

EXECUTIVE CABINET

THURSDAY, 12TH FEBRUARY 2015, 6.00 PM
COUNCIL CHAMBER, TOWN HALL, CHORLEY

AGENDA

APOLOGIES FOR ABSENCE

- 1 **MINUTES OF MEETING THURSDAY, 22 JANUARY 2015 OF EXECUTIVE CABINET**

(Pages 3 - 6)

- 2 **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.

- 3 **PUBLIC QUESTIONS**

Members of the public who have requested the opportunity to ask a question(s) on an item(s) on the agenda will have three minutes to put their question(s) to the respective Executive Member(s). Each member of the public will be allowed to ask one short supplementary question.

MATTERS REFERRED BY THE OVERVIEW AND SCRUTINY COMMITTEE (INTRODUCED BY THE CHAIR OF THE OVERVIEW AND SCRUTINY COMMITTEE, COUNCILLOR JOHN WALKER)

- 4 **REPORT OF OVERVIEW AND SCRUTINY TASK GROUP -
NEIGHBOURHOOD WORKING**

(Pages 7 - 18)

To receive the report of the Overview and Scrutiny Task Group and accept it for consideration, with a view to the Executive Cabinet's recommended response to the recommendations being reported to a future meeting.

**ITEM OF DEPUTY EXECUTIVE LEADER AND EXECUTIVE MEMBER
(RESOURCES) (INTRODUCED BY COUNCILLOR PETER WILSON)**

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| 5 | NATIONAL NON-DOMESTIC RATE DISCRETIONARY RATE RELIEF
POLICY | (Pages 19 - 40) |
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Report of the Customer and Advice Services.

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| 6 | CHORLEY COUNCIL PERFORMANCE MONITORING QUARTER
THREE 2014/15 | (Pages 41 - 48) |
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Report of the Chief Executive.

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| 7 | APPOINTMENT OF CONTRACTOR FOR RANGLETT'S
RECREATION GROUND PHASE 3 (SKATE PARK) |
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Report of the Director of Public Protection, Streetscene and Community (to follow).

**ITEM OF EXECUTIVE MEMBER (COMMUNITY SERVICES) (INTRODUCED
BY COUNCILLOR BEV MURRAY)**

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| 8 | LOCAL GOVERNMENT DECLARATION ON TOBACCO CONTROL | (Pages 49 - 66) |
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Report of Director Public Protection, Streetscene and Community.

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| 9 | ANY URGENT BUSINESS PREVIOUSLY AGREED WITH THE CHAIR |
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GARY HALL
CHIEF EXECUTIVE

Electronic agendas sent to Members of the Executive Cabinet Councillor Alistair Bradley (Chair), Councillor Peter Wilson (Vice-Chair) and Councillors Beverley Murray, Graham Dunn, Adrian Lowe and Paul Walmsley.

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

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<https://democracy.chorley.gov.uk/ecSDDisplay.aspx?NAME=SD852&id=852&rpId=0&sch=doc&cat=13021&path=13021>

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<https://democracy.chorley.gov.uk/ieListMeetings.aspx?CIId=117&Year=0>

**MINUTES OF****EXECUTIVE CABINET****MEETING DATE****Thursday, 22 January 2015****MEMBERS PRESENT:**

Councillor Alistair Bradley (Chair), Councillor Peter Wilson (Vice-Chair) and Councillors Beverley Murray, Adrian Lowe and Paul Walmsley

MEMBER RESPONSIBLE:

Councillors Terry Brown, Hasina Khan and Steve Holgate

COUNCIL CHAMPIONS:

Councillors June Molyneaux and Julia Berry

OFFICERS:

Gary Hall (Chief Executive), Lesley-Ann Fenton (Director of Customer and Advice Services), Jamie Carson (Director of Public Protection, Streetscene and Community), Chris Moister (Head of Governance), Simon Clark (Head of Health, Environment and Neighbourhoods), Susan Guinness (Head of Shared Financial Services), Sarah James (Head of Policy (Public Service Reform)), Andrew Daniels (Communications Manager) and Ruth Rimmington (Democratic and Member Services Officer)

APOLOGIES:

Councillor Graham Dunn

OTHER MEMBERS:

Councillors Margaret France, Matthew Lynch, Mick Muncaster and John Walker

15.EC.94 Minutes of meeting Thursday, 11 December 2014 of Executive Cabinet

Decision: The minutes of the meeting of the Executive Cabinet held on 11 December 2014 be confirmed as a correct record and signed by the Executive Leader.

15.EC.95 Declarations of Any Interests

There were no declarations of any interests.

15.EC.96 Public Questions

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

15.EC.97 2015/16 Budget and Summary Budget Position Over the Medium Term

The report of the Chief Executive was presented by the Executive Member (Resources), Councillor Peter Wilson.

It was proposed that Council Tax be frozen and not increase in 2015/16. This would be the third consecutive year that the current administration had achieved a balanced budget position for the forthcoming financial year without increasing Council Tax.

The administration had seen large scale reductions in Central Government grant placing unprecedented levels of pressure on the Councils budget.

The proposed budgeted new investments for 2015/16 were set out within the report, and included a Chorley Flower Show and additional events at Astley Hall and Park. Proposed capital schemes included a community centre at Buckshaw Village, a Youth Zone and improvements to Market Street.

The projected budget position consistently showed a significant budget gap in future years 2016/17 and 2017/18. This shortfall, together with heightened uncertainty and risk in the form of year on year variable new funding regimes, meant that budget austerity measures would continue to impact on the Council's budget.

NHB receipts in respect of 2013/14 to 2015/16 had not been built into the base budget as recurring core funding. This was to enable the Council to improve budget resilience and flexibility to respond to future annual uncertainty inherent in the new public finance funding regimes. Future years' awards would be dependent upon the level of housing development.

The consultation on the proposed budget would focus on obtaining feedback on the key investment areas in order to help prioritise activity. It would also highlight the impact of a reduction in Council funds and ask residents to give the Council their views on the budget. The consultation would invite responses from residents, partners, parish groups and other stakeholders through a variety of methods including a short survey. Results would be analysed and published in February for consideration as part of budget finalisation.

The Executive Leader commented on the ambitious nature of the budget and Members supported the projects proposed.

Decision: To agree the contents of the report in order to start the Budget Consultation process and note the following proposed budget items, in particular:

- **Council Tax to be frozen in 2015/16.**
- **The proposed New Investments for 2015/16.**
- **New Growth Items funded from budget savings.**
- **The balanced budget position for 2015/16.**
- **The forecasted budget position to 2017/18.**

Reasons for recommendation(s)

To progress the Council's 2015/16 Budget Setting process to achieve an approved and balanced budget.

Alternative options considered and rejected

Setting the budget is a statutory responsibility.

15.EC.98 Exclusion of the Public and Press

Decision: 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 Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

15.EC.99 Approval to invite quotations for architectural services for design options for an extra care scheme

The confidential report of the Chief was presented by the Executive Member (Resources), Councillor Peter Wilson.

The report set out the procurement process and allocated budget for the purchase of architectural design services for an Extra Care Scheme in Chorley, to be located on Fleet Street.

Decision:

- 1. To approve the procurement process and provide agreement for the tender to be advertised on the chest.**
- 2. To delegate the decision to appoint the successful bidder to the Executive Member for Resources.**

Reasons for recommendation(s)

There is currently no expertise within the Council to do the design work necessary to progress this project. This work is essential in order to develop design options which will inform the financial modelling and ultimately the final design and business case for the scheme.

Alternative options considered and rejected

None.

15.EC.100 Proposed Sale of Freehold Reversionary Interest at Ackhurst Road, Common Bank

The confidential report of the Chief was presented by the Executive Member (Resources), Councillor Peter Wilson.

Decision:

- 1. Authorisation granted to proceed with the disposal of the freehold reversionary interest.**
- 2. To delegate authority to the Executive Member for Resources to agree any minor amendments to the terms of the proposed sale to include but not be limited to the inclusion of a clawback provision in the terms of sale.**
- 3. Authorisation granted to the Head of Governance to complete the documentation.**

Reasons for recommendation(s)

- 1. The sale of the freehold reversion will provide the company with greater control and security when making financial decisions.**

2. The sale of the freehold reversion will obviate any future need to collect rental for this property but will also result in a capital receipt for the Council. As a result of the company being able to purchase the freehold this may result in further economic growth and create further job opportunities.
3. The sale of the freehold reversion will result in a capital receipt.

Alternative options considered and rejected

1. A decision not to allow the company to purchase the freehold may result in them deciding to relocate to an alternative site resulting in approximately 110 job losses in Chorley Borough.
2. If the freehold reversion is not sold to the company, the Council would not benefit from a capital receipt and future economic growth and further employment opportunities in this location.

Chair

Date

Report of the Overview and Scrutiny Task Group – Neighbourhood Working

January 2015



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PREFACE

The Scrutiny inquiry into Neighbourhood Working was chosen by Members of the Overview and Scrutiny Committee as the current arrangements have been in place since a review of the neighbourhood working model in 2012. Up until this time, neighbourhood working had been seen as a stand-alone service or at best an extension of community development. In line with the agreed definition “*working with our partners to improve the quality of life, health and wellbeing of all our citizens and to improve the environment of the neighbourhoods in which they live*”, neighbourhood working had started to transcend all Council delivery and integrate with Council and partners services and Members were tasked with providing the evidence that this was starting to take place.

The Council has developed a Civic Pride Campaign over the past 12 months and are currently reviewing how to promote this work effectively. Members felt that Civic Pride should be fully integrated into Neighbourhood Working and that they should be engaged in all aspects of Civic Pride and so we took this opportunity to explore how this could be improved upon.

The success of Neighbourhood Working is not totally reliant on the Council so it was important that we consulted with existing stakeholders to understand their strength of engagement and to explore better ways of working together in partnership.

I would like to thank the Task Group Members for their deliberations and the officers and external representatives of parish councils and community groups 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 current arrangements to better serve the residents in their experience of living in their communities.



