/14. The uncommitted contributions are £101,000 for play/recreation facilities (of which £22,000 has not yet been received); and £334,000 of the Pilling Lane contribution.

IMPLICATIONS OF REPORT

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

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

COMMENTS OF THE STATUTORY FINANCE OFFICER

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

COMMENTS OF THE MONITORING OFFICER

35. The Monitoring Officer has no comments.

GARY HALL
CHIEF EXECUTIVE

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Michael Jackson	5490	27 th May 2013	Capital Prog Outturn 2012-13 & Monitoring 2013-14-2015-16 Jun 2013.doc

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Capital Programme Provisional Outturn 2012/13

Scheme	2012/13	To Revenue			2012/13
	Current Estimate (1) £	Rephased (2) £	Reallocated (3) £	Account (4) £	Provisional Outturn (6) £
<u>Chief Executive</u>					
<u>Head of Customer, ICT & Transactional Services</u>					
Website Development (incl. ICT salary capitalisation)	5,000		(5,000)		0
Unified Intelligent Desktop (externally funded)	59,960	(27,910)	2,120		34,170
UID / Asidua Mobile	23,330	(3,330)	1,320		21,320
	88,290	(31,240)	(1,560)	0	55,490
<u>Head of Customer, ICT & Transactional Services Total</u>					
<u>Head of Governance</u>					
Planned Improvements to Fixed Assets	449,810	(127,340)	(8,530)	(10,090)	411,294
Strategic Land Assembly Chorley Town Centre	476,110				(6)
Demolish Clayton Brook PH and landscape site	82,500	(73,760)		(8,740)	0
	1,008,420	(201,100)	(8,530)	(18,830)	887,398
<u>Head of Governance Total</u>					
<u>Head of Human Resources & Organisational Development</u>					
Integrated HR, Payroll and Training System	15,000	(15,000)			0
	15,000	(15,000)	0	0	0
<u>Head of HR & Organisational Development Total</u>					
	1,111,710	(247,340)	(10,090)	(18,830)	942,888
<u>Chief Executive Total</u>					
<u>Director of Partnerships, Planning & Policy</u>					
<u>Head of Economic Development</u>					
Chorley Market Improvements	40,630				(4)
Climate Change Pot	37,530	(19,680)			(2)
	78,160	(19,680)	0	0	(6)
<u>Head of Economic Development Total</u>					
					58,474

Chief Executive**Head of Customer, ICT & Transactional Services**

Website Development (incl. ICT salary capitalisation)
 Unified Intelligent Desktop (externally funded)
 UID / Asidua Mobile

Head of Customer, ICT & Transactional Services Total**Head of Governance**

Planned Improvements to Fixed Assets
 Strategic Land Assembly Chorley Town Centre
 Demolish Clayton Brook PH and landscape site

Head of Governance Total**Head of Human Resources & Organisational Development**

Integrated HR, Payroll and Training System

Head of HR & Organisational Development Total**Chief Executive Total****Director of Partnerships, Planning & Policy****Head of Economic Development**

Chorley Market Improvements
 Climate Change Pot

Head of Economic Development Total

Capital Programme Provisional Outturn 2012/13

	2012/13 Current Estimate (1) £	Rephased (2) £	Reallocated (3) £	To Revenue Account (4) £	Other (5) £	2012/13 Provisional Outturn (6) £
Scheme						
<u>Head of Housing</u>						
Affordable Housing New Development Projects	444,630	(444,630)	0	0	0	0
Disabled Facilities Grants	309,240	6,100	3,057		3,057	318,397
Housing Renewal						
- Home Repair Grants/Decent Homes Assistance	52,780		7,380		7,380	60,160
- Energy Efficiency Grants	10,280	(3,180)	(7,376)		(7,376)	(276)
Cotswold House Refurbishment	91,930	(20,570)	10,090		8	81,458
<u>Head of Housing Total</u>	908,860	(462,280)	10,090	0	3,069	459,739
<u>Head of Planning</u>						
Buckshaw Village Railway Station (S106 financed)	(133,540)		1			(133,539)
<u>Head of Planning Total</u>	(133,540)	0	0	0	1	(133,539)
<u>Director of Partnerships, Planning & Policy Total</u>	853,480	(481,960)	10,090	0	3,064	384,674
<u>Director of People and Places</u>						
<u>Head of Streetscene & Leisure Contracts</u>						
Leisure Centres/Swimming Pool Refurbishment	387,080	(82,430)		(16,510)	(4)	288,136
Duxbury Park Golf Course/Access Rd capital investment	101,850	(95,470)			(2,000)	4,380
Replacement of recycling/litter bins & containers	117,600	5,310			5	122,915
Eaves Green Play Development (S106 funded)	23,000	(2,510)	1,790		4	22,284
Play and Recreation Fund projects	31,040		1,180		60	32,280
Rangleys Recreation Ground/Duke Street Field (S106 funded)	20,000	(13,310)	1,930		(4)	8,616
YVCP Natural Play Zone (S106/Grant funded)	3,820		90	(1,380)	5	2,535
Project Design Fees	29,870		(4,990)	(24,880)	0	0
People & Places Vehicles & Plant	0				18,300	18,300
<u>Head of Streetscene & Leisure Contracts Total</u>	714,260	(188,410)	0	(42,770)	16,366	499,446
<u>Director of People and Places Total</u>	714,260	(188,410)	0	(42,770)	16,366	499,446