Councillor June Molyneaux (Chair)

EXECUTIVE SUMMARY

The Overview and Scrutiny Task Group undertook a scrutiny inquiry to review Neighbourhood Working arrangements in Chorley.

Objective

The development of a neighbourhood working footprint that will encourage sustainable engagement with neighbourhoods across Chorley.

Desired Outcomes

1. To encourage residents to have a confidence to engage with and deliver projects in their neighbourhoods.
2. To create a sense of pride for residents across Chorley.
3. To strengthen existing partnerships and to establish new ones.
4. To implement Neighbourhood Action Plans across the borough.
5. To develop the role of the Ward Councillor in neighbourhood working.

Task Group Membership

Councillor June Molyneaux (Chair)
Councillor Kim Snape (Vice Chair)
Councillor Julia Berry
Councillor Charlie Bromilow
Councillor Mike Handley
Councillor Mark Jarnell
Councillor Paul Leadbetter
Councillor Matthew Lynch
Councillor Dave Rogerson

Officer Support:

Lead Officers

Lesley-Ann Fenton	Director Customer and Advice Service
Simon Clark	Head of Health, Environment and Neighbourhoods
Louise Elo	Neighbourhoods Team Manager

Democratic Services

Dianne Scambler	Democratic and Member Services Officer
Ruth Rimmington	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.

Contribution of Evidence

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

LIST OF RECOMMENDATIONS

The Executive Cabinet is asked to consider the following recommendations:

1. To develop a liaison mechanism between the eight Chairs of the Neighbourhood Area Meetings through an informal meeting that could take place prior to a Chorley 3 Tier Liaison meeting as any issues (of a strategic nature and involving all three tiers of Local Government) can be raised at that meeting.
2. Provide training to borough and parish councillors on effective tools to engage and connect people in their own area.
3. That the Neighbourhood Priorities to be renamed as Preferred Projects to reflect that over time, issues and aspirations change.
4. To have a single point of contact at the Council for community groups and parish council's to raise matters relating to neighbourhood working. Reporting of day to day environmental issues to use existing channels, such as My Account.
5. To improve communication between officers, councillors and stakeholders about the outcomes of priorities to community groups and the public, to include monthly updates on progress and delivery to be provided by the lead officer through use of intheknow, intheboro, Facebook and Twitter.
6. Where appropriate, the neighbourhood working process should be used to encourage greater financial contributions from parish council funds for the delivery of neighbourhood priorities. It is envisaged that robust debate at neighbourhoods area meetings should be the forum to challenge greater contributions from parish councils who may be reluctant to make those contributions.
7. The Council to explore with the Voluntary and Community Faith Sector, how the use of current resources provided by the Council to the VCFS, can be used by the VCFS to improve networking across the VCFS sector in Chorley. This could include the facilitation of a themed Annual Forum on a dedicated topic, for example health initiatives, to help shape future key projects and encourage greater involvement at all levels.
8. The civic pride campaign should be fully integrated into neighbourhood working and members informed or engaged in all aspects of civic pride delivery.
9. The Overview and Scrutiny Panel are supportive of the Corporate Strategy project to introduce Community Action Plans in parts of the Borough and recommend consideration is given to a wider roll out depending on the implementation and outcomes achieved from the initial plans.

- 10. The use of local neighbourhood forums may be considered as appropriate by the Neighbourhood Area meetings as a means to engage and understand community needs. Such forums could be facilitated or hosted jointly with the neighbourhood representatives.**

BACKGROUND AND CONTEXT

Following the review in 2012, approval had been granted to redraw the boundaries of the neighbourhood areas, increasing their number from seven to eight. It was also agreed to increase the level of representation at the twice yearly round of neighbourhood area meetings, to include County Council and Parish Council representation. In addition, officers from other agencies were included and individually tailored to each of the neighbourhood meetings.

Each neighbourhood area is allowed to identify three priorities for delivery in a financial year, which are costed and subject to Executive Cabinet approval as part of the annual budget setting process. A set of rules for the conduct of the meetings was agreed and this included the selection of a Chair and also that decisions would be made by consensus as opposed to a more formal voting system.

The Chair of each neighbourhood area meetings has a number of responsibilities that include, the chairing of the twice yearly neighbourhood area meetings (currently January and June each year) and liaison with lead officers on behalf of the group to scope predetermined neighbourhood priorities. The Chairs can also convene additional meetings of the group to reach consensus on the actions necessary to deliver priorities and to liaise with lead officers, acting as a single point of contact for officers and group members alike.

The review also provided guidance on the areas of work that the neighbourhood priorities would cover, including additional works and schemes to improve areas of open public space over and above business as usual. Work and projects that supported the formation of new community groups or sustain existing ones, leading and supporting community events that met the principles and definition of neighbourhood working and activities and work that promoted community cohesion, such as initiatives that integrate demographic groups into the life of the community, were actively encouraged.

Priority nominations were scored against a current set of criteria as follows:

- practical rather than aspirational priorities given our limited resources
- projects/areas of work that lie outside business as usual service delivery
- priorities that could maximise the use of partner contributions
- priorities where Chorley Council have some responsibility or significant influence

A restructure of the Health, Environment and Neighbourhoods (HEN) Team, in 2014 established a core service to start the process of embedding a neighbourhood working culture across all service areas. It was therefore vital that neighbourhood working was not seen only in the context of delivery of a set of specific project type priorities or as a community development programme but as a means of establishing local need and, where practicable, putting solutions in place at a local level that meets those needs. To

that end, a number of work streams were being progressed with a view to providing a fully neighbourhood focussed service that included Time Credits, the establishment of the HEN restructure and development of Neighbourhood Action Plans.

METHOD OF INVESTIGATION

Evidence

The Group was provided with a report of the Head of Health, Environment and Neighbourhoods on the current Neighbourhood Working arrangements and evidence of projects delivered by other organisations.

Witnesses

The group consulted with a number of parish councils, partner organisations and community groups that included:

- Mike Murphy (Chorley Community Housing)
- Andrew Daniels (Communications Manager (Chorley Council))
- Sarah James (Head of Policy (Public Service Reform) Chorley Council))
- Katrina Reed (Chair of Euxton Parish Council)
- John Bamber (Vice Chair of Euxton Parish Council)
- Laura Lennox (Chair of Astley Village Parish Council)
- Mick Muncaster (Chair of Clayton-le-Woods Parish Council)
- Craig Lee (Buckshaw Village Community Association – BVCA)
- Brian Jones (Chorley Street Pastors)
- Jackie Heywood (Clayton Brook Community House)

Additional responses were also received from Adlington Town Council and Anderton, Bretherton, Charnock Richard, Heskin and Whittle-le-Woods Parish Councils.

South Ribble Council

Rebecca Heaps (Neighbourhood Coordinator (South Ribble Council)) attended a meeting to explain how they have implemented Neighbourhood Working.

Terms of reference

- To understand the current arrangements for neighbourhood working in Chorley
- To consult with existing stakeholders including parish councils, county councillors and representatives from housing associations to understand the strength of engagement
- To converse with established community groups on the delivery of successful projects in their neighbourhoods and how to get residents involved
- To understand how the Council's Civic Pride campaign and programme of campaigns links into Neighbourhood Working
- To investigate areas of best practice amongst our neighbouring authorities to ascertain if there is anything that we can do better.

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 mainly around better communications, encouraging greater participation and facilitating improved networking arrangements.

The Task Group recognises that for the recommendations to be successful it will be dependent on the participation of everybody that is involved in neighbourhood working, including the Council, our stakeholders, community groups, Councillors and residents of Chorley.

ENGAGEMENT

Throughout the review, Members recognised the role they played in the Council's neighbourhood working policies by working alongside neighbourhood officers and community groups. This work can often be challenging when balancing competing demands, such as the different needs of deprived or more affluent areas, or dealing with different ethnic, faith and cultural backgrounds. Neighbourhood working needs to take place in the actual communities and not just through meetings.

Residents can also contribute in making their neighbourhoods a better place to live in and must be encouraged to get involved, whether formally in activities, such as neighbourhood/community groups meetings, or less formally, with 'clean up' days, or community days and events. A wide range of techniques are needed to encourage and give residents the confidence to get involved.

The Group agreed that strengthening partnership working was key to the successful implementation of a neighbourhood working regime which was embedded throughout all communities across the borough. Partnership structures brought together agencies, such as the police, council, housing associations and others to tackle problems that no single agency could solve alone. Problems could be solved by using local knowledge gained through experience, talking to local people and front-line workers, as well as being 'out and about' in the neighbourhoods.

Recommendations:

- 1. To develop a liaison mechanism between the eight Chairs of the Neighbourhood Area Meetings through an informal meeting that could take place prior to a Chorley 3 Tier Liaison meeting as any issues (of a strategic nature and involving all three tiers of Local Government) can be raised at that meeting.**
- 2. Provide training to borough and parish councillors on effective tools to engage and connect people in their own area.**
- 3. That the Neighbourhood Priorities be renamed as Preferred Projects to reflect that, over time, issues and aspirations change.**

4. **To have a single point of contact at the Council for community groups and parish council's to raise matters relating to neighbourhood working. Reporting of day to day environmental issues to use existing channels, for example My Account**

STAKEHOLDER INVOLVEMENT

The Group consulted with existing stakeholders that included Parish Councils, County Councillors and representatives from Housing Associations to understand their strength of engagement and to explore ways of working better together in the future.

Members were interested in understanding what they expected from the Neighbourhood Working process and if there was anything extra that they could bring to the process, including financial contributions. This included exploring ideas on how the Borough Council, Parish Councils and other organisations could work together more effectively on projects in their areas or if there were any barriers that prevented this from being achieved. The overall objective was to identify how relationships within the existing stakeholder's structures could be strengthened so that communities could engage more effectively within the different neighbourhood areas.

Overall, they were happy with the way in which Neighbourhood Working was being implemented by the Council and the projects had given them the opportunity to work together to achieve something more than business as usual that met local priorities that were important to local residents. There was an acceptance that they were in a position to contribute financially and could influence other local organisations and groups to get involved.

Many of the parish councils were very established in their ways, preferring to sit back and let residents come to them if they had a problem or suggestion to make. Members felt that they could be more proactive in their approach, particularly when looking for projects to propose as a neighbourhood priority. Also, as many residents didn't understand the hierarchy of Local Government tiers, there was a view that better consultation and greater communications would help to alleviate some of the disputes that often arise over ownership of assets in the area and help to encourage residents to engage.

Recommendations:

5. **To improve communication between officers, councillors and stakeholders about the outcomes of priorities to community groups and the public, to include monthly updates on progress and delivery to be provided by the lead officer through use of intheknow, intheboro, Facebook and Twitter.**
6. **Where appropriate, the neighbourhood working process should be used to encourage greater financial contributions from parish council funds for the delivery of neighbourhood priorities. It is envisaged that robust debate at neighbourhoods area meetings should be the forum to challenge greater contributions from parish councils who may be reluctant to make those contributions.**

COMMUNITY GROUPS AND ORGANISATIONS

We consulted with representatives from a number of established community groups and organisations on the delivery of successful projects in their neighbourhoods and how they get residents involved.

Each of the groups had originally been established to meet a particular need within the local community and had grown in strength as years had gone by. All of the groups had established relationships with the Council in differing ways, either through receiving financial support, working with and receiving contact and support from Council officers or participating in networking opportunities provided through more formalised council structures.

Key communication methods were through social media; including Twitter, Facebook and web forums, although other methods included the erection or use of noticeboards and the production and distribution of newsletters or posters around the area. However, all of the representatives agreed that it would be useful to bring community groups together and were in favour of a networking event that would be open to all.

A networking event would enable groups from each of the areas to come together to share ideas and discuss issues in their area. Partners, such as LCC, Registered Social Landlords and the Police would be invited as part of the event to encourage better partnership working to address a common goal, for example health and wellbeing initiatives.

Recommendation:

- 7. The Council to explore with the Voluntary and Community Faith Sector (VCFS) how the use of current resources provided by the Council to the VCFS, can be used by the VCFS to improve networking across the VCFS sector in Chorley. This could include the facilitation of an Annual Forum on a dedicated topic, for example health initiatives, to help shape future key projects and encourage greater involvement at all levels.**

CIVIC PRIDE

The Council has implemented a Civic Pride Campaign over the last 12 months that has consisted of a number of publicised events aimed at getting the residents of Chorley to take pride in their neighbourhood area. The Neighbourhoods team are currently delivering the 'Don't Mess with Chorley' campaign encouraging residents to keep our borough clean through targeting issues such as fly tipping, rubbish and dog fouling, whilst the Economic Development team are actively working on the Choose Chorley Investment scheme by getting people to invest in Chorley.

A number of different starter kits would be made available 'off the shelf' to help residents in a range of activities that would help to enhance their neighbourhoods, for example, litter picking packs that would provide them with the necessary equipment to get a project started and the Council would encourage members of the community to

become a point of contact, to organise residents effectively signposting and advertising the use of the 'My Account' system to residents.

Whilst it was accepted that there was a lot of really good work being undertaken by the authority, there was criticism that this was not being communicated effectively to ward Councillors and the Group felt that this was definitely an area that needed to be improved upon. Members wanted to be included throughout the process and not just at the end when a project had been delivered.

The Council had also been leading the way in encouraging people to get involved in volunteering with the launch of the SPICE Time Credit's project. This scheme rewarded people for volunteering by offering an hour of their time for an hour's time credit that could be spent on a wide range of activities. It encouraged residents to take pride in where they lived, by encouraging them to get involved in volunteering and take a more active role in their communities.

The Group felt that this needed to be embedded into the neighbourhood working agenda, as the time credit scheme also enabled residents to get involved in the design and delivery of public and community services. It would also help to create a strong and diverse network of volunteers and volunteer organisations in their neighbourhoods.

Recommendation:

- 8. The civic pride campaign be fully integrated into neighbourhood working and members informed or engaged in all aspects of civic pride delivery.**

COMMUNITY ACTION PLANS

The implementation of Neighbourhood/Community Action Plans was seen as a fundamental aspect of encouraging the residents to take ownership of the actions and practices agreed to be undertaken within the community. Members agreed that a holistic approach that encompassed everyone across the borough was needed.

The Council was exploring the possibility of implementing Community Action Plans for parts of its borough as a key project in its Corporate Strategy and the Group considered the possibility of such a plan being developed for each of the eight Neighbourhood Area meetings.

Recommendation:

- 9. The Overview and Scrutiny Panel are supportive of the Corporate Strategy project to introduce Community Action Plans in parts of the Borough and recommend consideration is given to a wider roll out depending on the implementation and outcomes achieved from the initial plans.**

SOUTH RIBBLE COUNCIL – NEIGHBOURHOOD WORKING

The 'My Neighbourhood' approach was launched in 2012 as South Ribble Council's way of working with communities. The five neighbourhood forums of Central, Eastern, Leyland, Penwortham and Western parishes replaced the previous area committee's and informal meetings are now held in each of the areas across the borough on a quarterly basis. Each of the meetings are only one hour in length and a Ballot Box is used to pick up any business as usual enquiries, so that the meetings can concentrate on bigger issues or more important items of business.

Initially the forums were aimed at identifying and agreeing local priorities. Interactive workshops were held using maps to add context and support discussion and these were extremely well attended by the communities. Other partner agencies such as the local neighbourhood policing teams were also invited. Residents had direct access to Councillors, there are no appointments or questions submitted in advance and local councillors are involved with all aspects of the meeting giving cross party ownership.

Ten priority projects for each area made up the body of each of the My Neighbourhood Plans. All the plans are created in consultation with residents, public services and community groups, to find out what local projects people wanted. A big part of bringing the projects together was the input and involvement of the local community. The priorities contained within each of the plans were highlighted by local residents who wanted to improve the areas in which they live.

Members recognised the different approach that our neighbouring authority had taken and thought that this gave additional support to the recommendation by the Group with regards to working with the VCFS on improved networking and considered the potential of Chorley Council facilitating a themed annual event for greater interaction by all partners on a dedicated topic, for example health initiatives. This would help to shape future key projects across the borough and encourage greater involvement at all levels.

Recommendation:

- 10. The use of local neighbourhood forums may be considered as appropriate by the Neighbourhood Area meetings as a means to engage and understand community needs. Such forums could be facilitated or hosted jointly with the neighbourhood representatives.**

CONCLUSION

The feedback from parish councils, community groups and organisations involved in Neighbourhood Working was generally positive with regards to the current approach being taken to implement and develop neighbourhood working.

There was a recognition that communication on the delivery and completion of projects and activities in the neighbourhood areas to all interested parties could be improved upon.

Relationships between the Council and parish councils and community groups were in the main working well. However, there was a view that networking and the sharing of best practices between VCFS groups across the borough could also be improved.

Engagement with residents by parish councils, community groups and members varied across the neighbourhood areas and a view was taken that these stakeholders, especially Parish Councils and District Council members could be more pro-active in their approach particularly when nominating projects to be considered at the neighbourhood area meetings.



Report of	Meeting	Date
Director of Customer and Advice Services (Introduced by the Executive Member for Resources)	Executive Cabinet	12 February 2015

NATIONAL NON-DOMESTIC RATE DISCRETIONARY RATE RELIEF POLICY

PURPOSE OF REPORT

1. To gain approval for the national non-domestic rate (business rates) Discretionary Rate Relief (DRR) policy.

RECOMMENDATION(S)

2. Members are recommended to:
 - a. Approve consultation on the DRR policy by other precept authorities and wider community.
 - b. Approve the adoption of the policy under delegated powers (EMD) by the Executive Member for Resources, following a successful consultation outcome.
 - c. Approve further changes of the Policy under delegated powers (EMD) by the Executive member for Resources where changes are cost neutral.
 - d. Delegate authority to the Council's Section 151 Officer to continue approving the granting of relief.

EXECUTIVE SUMMARY OF REPORT

3. The Council has had a number of policies relating to the granting of discretionary rate relief. These have been introduced over a number of years and in response to changing legislation and new initiatives. This policy brings together these existing policies and also includes some new ones required as a result of recent government guidance.
4. The purpose of discretionary rate relief is to support certain types of businesses and organisations in order to support local communities and attract investment to the borough of Chorley.
5. Current legislation allows for a number of different reliefs to be awarded under discretionary powers.
6. The Discretionary Rate Relief Policy sets out the Council's approach to, and guidelines for the awarding of discretionary rate relief.
7. The Policy will be reviewed every five years but interim changes will be managed under delegated powers (where they are cost neutral) and approved by the Executive Member for Resources.
8. Primarily the rationale and use of the policy will be to develop business rather than hardship relief.

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)

9. The policy consolidates and brings up-to-date existing discretionary rate relief policies.
10. The policy is in line with the most recent government legislation and guidance.
11. The policy provides a consistent and transparent approach to the consideration of discretionary rate relief applications.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

12. None.

CORPORATE PRIORITIES

13. 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

14. Changes to non-domestic rate legislation over the years have introduced a number of rate relief schemes. More recently the government has also introduced local initiatives to help to support local communities.
15. These changes have given local authorities increased discretionary powers to grant rate relief in many different circumstances.
16. Historically, the Council has introduced a new additional policy in response to each change and this report aims to assimilate all these policies into one document.
17. As the granting of relief is discretionary the Council may choose not to grant relief if to do so would go against the wider objectives for the local area.
18. This revised DRR policy achieves three things:
 - a. Brings together into one document the discretionary rate relief policies that have been approved previously.

- b. Sets out the eligibility criteria for Local Discretionary Rate Relief and New Build Empty Property Relief for which there has not been a previous policy.
 - c. Sets out the delivery and operation of the policy for the extension of the transitional relief scheme.
- 19. The Local Government Finance Act 1988 requires the Council to maintain a Discretionary Rate Relief Scheme to award business rates relief of up to 100% to certain organisations which operate within specific criteria.
- 20. From 1 April 2012, Section 69 of The Localism Act 2011 allows councils more discretion to award non-domestic rate relief. Section 69 of the Localism Act amends Section 47 of the 1988 Act to allow local discounts to all types of businesses in order to help attract firms, investment and jobs to the local area and to support local communities.
- 21. There have been some specific initiatives introduced under this Act and for these the government has been clear that it expects local government to grant relief to qualifying rate payers.
- 22. Under the Localism Act 2011 the policy behind a particular local discount is to be developed within a local authority.
- 23. The policy must have regard to the interests of the local council tax payers and be in line with the Council's corporate priorities.