Head of Housing

- Affordable Housing New Development Projects
- Disabled Facilities Grants
- Housing Renewal
- Home Repair Grants/Decent Homes Assistance
- Energy Efficiency Grants
- Cotswold House Refurbishment

Head of Housing Total

Head of Planning

- Buckshaw Village Railway Station (S106 financed)

Head of Planning Total

Director of Partnerships, Planning & Policy Total

Director of People and Places

Head of Streetscene & Leisure Contracts

- Leisure Centres/Swimming Pool Refurbishment
- Duxbury Park Golf Course/Access Rd capital investment
- Replacement of recycling/litter bins & containers
- Eaves Green Play Development (S106 funded)
- Play and Recreation Fund projects
- Rangleys Recreation Ground/Duke Street Field (S106 funded)
- YVCP Natural Play Zone (S106/Grant funded)
- Project Design Fees
- People & Places Vehicles & Plant

Head of Streetscene & Leisure Contracts Total

Director of People and Places Total

Capital Programme Provisional Outturn 2012/13

Scheme

Capital Programme Total

Financing the Capital Programme

Prudential Borrowing
 Capital Receipts
 Revenue Budget - VAT Shelter income
 Revenue Budget - virement from revenue budgets

Chorley Council Resources

Ext. Contributions - Developers
 Ext. Contributions - Other
 Government Grants - Disabled Facilities Grants
 Government Grants - Housing Capital Grant

External Funding

Capital Financing Total

2012/13 Current Estimate (1) £	Rephased (2) £	Reallocated (3) £	To Revenue Account (4) £	Other (5) £	2012/13 Provisional Outturn (6) £
2,679,450	(917,710)	0	(61,600)	126,868	1,827,008
1,346,210	(192,100)			(163,538)	990,572
0				123,742	123,742
287,680	(133,930)		(34,970)	2	118,782
38,000			(16,510)	163,542	185,032
1,671,890	(326,030)	0	(51,480)	123,748	1,418,128
388,950	(460,450)		(1,380)	66	(72,814)
260,810	(136,470)		(8,740)	3,053	118,653
265,500	11,440			2	276,942
92,300	(6,200)			(1)	86,099
1,007,560	(591,680)	0	(10,120)	3,120	408,880
2,679,450	(917,710)	0	(61,600)	126,868	1,827,008

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Capital Programme - 2013/14 to 2015/16

Scheme

Head of Planning

Eaves Green Link Road - contribution to LCC scheme
 Chorley Strategic Regional Site
 Highway Improvements Pilling Lane area (S106 funded)
 Puffin Crossing Collingwood Rd/Letchworth Drive (S106 funded)
 Bucksaw Village Railway Station (S106 financed)
 Bucksaw Village Cycle Network (S106 financed)

Head of Planning Total

Director of Partnerships, Planning & Policy Total

Director of People and Places

Head of Health Environment & Neighbourhoods

Pilling Lane CCTV (S106 funded)

Head of Health Environment & Neighbourhoods Total

Head of Streetscene & Leisure Contracts

Leisure Centres/Swimming Pool Refurbishment
 Duxbury Park Golf Course/Access Rd capital investment
 Replacement of recycling/litter bins & containers
 Eaves Green Play Development (S106 funded)
 Play and Recreation Fund projects
 Common Bank - Big Wood Reservoir
 Ranglets Recreation Ground/Duke Street Field (S106 funded)
 Adlington Play Facilities (Grove Farm S106)
 Play, Recreation and Public Open Space projects (S106)
 Astley Hall/Park Development Works
 Clayton Brook Village Hall Extension
 Astley Hall Farmhouse
 Yarrow Valley Country Park Reservoir Works

Head of Streetscene & Leisure Contracts Total

Director of People and Places Total

Capital Programme Total

2013/14 Current Estimate (1) £	Rephased (2) £	Other (3) £	2013/14 Revised Estimate (4) £	2014/15 Current Estimate (5) £	Other (6) £	2014/15 Revised Estimate (7) £	2015/16 Current Estimate (8) £	Other (9) £	2015/16 Revised Estimate (10) £	Total 2013/14 to 2015/16 (11) £
80,000			80,000	0		0	0		0	80,000
391,200			391,200	0		0	0		0	391,200
150,000			150,000	0		0	0		0	150,000
47,820			47,820	0		0	0		0	47,820
725,910			725,910	0		0	0		0	725,910
11,150			11,150	0		0	0		0	11,150
1,406,080	0	0	1,406,080	0	0	0	0	0	0	1,406,080
2,350,670	481,960	(85,280)	2,747,350	618,610	4,720	623,330	630,410	4,720	635,130	4,005,810
0		30,000	30,000	0		0	0		0	30,000
0	0	30,000	30,000	0	0	0	0	0	0	30,000
388,780	82,430	(107,000)	364,210	282,250		282,250	283,780		283,780	930,240
0	95,470		95,470	0		0	0		0	95,470
115,000	(5,310)		109,690	115,000		115,000	115,000		115,000	339,690
181,480	2,510		183,990	0		0	0		0	183,990
23,500			23,500	0		0	0		0	23,500
11,520			11,520	0		0	0		0	11,520
208,350	13,310		221,660	0		0	0		0	221,660
103,420			103,420	0		0	0		0	103,420
216,790			216,790	0		0	0		0	216,790
250,000			250,000	0		0	0		0	250,000
135,000			135,000	0		0	0		0	135,000
30,000			30,000	0		0	0		0	30,000
60,000			60,000	0		0	0		0	60,000
1,723,840	188,410	(107,000)	1,805,250	397,250	0	397,250	398,780	0	398,780	2,601,280
1,723,840	188,410	(77,000)	1,835,250	397,250	0	397,250	398,780	0	398,780	2,631,280
11,951,340	917,710	(15,280)	12,853,770	1,215,860	4,720	1,220,580	1,229,190	4,720	1,233,910	15,308,260