GENERAL PRINCIPLES

- 24. The general principles which the Council will consider when deciding whether to grant discretionary relief are as follows:
 - a. Decisions under the policy will be made in accordance with statutory requirements and Secretary of State guidance.
 - b. Decisions will have regard to the interests of council tax payers and the Council's corporate priorities.
 - c. Priority will be given where the services provided are of specific benefit to residents and the local community.
 - d. Consideration will be given to whether the services provided replace, enhance or supplement current Council provision.
 - e. The extent to which an award will support the Council's aspiration to promote and encourage economic growth, and in particular growth in the Non-Domestic Rating tax base and in employment opportunities for residents of the Borough.
 - f. In line with the Council's decision-making arrangements, the granting of applications of relief will be decided by the Council's Chief Financial Officer (Section 151 Officer).
 - g. There is no right of appeal although ratepayers may ask for the decision to be reconsidered if new, relevant information can be provided.

SUMMARY OF RELIEFS

- 25. The attached table at Appendix A gives a summary of the type of relief available including any mandatory element which must be awarded under legislation and also the types of organisation which may qualify.
- 26. The table includes the amount of relief which can be awarded under discretionary powers according to the legislation and the amount that the Council's own policy allows for and also the duration of any such relief.

27. Funding arrangements are included and an explanation of these arrangements appears later in this report.
28. The table also summarises whether the Council has a current policy and if any changes to the current policy is proposed.
29. Under the DRR policy, discretionary charitable and rural relief will only be awarded to village halls and community centres which are managed by voluntary management committees. As part of the Council's previous budget provision it was agreed that the Discretionary Rate Relief budget be reduced. Provision remained for village halls and community centres. This was largely to acknowledge the key role they play in the wellbeing of communities, particularly in rural areas.
30. It is difficult to estimate the impact of extending the policy to grant discretionary charitable or rural rate relief in other circumstances. However the number of qualifying rural properties is estimated to be in the hundreds and many of these are likely to qualify for part or full small business rate relief.

FUNDING OF DISCRETIONARY RATE RELIEF

31. Funding arrangements for discretionary relief depends upon the type of relief. The table at Appendix A summarises the type of funding which applies to each relief and there are currently two categories, the local business rates retention scheme and Section 31 grant funding.
32. Local business rate retention - There is a cost to the Council where funding is under the arrangements for local business rate retention. Under these arrangements the cost of relief is split between the Government, the billing authority and the major precepting authorities. This means that the cost to the Council of any discretionary relief will be 40% of the 100% of business rates payable for a property.
33. Any General Local Discretionary Rate Relief awarded under the Localism Act 2011 will also be funded under the local business rate retention and so will incur a cost for the Council.
34. Section 31 of the Local Government Act 2003 - There will not be a cost to the Council where the Council uses its discretionary powers under the Localism Act 2011 and awards relief in line with specific eligibility set out in government guidance as in these circumstances the government will fully reimburse any relief awarded under these circumstances.
35. Under the existing policy there is a cost to the Council for discretionary charitable relief of £3,291.10 as this is funded under the rates retention arrangements.
36. Other discretionary awards currently made use the Council's powers in respect of specific initiatives under the Localism Act and are funded by Section 31 grant and so are cost-neutral to the Council.
37. In order to help support eligible businesses, such businesses are being proactively encouraged to apply for these awards.
38. The new policy has potential additional financial implications for the Council in respect of the General Local Relief. This would use the Council's discretionary powers under the Localism Act. However, as it is not a specific government initiative it would be funded under the rates retention scheme and so would incur a cost to the Council of 40% of any relief awarded.
39. It is difficult to estimate the potential awards and cost to the Council under this proposed General Local Relief until applications are considered.

STATE AID

40. The European Union (EU) regulates state aided funding support to businesses. The provision of discretionary rate relief is likely to amount to state aid but will be state aid compliant where it is provided in accordance with De Minimis Regulations.
41. The EU law on state aid has a De Minimis limit value of €200,000 within a current financial year or the previous two financial years.
42. When making an application for discretionary relief (other than charitable) ratepayers must complete a De Minimis declaration and the Council will supply the ratepayer with the necessary offer letter.

IMPLICATIONS OF REPORT

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

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

COMMENTS OF THE STATUTORY FINANCE OFFICER

44. The Policy sets out in particular the discretions available to the Council. Should it wish to use any of the discretions funding would need to be found as, at present, no funding is allocated.

COMMENTS OF THE MONITORING OFFICER

45. The legislative framework is confirmed within paragraphs 17 -21 of the report. The policy proposed is compliant with this framework.

COMMENTS OF THE HEAD OF POLICY (COMMUNICATIONS)

46. The new national non-domestic rate (business rates) discretionary rate relief policy brings together all types of discretionary relief which are available into one clear policy. In line with the Council's equality scheme the new policy will be subject to an integrated impact assessment to assess the possible impact that it may have on different groups.

LESLEY-ANN FENTON
DIRECTOR CUSTOMER AND ADVICE SERVICES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Asim Khan/Helen Sutton	5448	22 January 2015	***

Appendix A

TABLE OF DISCRETIONARY RELIEFS AVAILABLE								
Type of Discretionary Relief Available	Type of organisation or business	Amount of mandatory relief awarded under legislation	Amount of discretionary relief available under legislation	Amount of discretionary relief available under the policy	Duration of Discretionary Relief	Funding of Discretionary element	Current Policy	New Policy/changes proposed
Charitable Relief (LGFA 1988 Section 47)	A registered Charity or trustees for a registered charity where the premises are used for charitable purposes	80%	Up to 20%	None	n/a	100% of 40% under the business rates retention scheme	Existing policy approved by Executive Cabinet 1 April 2004	No changes proposed
Charitable Relief (Local Government Act 2003 Section 64)	Registered Community Amateur Sports Clubs that have registered with the Inland Revenue	80%	Up to 20%	None	n/a	100% of 40% under the business rates retention scheme	Existing policy approved by Executive Cabinet 1 April 2004	No changes proposed
Charitable Relief (LGFA 1988 Section 47)	Non-profit making organisations whose objectives are charitable, philanthropic, religious, concerned with welfare, education, science, literature, the fine arts or recreational	80%	Up to 20%	None	n/a	100% of 40% under the business rates retention scheme	Existing policy approved by Executive Cabinet 1 April 2004	No changes proposed
Charitable Relief (LGFA 1988 Section 47)	Village Halls and Community Centres managed by voluntary management committees	None - unless qualify as above	Up to 100%	Up to 100% of available discretionary element	Reviewed annually	100% of 40% under the business rates retention scheme	Existing policy approved by Executive Cabinet 1 April 2004	No changes proposed
Partly Occupied (LGFA 1988 Section 44a)	Businesses partly occupying premises	None	Depends on RV of unoccupied part empty rules apply	Depends on RV of unoccupied part empty rules apply	A temporary period of less than 12 months	100% of 40% under the business rates retention scheme	Legislative. Local Policy not required	No changes proposed
Hardship Relief (LGFA Section 49)	Business experiencing extreme financial hardship	None	Up to 100%	Each case assessed on its own merits	A short fixed period depending on the merits of the case	100% of 40% under the business rates retention scheme	Current guidance available. Policy for approval in this report	Adoption of current guidance as policy

Rural Rate Relief (LGFA & Rating Act 1997)	Certain defined businesses in defined rural areas	50%	Up to 50%	None	n/a	100% of 40% under the business rates retention scheme	No	Yes
General Local Discretionary Rate Relief (Localism Act 2011)	Any business given due consideration to the interests of local council tax payers where the award would be in line with Council's corporate priorities and would attract firms, investment and jobs to the area	None	Up to 100%	Up to 100%	For up to 1 financial year	100% of 40% under the business rates retention scheme	No	Yes
Retail Relief (Localism Act 2011)	Certain shops/restaurants/drinking establishments with an RV of £50,000 or less	None	Up to £1,000 from 1 April 2014 Up to £1,500 from 1 April 2015	Up to £1,000 from 1 April 2014 Up to £1,500 from 1 April 2015	Ongoing until 31 March 2017	Fully reimbursed under Section 31 grant	Existing policy approved by Executive Cabinet 25 February 2014	No changes proposed
Reoccupation Relief (Localism Act 2011)	Businesses moving into retail premises that have previously been empty for 12 months	None	50%	50%	Up to 18 months from date of occupation	Fully reimbursed under Section 31 grant	Existing policy approved by Executive Cabinet 25 February 2014	No changes proposed
New Build Empty Property (Localism Act 2011)	Newly built commercial property depending upon completion date	None	100%	100%	Up to 18 months from completion date	Fully reimbursed under Section 31 grant	No	Yes
Transitional Relief (Localism Act 2011)	Properties with an RV of £50,000 or less on 1 April 2010 which would have continued to qualify for transitional relief on 1 st April 2015	None	A cap on increase after multiplier applied of 15% (RV less than £18,000) or 25% (RV up to and including £50,000)	A cap on increase after multiplier applied of 15% (RV less than £18,000) or 25% (RV up to and including £50,000)	Up to 2 years from 1 April 2015 to 31 March 2017	Fully reimbursed under Section 31 grant	No	Yes

National Non-Domestic Rates (Business Rates) Discretionary Rate Relief Policy



NATIONAL NON-DOMESTIC RATES (BUSINESS RATES) DISCRETIONARY RATE RELIEF POLICY**1. INTRODUCTION**

The Council has had a number of policies relating to the granting of discretionary rate relief. These have been introduced over a number of years and in response to changing legislation and new initiatives. This policy is effective from 1 April 2015 and brings together these existing policies into one policy document and also includes some new ones required as a result of recent government guidance.