Capital Programme - 2013/14 to 2015/16

Scheme

Financing the Capital Programme

Prudential Borrowing
 Prudential Borrowing - Chorley East Health Centre
 Capital Receipts
 Revenue Budget - VAT Shelter income
 Revenue Budget - virement from revenue budgets

Chorley Council Resources

Ext. Contributions - Developers
 Ext. Contributions - Other

Government Grants - Disabled Facilities Grants
 Government Grants - Housing Capital Grant

External Funding

Capital Financing Total

	2013/14 Current Estimate (1) £	Rephased (2) £	Other (3) £	2013/14 Revised Estimate (4) £	2014/15 Current Estimate (5) £	Other (6) £	2014/15 Revised Estimate (7) £	2015/16 Current Estimate (8) £	Other (9) £	2015/16 Revised Estimate (10) £	Total 2013/14 to 2015/16 (11) £
	2,214,780	192,100		2,406,880	597,250		597,250	764,690		764,690	3,768,820
	6,650,000			6,650,000	0		0	0		0	6,650,000
	360,000			360,000	0		0	0		0	360,000
	18,330	133,930		152,260	0		0	0		0	152,260
	19,540		40,000	59,540	0		0	0		0	59,540
	9,262,650	326,030	40,000	9,628,680	597,250	0	597,250	764,690	0	764,690	10,990,620
	1,903,440	460,450	(60,000)	2,303,890	0		0	0		0	2,303,890
	115,840	136,470		252,310	68,670		68,670	68,670		68,670	389,650
	330,180	(11,440)	4,720	323,460	306,550	4,720	311,270	269,000	4,720	273,720	908,450
	339,230	6,200		345,430	243,390		243,390	126,830		126,830	715,650
	2,688,690	591,680	(55,280)	3,225,090	618,610	4,720	623,330	464,500	4,720	469,220	4,317,640
	11,951,340	917,710	(15,280)	12,853,770	1,215,860	4,720	1,220,580	1,229,190	4,720	1,233,910	15,308,260

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S106 and Similar Developers' Contributions

	Balance 1/4/12 £'000	2012/13 Receipts £'000	2012/13 Use £'000	Balance 1/4/13 £'000	2013/14 Receipts £'000	2013/14 Use £'000	Balance 1/4/14 £'000	2014/15 Receipts £'000	2014/15 Use £'000	Balance 1/4/15 £'000	2015/16 Receipts £'000	2015/16 Use £'000	Balance 1/4/16 £'000	Notes
Budgeted use of developers' contributions														
Affordable Housing	445	54	0	499	0	(499)	0	0	0	0	0	0	0	(1)
Transport	651	0	134	785	80	(865)	0	0	0	0	0	0	0	
Play/Recreation Facilities	433	239	(54)	618	22	(539)	101	101	101	101	101	101	101	(1) (2)
Various Purposes	742		(7)	735	0	(401)	334	334	334	334	334	334	334	(3)
Total	2,271	293	73	2,637	102	(2,304)	435	0	0	435	0	0	435	

(1) Further contributions may be receivable between 2013/14 and 2015/16

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

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

Use of Contributions Receivable from Developers 2012/13 to 2015/16

	2012/13 £'000	2013/14 £'000	2014/15 £'000	2015/16 £'000
Affordable Housing New Development Projects	0	499		
Eaves Green Link Road - contribution to LCC scheme	0	80		
Buckshaw Village Railway Station (S106 financed)	(134)	726		
Buckshaw Village Cycle Network	0	11		
Eaves Green Play Development (S106 funded)	21	184		
Common Bank - Big Wood Reservoir		11		
Play and Recreation Fund projects	31	24		
YVCP Natural Play Zone	2			
Ranglets Recreation Ground	7	221		
Adlington Play Facilities (Grove Farm S106)	0	103		
Play, Recreation & Public Open Space projects (S106)		217		
Highway Improvements Pilling Lane area	0	150		
Puffin Crossing Collingwood Rd/Letchworth Dr.	0	48		
Pilling Lane CCTV		30		
	(73)	2,304	0	0

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Report of	Meeting	Date
Director of People & Places (Introduced by the Executive Member for Resources, Policy and Performance)	Executive Cabinet	20 June 2013

APPROVAL FOR THE PROCUREMENT APPROACH INCLUDING THE AWARD PROCEDURE, EVALUATION METHODOLOGY AND CRITERIA TO PURCHASE ONE LARGE (15T) AND TWO COMPACT MECHANICAL SWEEPERS BY WORKING IN PARTNERSHIP WITH SOUTH RIBBLE BOROUGH COUNCIL

PURPOSE OF REPORT

1. To seek approval for the procurement approach (joint with South Ribble Borough Council - SRBC) including the award procedure, evaluation methodology and criteria to purchase one large (15 tonne) and two compact mechanical sweepers for Chorley Borough Council (CBC). SRBC also need to procure the same number and type of vehicles and by working together we will be likely to achieve savings compared to procuring the vehicles separately.

RECOMMENDATION(S)

2. To approve working in partnership with SRBC for the purchase of two large and four compact mechanical sweepers.
3. To approve the procurement approach of a joint procurement with SRBC via a further competition conducted on our behalf by ESPO (Eastern Shires Purchasing Organisation) through an EU compliant public sector framework agreement.
4. To approve ESPO as the lead body (in accordance with 36.4 of Chorley Council's procurement procedures) who will issue, receive and open tenders on behalf of CBC/SRBC. Additionally for ESPO to carry out key areas of the evaluation in accordance with the published evaluation criteria.
5. To approve the evaluation criteria of Cost 60% (including 40% purchase price, 5% residual value, 5% basket of parts, 5% servicing & maintenance, 5% fuel costs) and quality 40% (including 20% warranty and technical support, 10% delivery and 10% environmental / sustainability) with training an unscored specified requirement.

EXECUTIVE SUMMARY OF REPORT

6. The Council's fleet of mechanical sweepers have now come to the end of their lease period and are due for replacement. One large (15 tonne) and two compact mechanical sweepers now need to be procured.
7. SRBC also require the same number of mechanical sweepers as CBC and a joint procurement process for a greater number of vehicles is likely to provide savings for both Councils.

- 8. The report outlines the procurement approach and evaluation criteria.
- 9. By procuring the larger sweepers in 2013 additional costs associated with meeting stricter Euro 6 emission levels will be avoided.

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

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

- 10. Under the Council’s contract procedure rules approval by the Executive Cabinet of contract award procedure and evaluation criteria for tenders greater than £75,000 in value is required.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 11. To not agree contract award procedure and evaluation criteria and fail to comply with the Council procurement rules.

CORPORATE PRIORITIES

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

Involving residents in improving their local area and equality of access for all		A strong local economy	
Clean, safe and healthy communities	✓	An ambitious council that does more to meet the needs of residents and the local area	

BACKGROUND

- 13. The Council’s fleet of mechanical sweepers have now come to the end of their lease period and are due for replacement. One large (15 tonne) and two compact mechanical sweepers now need to be procured. Work has been undertaken regarding the cost benefits of lease versus purchase and this clearly shows a cost saving through purchasing.
- 14. SRBC also require the same number of mechanical sweepers as CBC and a joint procurement process for a greater number of vehicles is likely to provide savings for both Councils.

15. The larger mechanical sweepers will be required by law to meet stricter Euro 6 emission levels from January 2014. Enquiries with manufacturers have indicated that there is an estimated cost increase in purchase price of between £10-15k. If approval for procurement is given now there will be sufficient time for the procurement process to identify a supplier and place an order to ensure delivery by the end of 2013 therefore avoiding the additional costs.

SPECIFICATION & EVALUATION

16. The specifications of the vehicles together with optional extras will be determined by officers from CBC / SRBC. Working together with the Senior Procurement Officer the details will be then be passed through to ESPO to manage the procurement process.

17. The evaluation criteria will be:

- Cost - 60%
 - 40% purchase price
 - 5% residual value
 - 5% basket of parts
 - 5% servicing & maintenance
 - 5% fuel cost

- Quality - 40%
 - 20% warranty and technical support
 - 10% delivery
 - 10% environmental / Sustainability

Training will be not be scored as it will be a specific requirement.

18. It is anticipated that a joint procurement between CBC and SRBC for the purchase of the six vehicles will commence in June 2013 with orders being placed during August 2013.

IMPLICATIONS OF REPORT

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

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

COMMENTS OF THE STATUTORY FINANCE OFFICER

20. I have reported the principle of financing replacement vehicles and plant by borrowing instead of leasing in capital programme monitoring reports presented during 2012/13. Local authorities can usually borrow from the Public Works Loan Board (PWLB) at lower rates of interest than the interest rates reflected in leasing contracts. This means that it could be possible to achieve revenue budget savings by borrowing to purchase vehicles rather than leasing them.

21. This particular report deals with the procurement approach rather than the issue of budget provision. Once the cost of the mechanical sweepers has been confirmed, it would be necessary to seek approval of Council for budget provision to be included in the 2013/14 Capital Programme; and for the transfer of revenue budget provision from People and Places directorate's leasing budget to the corporate budget for capital financing charges. The latter budget would cover the repayment of the borrowing (Minimum Revenue Provision), and interest on the borrowing.

COMMENTS OF THE MONITORING OFFICER

22. The proposed procedure is compliant with the Council's Contract Procedure Rules. As this is a Key Decision notice will be placed on the Notice of Key Decisions document and publicised.