2. BACKGROUND

The Local Government Finance Act 1998 and the Local Government Finance and Rating Act 1997 make provision for the awarding of mandatory relief to certain organisations. This legislation, as amended by the Local Government Act 2003 and the Localism Act 2011, also gives the Council discretionary powers to award relief from payment of non-domestic rates in certain prescribed circumstances.

The Discretionary Rate Relief Policy sets out the Council's approach to, and guidelines for, the awarding of discretionary rate relief.

Reliefs that do not include a discretionary element are not included in this policy. These are empty rate relief and small business rates relief. The award of some reliefs will preclude a property from qualifying for other types of relief.

The policy has been approved by the Council's Executive Cabinet and will be reviewed every five years and in response to relevant changes in legislation or Department for Communities and Local Government guidance.

3. PURPOSE

The purpose of discretionary rate relief is to support certain types of businesses and organisations in order to support local communities and attract investment to the borough of Chorley.

The Policy details what category of relief may, in certain prescribed circumstances, be available to the particular types of organisation or business. The following table summarises these reliefs and types of businesses. Please see the attached appendices for specific eligibility criteria and other relevant information.

4. GENERAL PRINCIPLES

In deciding when to grant discretionary relief, the Council will consider the following:

- a. Decisions under the policy will be made in accordance with statutory requirements and Secretary of State guidance.
- b. Decisions will have regard to the interests of council tax payers and the Council's corporate priorities.
- c. Priority will be given where the services provided are of specific benefit to residents and the local community.

- d. Consideration will be given to whether the services provided replace, enhance or supplement current Council provision.
- e. The extent to which an award will support the Council's aspiration to promote and encourage economic growth, and in particular growth in the Non-Domestic Rating tax base and in employment opportunities for residents of the Borough.

5. APPLICATIONS

- a. An application form should be completed by the ratepayer or an organisation properly authorised to apply on the ratepayers behalf.
- b. Supporting evidence will be required as considered necessary to properly assess an application. There will be a requirement to set out the benefits that ratepayer considers the business provides to residents.
- c. The ratepayer has a responsibility to notify the council when circumstances change.
- d. Ratepayers must continue to pay amounts due whilst the application is being considered. Where payments are not received recovery action may continue.
- e. Awards for retrospective periods may not be made.
- f. In line with the Council's decision-making arrangements, the granting of applications of relief will be decided by the Council's Chief Financial Officer (Section 151 Officer).
- g. There is no right of appeal although ratepayers may ask for the decision to be reconsidered if new, relevant information can be provided.

6. STATE AID

Rate relief shall not be awarded in any circumstances where it appears that an award will result in the ratepayer receiving state aid that is above the current De Minimis level. Each application must be accompanied by a statement signed by the appropriate person representing the business setting out the amount of state aid, including but not limited to discretionary rate relief, which the ratepayer has received within the previous three years.

TYPES OF DISCRETIONARY RATE RELIEF AVAILABLE

Relief or Discount Available	Reference	Type of Organisation or Business	Mandatory Amount	Discretionary Amount
Charitable Relief (LGFA 1988 Section 43,45,47 LGA 2003 Section 64)	A	A registered Charity or trustees for a registered charity where the premises are used for charitable purposes	80%	None
		Registered Community Amateur Sports Clubs that have registered with the Inland Revenue	80%	None
		Non-profit making organisations that fit certain criteria	80%	None
		Village Halls and Community Centres managed by voluntary management committees	80% if qualify as above	Up to 100% of available discretionary element
Partly Occupied Relief (LGFA 1988 Section 44A)	B	Businesses partly occupying premises	None	Appropriate empty rules apply to RV of unoccupied part
Hardship Relief (LGFA 1988 Section 49)	C	Business experiencing extreme financial hardship	None	Dependent upon circumstances
Rural Rate Relief (LGFRA 1997 Schedule 1)	D	Certain defined businesses in defined rural areas	50%	None
General Local Discretionary Rate Relief Localism Act 2011 (Section 47 of the LGFA as amended)	E	Any business given due consideration to the interests of local council tax payers and where the award would be in line with Council's corporate priorities and would attract firms, investment and jobs	None	Up to 100%
Retail Relief Localism Act 2011 (Section 47 of the LGFA as amended)	F	Certain shops/restaurants/drinking establishments with an RV of £50,000 or less	None	Up to £1,000 from 1 April 2014 Up to £1,500 from 1 April 2015
Re-occupation Relief Localism Act 2011 (Section 47 of the LGFA as amended)	G	Businesses moving into retail premises that have previously been empty for 12 months	None	50%
New Build Empty Property Relief Localism Act 2011 (Section 47 of the LGFA as amended)	H	Newly built commercial property depending upon completion date	None	100%
Transactional Relief Localism Act 2011 (Section 47 of the LGFA as amended)	I	Properties with an RV of £50,000 or less on 1 April 2010 which would have continued to qualify for transitional relief on 1st April 2015	None	A cap on increase after multiplier applied of 15% (RV less than £18,000) or 25% (RV up to and including £50,000)

Reference	A
Type	Charitable and Non-Profit Rate Relief
Overview	Local Government Finance Act 1988 requires the Council to maintain a Discretionary Rate Relief Scheme to award business rates relief of up to 100% to certain organisations which operate within specific criteria. This discretionary relief may be awarded in addition to the 80% Mandatory relief.
Eligibility	<p>Mandatory Charitable Relief - Must be awarded in the following circumstances:</p> <ol style="list-style-type: none"> 1. A registered charity or trustees for a registered charity occupy the property and 2. The property is used wholly, or mainly, for charitable purposes 3. Sports clubs that apply for Community Amateur Sports Club status with HMRC
	<p>Discretionary Charitable Relief - The Council will only grant relief where there is sufficient evidence of the following:</p> <ol style="list-style-type: none"> 1. Village halls and community centres that are managed by voluntary management committees. 2. The benefit to the wider community in which the properties are located and financial need. 3. When assessing the benefit to the wider the community, consideration will be given to whether the hall or centre is open to the whole community and is available without discrimination.
Applications	<p>Applicants must provide</p> <ol style="list-style-type: none"> 1. a completed application form to demonstrate how the application satisfies the eligibility criteria 2. any information required that is specific to the type of relief being applied for 3. evidence of financial need 4. any other information that the Council may consider necessary in order to assess the application
Duration	Mandatory Charitable Relief is ongoing. Discretionary Charitable Relief is reviewed annually on 1 April each year.

Reference	B
Type	Partly occupied property relief (Applications under Section 44a)
Overview	The Council has discretion under section 44a of the Local Government Finance Act 1988 to award 100% rate relief for a defined period where part of a property is unoccupied for a temporary period. The amount of rate relief that is awarded is determined by statute and is calculated according to the type of property and the rateable value given to the unoccupied area by the Valuation Office Agency.
Eligibility	<p>Relief may be awarded where:</p> <ol style="list-style-type: none"> 1. Unoccupied parts of a property can be clearly defined and are reasonably segregated from the occupied part of the property. 2. The ratepayer is moving in to the whole premises gradually, over a period of time or, 3. Is moving out of the whole premises gradually, over a period of time or, 4. Is occupying the property temporarily, for example, because the usual premises are being rebuilt or refurbished, because of fire damage or similar. 5. The partial occupation is for a period of up to 12 months. 6. If it is likely to last longer than this, the VOA may be able to value the unoccupied area separately
	<p>Relief may not be awarded where:</p> <ol style="list-style-type: none"> 1. It appears to the Council that the reason that part of the property is unoccupied is wholly or mainly for the purposes of applying for rate relief 2. The application is made after the premises have become fully occupied/unoccupied 3. The partial occupation of the property may be considered to arise due to the ordinary day to day nature of the business (for example the operation of a warehouse)
Applications	<p>Applicants must provide:</p> <ol style="list-style-type: none"> 1. A completed application form to demonstrate how the application satisfies the eligibility criteria 2. Any information required that is specific to the type of relief being applied for 3. Evidence of financial need 4. Any other information that the Council may consider necessary in order to assess the application
Duration	<p>Relief may be awarded for a period of up to 3 months or up to 6 months for industrial properties.</p> <p>Relief will end when there is a change in the partial occupation or at the end of the financial year/rating period, if there is a change in the rateable value (through revaluation or an appeal), if the ratepayer ceases to be liable to pay non-domestic rates in respect of the property or where all or part of the unoccupied area has remained unoccupied for one year.</p>

Reference	C
Type	Hardship relief (Applications under Section 49)
Overview	The purpose of the hardship policy is to support local businesses in the community. The Council may provide short-term assistance to businesses that are suffering unexpected hardship, arising from circumstances beyond the business's control and outside of the normal risks associated with running a business of that type. The amount of rates that will be remitted will depend on the circumstances of each case.
Eligibility	<p>There is no specific definition of hardship although the Council will consider:</p> <ol style="list-style-type: none"> 1. Each application on its own merits 2. Relief granted should be the exception rather than the rule 3. The test of hardship need not be confined to 'financial' hardship, all relevant factors affecting the ability of a business to meet its liability for rates should be taken into account 4. The interests of the council tax payers go wider than direct financial interests and may include such things as employment prospects and local amenities 5. Where the granting of relief would have an adverse effect on the financial interests of local tax payers, the case for reduction of rates may still outweigh the cost to local tax payers 6. The Council's corporate policies 7. The contribution of the business to the local area 8. The size of the business: the Council would normally give preference to small businesses although relief is available in principle to all businesses Applications for hardship rate relief shall be regarded as a last resort and will only be considered after consideration of any other forms of rate relief to which the applicant may be eligible. <p>Relief will be granted where:</p> <ol style="list-style-type: none"> 1. It is considered that the ratepayer would sustain hardship by paying the whole bill 2. It is reasonable to grant relief having due regard to the interests of council tax payers <p>Relief will not be granted:</p> <ol style="list-style-type: none"> 1. To enable a new business to become established 2. Where a profit has been made or the loss is minor in comparison to the overall turnover
Applications	<p>Applicants must provide:</p> <ol style="list-style-type: none"> 1. A completed application form to demonstrate how the application satisfies the eligibility criteria 2. Any information required that is specific to the type of relief being applied for 3. Evidence of financial need 4. Any other information that the Council may consider necessary in order to assess the application
Duration	Hardship relief will normally be awarded for a short, fixed period depending on the nature and likely duration of the hardship. All awards shall cease at the end of the financial year if not ceased at an earlier date.