JAMIE CARSON
DIRECTOR OF PEOPLE & PLACES

Report Author	Ext	Date	Doc ID
Jamie Dixon	5630	7 June 2013	EC Sweeper Procurement 20-06-2013



Report of	Meeting	Date
Director of People and Places (Introduced by the Executive Member for Places)	Executive Cabinet	20 June 2013

RESPONSE TO OVERVIEW AND SCRUTINY COMMITTEE RECOMMENDATIONS ON PRIVATE RENTED SECTOR HOUSING STANDARDS

PURPOSE OF REPORT

1. To provide a response from Executive Cabinet to the Overview and Scrutiny Committee recommendations on private rented sector housing standards and developing a private rented sector housing programme.

RECOMMENDATIONS

2. It is recommended that Executive Cabinet accept the basic recommendation of providing a proactive inspection programme for private rented sector housing standards.
3. It is recommended that the resourcing of the inspection programme is made through the utilisation of existing resources by shifting workloads and using capacity created from the reduction in workload arising from the transfer of private sewers to United Utilities as public sewers.
4. It is recommended that a Landlord Accreditation Scheme is not introduced in Chorley at this time.
5. It is recommended that a private rented sector housing standards policy be developed.

EXECUTIVE SUMMARY OF REPORT

6. In April 2012 an O&S Task Group produced a report 'Private Sector Housing Inspection' where it was recommended that additional resource be directed to establishing a programmed private sector housing standards inspection service to augment the existing reactive housing standards work undertaken within the People and Places Directorate.
7. The Task Group findings and recommendations were reported to Executive Cabinet on 21 June 2012 where the following decision was made:

That the findings and recommendations of the Overview and Scrutiny Task Group on its inquiry into Private Rented Housing Inspection be received and accepted for consideration, with a view to the Executive Cabinet's recommended response to the recommendations being reported to a future meeting.

8. Members will recall that the Task Group report made recommendations in the following terms:

The Task Group asks the Executive to introduce a more proactive inspection regime for private rented sector housing within the borough beyond the existing service which is only able to respond to complaints received. This would be on the basis of one half time or fulltime post based in the neighbourhood team and providing expertise and capacity to undertake housing inspections on a more programmed basis, targeting hot

spots and those areas known to have low standards of private rented property, based on current knowledge and other sources of information identified in the report. The cost of this provision is estimated at between £22,000 and £40,000 per annum.

To support the above recommendation, the Task Group further recommends the development of a private rented housing standards policy, against which compliance can be measured.

Having considered a range of landlord accreditation schemes and the views put forward by the Landlords Forum, the Task Group does not recommend that the Council introduces a Landlord Accreditation Scheme at the current time but that this be revisited in the longer term as Members feel there are benefits in landlords gaining accreditation in improving private rented housing standards.

9. The recommendations proposed above (para's 2 to 5) are the Executive Cabinets response to the Overview and Scrutiny Committee recommendations.
10. In the intervening period between the O&S report and Executive Cabinet response, work has commenced within the Environment and Neighbourhoods Team to establish a programmed inspection regime for the private rented housing sector in Chorley utilising the existing resources of officers trained to inspect housing to the Housing Health and Safety Rating Scheme (HHSRS) standard.
11. This coincided with the introduction of the new IDOX database system and since October 2012, officers have undertaken over 50 programmed inspections and work has commenced to build up a database of private rented sector accommodation using local intelligence, housing benefits information and council tax details.
12. As part of the Service Improvement Plan for 2013/14 and in line with the Corporate Strategy there is a specific project in place within the Health Environment and Neighbourhoods Team to 'Develop and deliver a scheme to increase housing standards'. This project will be delivered during 2013/14 and will redirect existing resources to fully establish a programmed inspection regime for the private rented housing sector and develop a private rented housing standards policy subject to Council approval against which housing standards compliance can be measured.
13. For information Appendix 1 provides two case studies to describe the impact that a housing standards inspection can have to improve living conditions for tenants and has formed part of the early work in establishing a proactive housing standards inspection regime.
14. Work will commence on the development of a private rented sector housing standards policy to ensure there is a consistent approach to undertaking programmed inspection work and a draft policy will be brought back to Executive Cabinet at a future date.
15. It is proposed that the Council does not pursue the introduction of a Landlord Accreditation scheme at this time in line with the O&S Task Group recommendations.

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

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

- 16. To respond to the Overview and Scrutiny Committees recommendations in regard to the introduction of a proactive housing inspection programme in the private rented housing sector.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 17. None

CORPORATE PRIORITIES

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

Involving residents in improving their local area and equality of access for all		A strong local economy	
Clean, safe and healthy communities	✓	An ambitious council that does more to meet the needs of residents and the local area	✓

IMPLICATIONS OF REPORT

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

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

COMMENTS OF THE STATUTORY FINANCE OFFICER

- 20. Currently inspections are being carried out within current resources by reengineering what we do and by prioritising this particular type of work. Consequently there are no additional budgetary implications of adopting the recommendations of the Overview and Scrutiny Committee.

COMMENTS OF THE MONITORING OFFICER

21. There are no comments.

JAMIE CARSON
DIRECTOR OF PEOPLE AND PLACES

Background Papers			
Document	Date	File	Place of Inspection
Private Rented Housing Inspection – Report of O&S Task Group	21 June 2012	Exec Cabinet Papers - 21 June 2012	http://democracy.chorley.gov.uk/ielIssueDetails.aspx?Id=26797&Opt=3

Report Author	Ext	Date	Doc ID
Simon Clark	5732	28 May 2013	HousingO&Sresponse

Appendix 1

Housing Standards Case Studies

Case Study 1 – A terraced property in Adlington was identified by the team as tenanted with a single occupant just prior to Christmas 2012. Arrangements were made to carry out a preliminary inspection of the property with the tenant. The inspection revealed a number of deficiencies including an inadequate heating system and issues with the electrical wiring and associated installations. The landlord was written to in order to advise of the issues identified and to arrange a full Housing Health and Safety Rating Scheme (HHSRS) inspection.

The landlord attended this formal inspection and he agreed to carry out the necessary works to eliminate the hazards and improve the accommodation. Works included the repair of the heating system, a gas safety inspection and the repair of the electrical faults identified using an approved electrician.

The guidance on undertaking housing standards work recommends the use of an informal approach in the first instance as the process to serve formal notices with the prospect of undertaking works in default for non-compliance can prolong the carrying out of remedial works into several months.

The time taken to resolve this from preliminary inspection to compliance was 4 weeks.

Case Study 2 – A multi-occupied tenanted property in Chorley which falls below the licencing threshold was brought to officers attention via the Lancashire Fire and Rescue Service. The property is divided into 5 bedsits with shared kitchen and bathroom facilities. Arrangements were made with the landlord to undertake an HHSRS inspection together with the fire safety officer and in the presence of the landlord. (This required giving notice to all the tenants that an inspection was being arranged to ensure access to accommodation could be made)

The inspection revealed issues in relation to one of the bedsit rooms not meeting the space standard and therefore insufficient for an adult occupant. The shared bathroom and toilet facilities were found to be insufficient, given the number of occupants.

Officers discussed remedial action with the landlord but could not reach agreement on how to increase the room space and the provision of shared bathroom and toilet facilities. Consequently officers served a Prohibition Order on the landlord which restricts the number of occupants within the property and prohibits the use of the small room as living accommodation.

When the landlord has determined how he wishes to increase the shared facility provision or the room size then subject to the works being carried out satisfactorily the Prohibition Order can be lifted.



Report of	Meeting	Date
Director of Policy, Planning & Performance (Introduced by the Executive Member for LDF and Planning)	Executive Cabinet	20 June 2013

LOCAL ENFORCEMENT PLAN

PURPOSE OF REPORT

1. The Local Enforcement Plan appended to this report provides a framework to manage enforcement complaints in the Planning Service. The report seeks the approval of the Local Enforcement Plan and related performance targets and service standards.

RECOMMENDATION(S)

2. That Executive Cabinet endorse the Local Enforcement Plan, performance targets and service standards and refer it to 16th July Council for approval and adoption by Full Council.

EXECUTIVE SUMMARY OF REPORT

3. In March 2012, the National Planning Policy Framework (the Framework) introduced a new local approach to enforcement. At Full Council on 17 July 2012, the Council adopted the previous national planning policy guidance (PPG18: Enforcement), as an interim approach to planning enforcement, and resolved to prepare a Local Enforcement Plan to meet the requirements of the Framework). The Local Enforcement Plan provides and an opportunity for the Council to set out how it will manage planning enforcement casework in a manner appropriate to its area; and also to define local performance targets and service standards.

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

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

4. The delivery of the Local Enforcement Plan is a corporate project and must be approved by the full Council in order to deliver decisions that are supported by an authorised and transparent policy.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

5. Continue with current position and use of PPG18 and Circular 10/97. However, the Framework cancels a number of documents including PPG 18 and Chorley Council must have a basis for making decisions on enforcement action.

CORPORATE PRIORITIES

6. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all		A strong local economy	
Clean, safe and healthy communities	✓	An ambitious council that does more to meet the needs of residents and the local area	✓

BACKGROUND

7. The National Planning Policy Framework (the Framework) published in March 2012 details the approach to enforcement in a single paragraph as follows: *“Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.”* The Framework does not cancel the existing circulars (10/97: Enforcing Planning Control; and 02/05: Temporary Stop Notices) which also provide guidance.
8. At Full Council on 17 July 2012, the Council adopted the previous guidance (PPG18: Enforcement), as an interim approach to planning enforcement, and resolved to prepare a Local Enforcement Plan.

PROPOSED LOCAL ENFORCEMENT PLAN

9. The Council receives approximately 350 enforcement related complaints each year. The vast majority of cases are resolved without the need to take formal enforcement action, and during 2012, a total of 12 twelve formal enforcement notices were issued. The case load varies from relatively straightforward complaints where development takes place without planning permission, or where there is a view that the development as built is considered not to be in accordance with a permission. In many cases, complaints are resolved by clarification and compliance checking, or by the submission of a retrospective planning application. There are a number of cases that are long standing, and these can require significant time and resources to monitor and achieve the desired outcome.