Reference	D
Type	Rural Rate Relief
Overview	The purpose of rural rate relief is to support local communities. The Council must grant mandatory relief in specific circumstances and also has discretionary powers to grant additional relief.
Eligibility	<p>The Council will grant mandatory relief of 50% to certain types of rural properties in a designated rural settlement.</p> <p>Mandatory relief of 50% of the full charge must be granted where:</p> <ol style="list-style-type: none"> 1. The property is in a designated rural settlement area, (defined as such if it appears to have had a population of 3,000 or less on 31st December each year) 2. The property is the only general store, the only post office or a food shop and has a rateable value of less than £8,500. 3. The property is be the only public house or the only petrol station and has a rateable value of less than £12,500. 4. The property is be occupied. <p>The Council will not award discretionary relief.</p>
Applications	<p>Applicants must provide:</p> <ol style="list-style-type: none"> 1. A completed application form to demonstrate how the application satisfies the eligibility criteria 2. Any information required that is specific to the type of relief being applied for 3. Evidence of financial need 4. Any other information that the Council may consider necessary in order to assess the application
Duration	Mandatory relief is ongoing.

Reference	E
Type	General Local Discretionary Rate Relief (Section 47 of the Local Government Finance Act 1998 as amended by Section 69 of the Localism Act 2011)
Overview	Section 69 of the Localism Act 2011 amends the 1988 Act to allow local authorities the discretion to grant discretionary local discounts to all types of businesses in order to help attract firms, investment and jobs to the area. There is cost to the Council in awarding this relief and the Council may decide that the immediate cost of the discount is outweighed by the long-term benefit of attracting growth and jobs to the area.
Eligibility	<p>Local Discretionary Rate Relief</p> <p>Up to 100% discretionary relief may be awarded for up to one year to any qualifying business.</p> <p>Applications under this section will only be considered after consideration of any other forms of rate relief to which the applicant may be eligible. Awards will only be made in exceptional circumstances.</p> <p>The Council will consider:</p> <ol style="list-style-type: none"> 1. Each application on its own merits 2. The level of discount being requested 3. The reason for the request 4. the interests of the ratepayers and the cost to the Council 5. The value of any previous rewards and previous benefits to council tax payers 6. Overall profitability of the business 7. Consideration will be given as to the number of properties occupied by the applicant 8. Consideration will be given to Government guidance and advice regarding the Council's discretionary powers under the Localism Act <p>Relief will be granted where:</p> <ol style="list-style-type: none"> 1. The award of a discount will have a substantive, positive benefit for residents and the community 2. The award of a discount will contribute to the achievement of the council's corporate priorities 3. There are benefits to council tax payers 4. The award will directly result in attracting business, investment or jobs 5. The award will help to retain existing business which make a positive contribution to the community 6. Steps have been taken to meet or mitigate the business rates liability <p>Relief will not be granted where there are other sources of funding available.</p>
Applications	<p>Applicants must provide:</p> <ol style="list-style-type: none"> 1. A completed application form to demonstrate how the application satisfies the eligibility criteria 2. Any information required that is specific to the type of relief being applied for 3. Evidence of financial need 4. Any other information that the Council may consider necessary in order to assess the application
Duration	Relief may be awarded for up to one financial year.

Reference	F
Type	Retail Rate Relief (Section 47 of the Local Government Finance Act 1998 as amended by Section 69 of the Localism Act 2011)
Overview	Under the Localism Act 2011 the Council has the discretion to award temporary relief to certain retail properties. The purpose of retail rate relief is to support town centres and in particular retailers. Eligible properties will be awarded up to £1,000 relief in 2014-2015 and up to £1,500 in 2015-2016. Relief will be applied against the net bill after all other reliefs. Relief will not exceed the maximum rates liability.
Eligibility	Relief will be granted in the following circumstances: <ul style="list-style-type: none"> 1. Defined retail properties with a rateable value of £50,000 or less 2. Defined retail properties include shops selling goods to the public, businesses selling services to the public and businesses selling food and drink to the public 3. Properties are occupied 4. Properties are reasonably accessible to members of the public Relief will not be granted in the following circumstances: <ul style="list-style-type: none"> 1. Some types of retail outlet will not be eligible - these include banks building societies, payday lenders, betting shops, pawn brokers, estate agents, letting agents, employment agencies, vets, dentists, doctors, osteopaths, chiropractors, solicitors, accountants, insurance agents, financial advisors, 2. Retail properties that do not support the wider objectives/priorities or have a detrimental impact on neighbourhoods or communities
Applications	Applicants must provide: <ul style="list-style-type: none"> 1. A completed application form to demonstrate how the application satisfies the eligibility criteria 2. Any information required that is specific to the type of relief being applied for 3. Evidence of financial need 4. Any other information that the Council may consider necessary in order to assess the application
Duration	Relief is ongoing until 31 March 2017.

Reference	G
Type	Re-Occupation Relief (Section 47 of the Local Government Finance Act 1998 as amended by Section 69 of the Localism Act 2011)
Overview	Under the Localism Act 2011, up to 50% discretionary relief may be awarded to certain reoccupied empty properties. The purpose of re-occupation relief is to encourage occupation of shops to help build a thriving town centre. Relief is calculated on the business rates liability after any mandatory or other discretionary reliefs (other than retail relief) have been applied.
Eligibility	Relief can be granted in the following circumstances: <ol style="list-style-type: none"> 1. When the property was previously in use it was wholly or mainly used for retail 2. The property has been empty for 12 months or more before reoccupation 3. The property has been re-occupied between 1 April 2014 and 31 March 2016 4. The property is used for any use
Applications	Applicants must provide: <ol style="list-style-type: none"> 1. A completed application form to demonstrate how the application satisfies the eligibility criteria 2. Any information required that is specific to the type of relief being applied for 3. Evidence of financial need 4. Any other information that the Council may consider necessary in order to assess the application
Duration	Relief applies for up to 18 months as long as the property is continuously occupied.

Reference	H
Type	New Build Empty Property Relief (Section 47 of the Local Government Finance Act 1998 as amended by Section 69 of the Localism Act 2011)
Overview	Under the Localism Act 2011, up to 100% discretionary relief may be awarded to certain new build empty commercial properties. The purpose of new build empty property relief is to help to stimulate construction.
Eligibility	Relief will be granted in the following circumstances: <ul style="list-style-type: none"> 1. A newly built commercial property completed between 1 October 2013 and 30 September 2016
Applications	Applicants must provide: <ul style="list-style-type: none"> 1. A completed application form to demonstrate how the application satisfies the eligibility criteria 2. Any information required that is specific to the type of relief being applied for 3. Evidence of financial need 4. Any other information that the Council may consider necessary in order to assess the application
Duration	Relief may be awarded for up to 18 months from the completion date.

Reference	I
Type	Transitional Relief (Section 47 of the Local Government Finance Act 1998 as amended by Section 69 of the Localism Act 2011)
Overview	Under the Localism Act 2011, the current transitional relief scheme will be extended to cap the rates increases for small and medium properties falling out of transition 2015-2016. Small properties (with an RV of less than £18,000) will have a cap on increase of 15% and medium properties (with an RV of up to and including £50,000) will have a cap of 25% on increases. These caps apply before the increase in the business rates multiplier. Relief is calculated on the business rates liability after other reliefs (including other Localism Act reliefs such as retail relief) have been applied
Eligibility	Relief will be granted in the following circumstances: <ol style="list-style-type: none"> 1. A property with a RV of £50,000 or less on 1st April 2010 and 2. The property would have qualified for transitional relief to a higher bill had the transitional relief scheme in place on 31 March 2015 remained in place
Applications	There is no requirement to apply. Relief will be applied for qualifying properties.
Duration	Relief will be awarded for up to 2 years from 1 April 2015.

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Report of	Meeting	Date
Chief Executive (Introduced by the Executive Member for Resources)	Executive Cabinet	12 February 2015

CHORLEY COUNCIL PERFORMANCE MONITORING - THIRD QUARTER 2014/2015

PURPOSE OF REPORT

1. This monitoring report sets out the performance against the delivery of the Corporate Strategy, and key performance indicators during the third quarter of 2014/15, 1 October to 31 December 2014.

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 third quarter of 2014/15, 1 October to 31 December 2014. Performance is assessed based on the delivery of key projects, against the measures in the 2013/14 – 2016/17 Corporate Strategy and key service delivery measures.
4. Overall performance of key projects is excellent, with the majority of projects either complete or on track. One project; Market Walk has been rated amber due to slight delays in bringing the operational and financial management of the mall in house however work is now underway to bring this project back on track.
5. Overall performance on the Corporate Strategy indicators and key service delivery measures is excellent. 71% of the Corporate Strategy indicators and 90% of the key service measures are performing above target or within the 5% tolerance.
6. The Corporate Strategy measures performing below target are; the number of long term empty properties in the borough, and the percentage of customers dissatisfied with the way they were treated by the council. 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 time taken to process all new claims and change events for Housing and Council Tax benefit. Again, an action plan is included within the report which 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
--	-----	----

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

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

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

9. None.

CORPORATE PRIORITIES

10. 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

11. 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.
12. The Corporate Strategy was refreshed and approved by Council in November 2014. The new strategy includes 20 key projects, aimed at learning from and strengthening successful activity in 2013/14. Key performance measures have also been updated so that where targets were being successfully achieved they have been amended to ensure that they remain challenging and reflective of the Council's ambitions
13. Performance of indicators and projects from the new Corporate Strategy approved by the Council in November 2014 will be reported formally from the beginning of quarter 4. This is because the projects for the 2014/15 to 2017/18 Corporate Strategy will, in the main, not have commenced within the third quarter following the approval of the strategy in November.