10. Officers have been developing systems of control and undertaking data analysis to improve the management of enforcement caseload, and to inform the setting of service standards and performance targets. However, at this time, the planning system is still undergoing significant legislative change, and the recent changes to permitted development rights (especially those in relation to extending dwellings without permission) is expected to increase the demand upon the enforcement service. Under these circumstances, it is considered that any proposed performance targets could be considered provisional and that the Executive Member for LDF & Planning keep the targets under review.
11. One option considered was to keep to a relatively high target of 80% of cases resolved within 8 weeks. This would be identical to the overall planning application target of 80% of planning applications decided within 8 weeks. However, given the current changes to the planning system, it is considered that a lower target of 60% would be more realistic.
12. The plan also sets out what the Council can and will do in response to enforcement complaints, and also identifies priorities for investigation. For example, a complaint about unauthorised works to a listed building would have a higher priority for an immediate site visit than the erection of a fence without permission.
13. A more proactive approach to compliance with planning permissions is also advocated in the Framework and the plan addresses this matter by explaining simply that the Council will undertake compliance checking to maintain public confidence in the system. Officers are developing a sampling framework for selecting development for compliance checking. This will include large housing developments – where levels, layout, house types and materials could be checked. Compliance checking for householder development could also be undertaken on a sample basis, but it is considered more likely that non-compliance will be identified through the receipt of neighbour complaints.
14. If the plan is approved, we will modify our procedures in terms of the nature of our communications with stakeholders in the process and this will support the clear concern of enforcement complainants who wish to have their complaints about alleged unauthorised activity resolved at the earliest possible opportunity. For example, acknowledgement letters will detail the timeframe for resolution of the case, and the priority level afforded.
15. In approving the plan, the Council can improve transparency with its residents, businesses and the development community on how planning enforcement cases will be dealt with. The plan can help manage customer expectations of service, and reduce avoidable contact. The plan will also provide a framework to assist in the transformation objectives of the Council in managing customer contact through the front office.

IMPLICATIONS OF REPORT

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

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

COMMENTS OF THE STATUTORY FINANCE OFFICER

17. As the report focusses on planned prioritisation there are no budgetary implications associated with the report.

COMMENTS OF THE MONITORING OFFICER

18. There are no comments.

LESLEY ANN FENTON
DIRECTOR OF PARTNERSHIPS PLANNING & POLICY

Report Author	Ext	Date	Doc ID
Jennifer Moore Paul Whittingham	5571 5349	30/05/13	***

Background Papers			
Document	Date	File	Place of Inspection
National Planning Policy Framework		Web	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf
Planning Policy Guidance 18	***	Web	http://www.planningportal.gov.uk/planning/planningpolicyandlegislation/previousenglishpolicy/ppgpps/ppg18

**CHORLEY COUNCIL
PLANNING SERVICE
LOCAL ENFORCEMENT PLAN**

DRAFT

Introduction

The National Planning Policy Framework (the Framework) recommends that local planning authorities publish a local enforcement plan to manage enforcement proactively and in a way that is appropriate to their area. This Local Enforcement Plan sets out priorities for investigation, explains what will be investigated and what will not and outlines the Council's general discretionary powers with regard to planning enforcement. The plan sets out the priorities for responses to complaints and clarifies the timescales for response by enforcement officers. This document also sets out the Council's approach to handling planning related enforcement matters and compliance checking.

AIMS OF THE SERVICE

The aims of the enforcement service are to:-

- To protect amenity
- To safeguard the built environment
- To uphold local planning policy
- To provide a high quality service to our customers
- To provide a speedy and effective service

HOW TO MAKE A COMPLAINT

We can accept a complaint about an alleged breach of planning control in writing, by email, by reporting on line via our website, or in person at our offices.

Our contact details are:

Chorley Council
Civic Offices
Union Street
Chorley
PR7 1AL

Tel 01257 – 515151

Web: www.chorley.gov.uk

e-mail dcon@chorley.gov.uk

Office Hours: Monday – Friday, 8:45am to 5:00pm

If you call us to complain about an alleged breach of planning control, we ask that you contact us during office hours wherever possible. Outside of those hours, you can call our emergency number, but this should only be for something you consider to be a category A matter (see below).

We reserve the right to refuse to accept anonymous complaints.

WHAT WILL HAPPEN TO A COMPLAINT

First of all the Council must investigate the alleged breach of planning control by carrying out a site visit &/or undertake an initial assessment to establish whether a breach of planning control has occurred. Sometimes establishing whether a breach of planning control has occurred can revolve around complex legal interpretations and planning judgements. If no breach has occurred then the Council will be unable to take any further action.

In the majority of cases where a breach has taken place, the Council will seek to negotiate compliance rather than take formal enforcement action. The Council may also seek the submission of a retrospective planning application. If such an application is made, then neighbours and the person who made the complaint will be consulted on that application.

Please note that the Council often has to rely on the help of the person reporting the breach to provide the evidence required in order to establish whether a breach of planning control has occurred and take appropriate enforcement action.

Receipt of Complaints

- Details of alleged breach of planning control will be logged and the case will be allocated to an enforcement officer within 3 working days of receipt. If the alleged breach falls into a high priority (category A), we will assess whether the matter should be investigated immediately.
- We will acknowledge the complaint in writing within 5 working days, identifying an officer contact name, reference number and how you can view our Local Enforcement Plan (this document)
- Anonymous complaints will not generally be investigated.
- The details of any complainant are kept securely and confidentially.