PERFORMANCE OF KEY PROJECTS

14. The Corporate Strategy 2013/14 included 20 key projects. At the end of the third quarter overall performance of key projects is excellent. 19 of the 20 projects (95%) are either complete, or on track.
15. At the end of the second quarter, sixteen projects (80%) were rated green, meaning that they are progressing according to timescale and plan:
- Deliver the Welfare Reform Action Plan
 - Extend Chorley's time credits (Year 1)
 - Implement initiatives to overcome social isolation/Connecting communities through food
 - Develop the offer at Chorley's credit union
 - Deliver the Chorley Works unemployment project

- Carry out improvements to the town centre (Town centre master plan)
- Deliver the inward investment campaign
- Implement Astley 2020
- Host Chorley element of cycling tour of Lancashire
- Year 1 of the play, open space and playing pitch strategy
- Deliver environmental improvements as part of the Cleaner Chorley campaign
- Deliver Chorley Council energy advice and switching service
- Change working practices to fit neighbourhood working and public health priorities
- Deliver a project to improve customer satisfaction
- Friday Street health centre
- Deliver the Chorley Youth Zone

16. As outlined in the report to full council in November, most of these projects will complete within the fourth quarter, with two being carried forward in the new Corporate Strategy.
17. One project (5%) is currently rated as 'amber', which is early warning that there may be a problem with the project:

Project Title		Project Status
Market Walk		Amber
Explanation	<p>The final element of this project to complete is around bringing some of the service in house. A review was carried out as planned in September and reported to Executive Cabinet in October which recommended taking on the financial and operational management of Market Walk in house, while still maintaining strategic management advice from an external company.</p> <p>Following this, an extension to the current contract with Deloitte has been arranged while proposals are developed for how we can take on the financial and operational management in house. The development of these proposals is slightly behind schedule, which leads to the overall amber rating. The target is to develop these proposals and implement them by April 2015.</p>	
Action Required	<p>The project is expected to be completed in the next quarter with detailed proposals about how the Council can take on the operational and financial management of Market Walk being developed, consulted on and approved with a view to them being in place in April.</p>	

PERFORMANCE OF CORPORATE STRATEGY MEASURES

18. At the end of the third quarter, it is possible to report on 7 of the key performance indicators within the Corporate Strategy. 4 indicators (57%) were performing on or better than target. The full outturn information for the performance indicators is included at Appendix A.
19. The following indicators are performing better than target:
- The percentage of 16-18 year olds who are not in education, employment or training (NEET)
 - The number of visits to Council's leisure centres

- Number of young people taking part in 'Get Up and Go' activities
 - Number of Homelessness Preventions and Reliefs
20. One indicator (14%) is performing slightly below target, but is within the 5% tolerance threshold:
- Overall employment rate
21. Two indicators (29%) performed below target; the number of long term empty properties in the borough, and the percentage of customers dissatisfied with the way they were treated by the Council.
22. The table below gives the reasons why performance is currently below target, 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
% of customers dissatisfied with the way they were treated by the Council		20%	21.9%
Reason below target	<p>Customer dissatisfaction continues to focus around issues with the progress of requests rather than problems with individual services. Examples include:</p> <ul style="list-style-type: none"> • Not letting customers know the outcomes of their requests • Not keeping customers informed of progress • Not responding within a reasonable time frame <p>This is often in relation to more complex enquiries and requests where officers need to consult with other agencies to determine an accurate response. Performance has improved considerably when compared to the previous year, and during 2014/15.</p>		
Action required	<ul style="list-style-type: none"> • Survey response rates continue to be monitored to ensure we are maximising the number of responses; the survey has recently been optimised to ensure that respondents are able to quickly and easily give their views • Customer dissatisfaction levels are available via the loop and articles continue to appear on a regular basis reminding staff of the importance of customer call backs • Service heads and managers have been challenged to make significant improvements to ensure that customers are kept informed of progress – this work is ongoing and will be followed up individually with service managers • Customers continue to be able to track the progress of their requests online 24/7 via the My Account system. • Facilities such as reporting on call backs are to be utilised by managers to improve their service call back response rate. <p>Overall this work is ongoing and actions and priorities are being identified and implemented in order to reduce levels of customer dissatisfaction</p>		
Trend:	<p>In comparison at the end of quarter three 2013/14 dissatisfaction was 30%. In month for December 2014 the overall dissatisfaction was 17.5%.</p>		

Performance Indicator		Target	Performance
The number of long term empty properties in the borough		195	209
Reason below target	It should be noted that performance of this indicator is affected by fluctuations in the housing market and delays in probate cases. The increasing volume of new build development in Chorley can also have an impact on the market for older properties, particularly those requiring modernisation.		
Action required	<p>The number of long term empty properties will continue to be monitored on a monthly basis and if there is a further increase action will be taken to advise owners how they may market their property for sale and or obtain loans from financial institutions, including Credit Unions.</p> <p>The work to reduce the number of long term empty properties will be further supported by the Empty Property Officer who was appointed in November 2014. The Officer will aim to address the long term empty properties in Chorley; and work on this commenced during quarter three.</p>		
Trend:	At quarter three 2013/14 performance was 202; which is slightly better than current performance.		

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 ten indicators that can be reported at the end of the third quarter. The full outturn information for this is included at Appendix B: Key Service Delivery Measures
24. Nine (90%) of the Key Service delivery measures are performing better than target:
- Processing of planning applications as measured against targets for 'major' application types
 - Processing of planning applications as measured against targets for 'minor' application types
 - Processing of planning applications as measured against targets for 'other' application types
 - Number of households living in Temporary Accommodation (NI 156)
 - Number of missed collections per 100,000 collections of household waste
 - Supplier Payment within 30 days
 - Average working days per employee (FTE) per year lost through sickness absence
 - Vacant Town Centre Floor Space
 - Percentage of Council Tax collected
25. There is currently one indicator (10%) that is performing below target. This indicator relates to the time taken to process all new claims and change events for housing and council tax benefit.

26. 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
Time taken to process new claims and change events for Housing and Council Tax benefit		10 days	13.92 days
Reason below target	<p>The year to date performance has been impacted by the ongoing single front office training and mentoring programme.</p> <p>A further impact on performance has been the increasing number of new claims and change events that have taken place.</p>		
Actions required	<p>The programme of staff training and mentoring in this area is ongoing, but will be scaled down to release resources.</p> <p>Further analysis is being undertaken on the number of new claims and change events, in order to establish if something further can be done to help reduce these.</p> <p>Capacity grid will continue to be used to outsource the processing of some benefits claims during busy periods.</p>		
Trend:	Performance at the end of quarter three 2013/14 was 11.67 days		

IMPLICATIONS OF REPORT

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

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

GARY HALL
CHIEF EXECUTIVE

There are no background papers to this report.




Report Author	Ext	Date	Doc ID
Louise Wingfield	5061	22 January 2015	Third Quarter Performance Report 2014/15











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	Performance Quarter 3	Symbol	Trend*
Overall employment rate	Bigger is better	80%	76.5%		↓
The % of 16-18 year olds who are not in education, employment or training (NEET)	Smaller is better	5%	4.3%		↓
Number of long term empty properties in the borough	Smaller is better	195	209		↑
The number of visits to Council's leisure centres	Bigger is better	750,000	821,877		↓
Number of young people taking part in 'Get Up and Go' activities	Bigger is better	11,250	15,418		↓
Number of Homelessness Preventions and Reliefs	Bigger is better	150	626		↑
% of customers dissatisfied with the service they received from the council	Smaller is Better	20%	21.9%		↓

***Trend shown is for change from quarter 2 2014/15**

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	Performance Quarter 3	Symbol	Trend
Time taken to process all new claims and change events for Housing Benefit and Council Tax Benefit	Smaller is better	10 days	13.92 days		↓
Processing of planning applications as measured against targets for 'major' application types	Bigger is better	70%	76.19%		↓
Processing of planning applications as measured against targets for 'minor' application types	Bigger is better	65%	67.86%		↑
Processing of planning applications as measured against targets for 'other' application types	Bigger is better	80%	82.19%		↓
Number of households living in Temporary Accommodation (NI 156)	Smaller is better	25	4		↑
Number of missed collections per 100,000 collections of household waste	Smaller is better	49	41		↑
Supplier Payment within 30 days	Bigger is better	99%	99.41%		↑
Average working days per employee (FTE) per year lost through sickness absence	Smaller is better	4.70 days	4.40 days		↑
Vacant Town Centre Floor Space	Smaller is better	6%	5.96%		↓
% Council Tax collected	Bigger is better	83.48%	83.69%		↑

***Trend shown is for change from quarter 2 2014/15**



Report of	Meeting	Date
Director of Public Protection, Streetscene and Community (Introduced by the Executive Member for Community)	Executive Cabinet	12 February 2015

LOCAL GOVERNMENT DECLARATION ON TOBACCO CONTROL

PURPOSE OF REPORT

1. To seek approval for the Council to sign the Local Government Declaration on Tobacco Control and note the activity in Chorley that contributes to the reduction in prevalence of tobacco use.

RECOMMENDATION

2. It is recommended that Members agree to the Council being a signatory to the Local Government Declaration on Tobacco Control

EXECUTIVE SUMMARY OF REPORT

3. Since the successful introduction of 'smokefree' legislation in 2007, there has been a significant impact on the prevalence of tobacco use both regionally and nationally.#
4. However the cost, both in direct health impact and economics, remains high and more needs to be achieved to ensure the promotion, distribution and use of tobacco products are discouraged.
5. This is seen as essential in order that existing tobacco users are encouraged to stop using tobacco products and new users are discouraged from starting.
6. The paper attached as Appendix 1 to this report provides a detailed analysis of the issues around tobacco use and the need for its control. Members should consider its contents in determining whether to accept the recommendation within this report.
7. Should Members agree with this reports recommendation the detail of the declaration is contained in Appendix 2 to this report.
8. Chorley Council is currently an active participant in the Tobacco Free Lancashire initiative and through our work on health and wellbeing and promotion of healthy choices and both lifestyle and activity a commitment to this declaration will demonstrate our resolve to help those who wish to stop using tobacco and discourage those who might be tempted to start.