OUR RESPONSE

We will initially place a complaint in one of the following categories of priority so that we can manage our caseload as efficiently and effectively as we can. Our initial assessment of the level of priority will be dependent upon the information provided at the time the complaint is made. Once investigations commence, the priority level may change following the initial site visit, after an initial assessment is made, or on receipt of additional information.

Category 'A'

- Unauthorised works in progress to a tree (or trees) covered by a Tree Preservation Order or to trees in a Conservation Area, where trees are likely to be seriously damaged or removed.
- The unauthorised works of demolition or alteration to a listed building or the unauthorised demolition of a building within a Conservation Area.
- Unauthorised development, which may lead to substantial and/or permanent damage to Sites of Special Scientific Interest or Scheduled Ancient Monuments.
- Works being undertaken in contravention of the requirements of an extant Enforcement and/or Stop Notice.
- Major unauthorised building or engineering operations likely to cause serious harm to amenity or the character of the area.

Category 'B'

- Any continuing breach of planning control where formal enforcement action is considered to be expedient but a notice has not been issued.
- Breaches of Tree Preservation Orders or works to trees in a Conservation Area, which have already taken place.
- Breaches of planning conditions where the condition is designed to protect residential amenity/highway safety or other significant considerations.
- Any breach of planning control which is detrimental to have the potential to cause harm to residential amenity.

Category 'C'

- Untidy Land
- Unauthorised householder developments
- Fences
- Advertisements
- Any other alleged breach of planning control not included within Categories A or B.

We will assess whether a site visit is necessary. If we consider it necessary to do so – we aim to visit in accordance with the following timescales:

- **Category A:** Same day or next working day
- **Category B:** Within 10 working days
- **Category C:** Within 20 working days

Timescales

We aim to complete our investigation within 8 weeks of receipt. If we do not complete our investigation within 8 weeks, we will advise the complainant further on the current position of the case &/or the likely timescale for resolution. We will advise the complainant of the outcome when we complete the investigation. You can contact us to enquire about progress if you wish.

Dealing with persons responsible for the alleged breach

The important point to understand that it is not an offence to start building works or make a change of use without planning permission. Therefore, just because something has not got planning permission it does not necessarily mean that we will take action to stop it.

Before determining what action is to be taken in respect of an enforcement enquiry, the person responsible for the alleged breach of planning control will be given the opportunity to explain his/her position and to put forward any mitigating circumstances. Usually, we will interview the person responsible who will be advised in writing of the Council's intended course of action.

There are three principal courses of action available:

- Negotiate a Solution - In many cases breaches of control can be rectified through negotiation rather than by more formal action and such an approach will be taken when this is seen to be the most reasonable way of dealing with a breach.
- Submission of a 'retrospective' application for permission- In some cases it may be expedient to seek the submission of a retrospective application.
- Formal Action - Where it appears justified, any relevant evidence will be gathered and a report presented to the Development Control Committee seeking a decision on whether or not to take formal action.

We aim to be proportionate in our response to breaches of planning control, and in deciding what action to take, we will consider whether it is expedient to do so.

How we decide if an investigation is 'complete'

We consider our investigations to be "complete" when one of the following points has been reached:

- The case is closed because the investigation identifies that no breach in planning control has occurred.
- The case is closed because an alleged breach of planning has been identified but then resolved by negotiation.
- A planning application or other form of application has been submitted following the investigation.
- A breach in planning control has been identified and an application requested but not submitted. A report has been prepared and is on an agenda for Councillors to determine that it is not expedient to take formal enforcement action in this case at this time.
- A breach in planning control has been identified. Authority to take formal enforcement action and/or issue a notice has been given.

If any formal action is proposed it must normally be authorised by the Development Control Committee. When formal action is authorised, a notice is served on the relevant parties (anyone with a legal interest in the site) specifying what action they are required to take to correct the breach.

Depending on the circumstances, a notice may require the unauthorised use to cease, the unauthorised building works to be removed, or for the unauthorised use or building works to be

changed to make it acceptable, and in extreme cases to prevent unacceptable development continuing.

In cases involving listed buildings, protected trees and adverts an offence may have been committed and fines may be imposed on conviction by the Courts.

If a notice is not complied with, the Council may consider progressing a prosecution.

Compliance Checking

In order to maintain public confidence in the planning process, national planning guidance asks local planning authorities to consider a pro-active approach to enforcement. The Council will therefore identify a sample of planning applications &/or developments and check for compliance.

The outcome of the compliance check will be reported to the applicant, agent or landowner. Any non-compliance will be addressed through usual enforcement practice.

We ask all our Customers

to be courteous, patient and honest; and to help us by:

- making any comments on enforcement cases in writing or be email;
- recognising that the enforcement service exists to protect the public interest and not private interests or rights of individuals;
- acknowledge that there are many cases under investigation at any one time;
- accepting that some enforcement matters are complex and may take a long time to resolve.

If you wish to complain about our service

Complaints about the way in which enforcement complaints have been handled will be dealt with through the Council's Complaints Procedure details of which can be found on the Council's web site.

It is possible that initial complaints made over the telephone and/or in writing can be resolved on the spot. Where it is not possible to resolve the complaint on the spot then this should be put in writing (letter or e-mail) and will enter the Council's formal Complaints Procedure.

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