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)

9. To contribute to and enhance our reputation as a community leader.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

10. Not signing the Local Government Declaration presents reputational risks for the Council insofar as our community leadership role is concerned

CORPORATE PRIORITIES

11. 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

12. The resultant ill health caused by the use of tobacco products is estimated to kill around 80,000 people per year in the UK.
13. The Government is committed to ensuring effective control of tobacco products and in particular the impact of secondary smoke. This resulted in significant 'smoke-free' legislation being introduced in 2007.
14. However whilst there has been an impact on smoking in public places, there still remains a significant number of people who still use tobacco products and children and young people are a particular group susceptible to starting using tobacco products.
15. The Local Government Declaration on Tobacco Control enables the Council to demonstrate its community leadership status and commitment to tackling tobacco use within the Chorley area.
16. As a signature to the declaration the Council will be part of a wider network of local authorities committed to

WHAT WE ARE DOING

17. There are a number of initiatives and actions that the Council is engaged in relating to the reduction in smoking prevalence as follows:
- Dealing with complaints and allegations of smoking in public places
 - Participative member of the Tobacco Free Lancashire network
 - Supporting smoking cessation services through our health initiatives programme

- Providing smoking cessation services to staff
- Contributing to test purchase operations for under age tobacco (and alcohol) sales
- Delivering the Lancashire wide code of conduct to discourage smoking in and around children's play areas

IMPLICATIONS OF REPORT

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

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

COMMENTS OF THE STATUTORY FINANCE OFFICER

19. There are no direct costs associated with the contents of this report that will impact on the base budget. The resources required will be met from within those already in existence.

COMMENTS OF THE MONITORING OFFICER

20. Signing the Local Government Declaration on Tobacco Control puts no particular legal obligations on the Council.

COMMENTS OF THE HEAD OF POLICY AND COMMUNICATIONS

21. The Declaration is not considered to have an adverse impact on any groups or individuals sharing protected characteristics under the Equality Act 2010. Adoption of the Declaration would illustrate our commitment to control tobacco in order to save lives and reduce inequalities in our communities.

If signed there will be some work to raise awareness of our involvement in the Local Government Declaration on Tobacco Control and the initiative that we are engaged in, as well as to monitor and publish the findings any plans and initiatives which are delivered, but this will be as an extension to the work which we already do.

While it is important for the Council to demonstrate its commitment to this campaign, to be most effective we will need to continue to work with partners to address smoking related issues in the borough.

In addition should the declaration be signed, relevant corporate policies or strategies should be reviewed and if necessary updated to ensure they reflect the councils commitment to this important campaign.

JAMIE CARSON

DIRECTOR OF PUBLIC PROTECTION STREETSCENE AND COMMUNITY

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Simon Clark	5732	20 January 2015	Smokedeclaration2015

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Proposed Commitment to the 'Local Government Declaration on Tobacco Control'

1. Summary

Tobacco smoking remains the single largest preventable cause of ill health, premature death and health inequalities both in the UK¹ and locally in Lancashire. It kills over 80,000 people each year in England and 1,673 adults aged 35 years and over in Lancashire alone^{2,3}. This is greater than the total number of deaths from alcohol, obesity, illegal drugs, murder, suicide, road traffic accidents and HIV infection combined³.

Adult smoking rates remain higher in Lancashire than England as a whole⁴ (21.2% vs 20%). This equates to over 200,000 smokers across Lancashire. Similarly, although the minimum legal age of sale of tobacco products in England is 18 years, a greater proportion of young people aged 14-17 years in the County smoke than nationally (16% vs 11%)^{5,6}.

Reducing health inequalities resulting from smoking and protecting successive generations of young people from the harm done by tobacco therefore remains a public health priority in Lancashire. Commitment to the Local Government Declaration on Tobacco Control would illustrate the District Councils' dedication to control tobacco in order to save lives and reduce inequalities in our communities.

2. Background

The Local Government Declaration on Tobacco Control is a national response to the enormous and on-going damage smoking does to our communities. It is a voluntary pledge to take action and a statement about a Council's commitment to protecting their local community from the harm caused by smoking in order to save lives and reduce inequalities.

This is a cross-party document built on the same principles as the Nottingham Declaration on Climate Change which is now endorsed by over 300 councils across the country. Everything contained in the Declaration has previously been committed to at a national level by all political parties.

The North and particularly the North West is seen as a leader in UK tobacco control. The Local Government Declaration on Tobacco Control represents a further opportunity to continue to lead this vital agenda. A number of North West Local Authorities, including Lancashire County Council, Manchester City Council and Salford City Council have already committed to the Declaration.

The Declaration is strongly supported by the wider public health community including The Trading Standards Association, Chartered Institute of Environmental Health and the Association of Directors of Public Health as well as Public Health England, the Public Health Minister and the Chief Medical Officer.

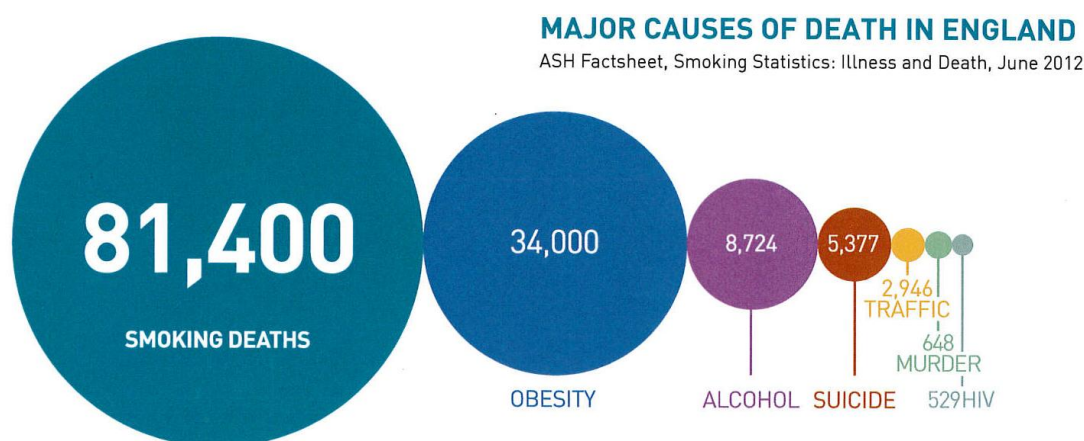
3. Impact of Smoking in Lancashire

Smoking and tobacco is the single largest preventable cause of ill health, premature death and inequalities in the communities we serve. One in two long-term smokers die prematurely

APPENDIX 1

as a result of smoking, half of these in middle age. On average, each smoker loses 16 years of life and experiences many more years of ill-health than a non-smoker¹.

Smoking kills around 80,000 people each year in England and 1,673 adults aged 35 years and over in Lancashire alone^{2,3}. This is greater than the total number of deaths from alcohol, obesity, illegal drugs, murder, suicide, road traffic accidents and HIV infection combined³.



Smoking disproportionately affects those disadvantaged by poverty and is a major contributor to health inequalities, accounting for half of the difference in life expectancy between social classes I and V⁷. People in routine and manual occupations are twice as likely to smoke as those in managerial and professional occupations (30% vs 13.8% respectively)⁴. In Lancashire County, over a third of routine and manual workers currently smoke (35.3%)⁴.

Tobacco negatively impacts on the whole economy – not just the NHS. The cost of smoking to society in Lancashire, including lost productivity, sick days, illness and death, house fires and dealing with tobacco litter is estimated to be £316.6 million each year⁸. Even if all of the tax revenue from local tobacco sales were to come directly into Lancashire, estimated at £273.4 million, this would leave an annual shortfall of £43.2 million⁹.

Smoking rates remain higher in Lancashire than England as a whole in adults⁴ (21.2% vs 20%), pregnant women¹⁰ (16.8% vs 12.0%) and young people^{5,6} (16% vs 11%). However, two-thirds of smokers (63%) want to quit and welcome support to do so¹¹.

The vast majority of people who smoke become addicted as children before they are legally old enough to buy cigarettes; with two thirds initiating under the age of 18, the legal age of sale, and almost two-fifths under 16 years¹².

It is estimated that nationally, one in fourteen stick cigarettes (7%) and around a third of hand rolled tobacco (35%) consumed are illicit¹³. Sales of illicit tobacco products in the UK deprives the exchequer of around £1.6 billion each year in lost revenue¹³, which could otherwise be used to fund health, education and other public sector services. Market activity is purposefully targeted to those on low incomes in areas of deprivation¹⁴ and to young people⁶, which maintains smokers in their habit, tempts relapse in those who have quit and encourages children and young people to initiate smoking.

APPENDIX 1

Tobacco smoke not only damages a smoker's health but also the health of the people around them. There are 3,057 additional incidents of childhood diseases each year within Lancashire, directly attributable to secondhand smoke^{15,16}.

A smoker of twenty cigarettes a day is estimated to spend around £2,800 a year on their habit. The more disadvantaged the smoker, the greater the burden high-cost tobacco imposes on their household income and the greater the impact smoking has on their family. Poorer smokers proportionately spend five times as much of their weekly household budget on smoking than do richer smokers. If poorer smokers quit they are more likely to spend the money they save in their local communities¹⁷.

We need to move away from a view of smoking as an individual choice but rather people in our communities who smoke are victims of a powerful and influential industry. Tobacco is the only legal consumer product on the market which is lethal when used as intended¹⁸.

Comprehensive and effective tobacco control public health policy is therefore required to reduce the significant health inequalities caused by smoking and protect successive generations of children and young people from the harm done by tobacco in Lancashire. Measures to control tobacco have huge public support with both people who smoke and non-smokers alike (appendix 1).

4. Financial Impact of Smoking in Lancashire

Smoking remains the single largest preventable cause of ill health and premature death in England from respiratory diseases, circulatory disease and cancer¹⁹. One in 20 of hospital admissions are smoking related²⁰ and the estimated lifetime cost of treating a smoker with a smoking related disease in Lancashire is £15,121⁸.

In Lancashire it costs the NHS a total of £41.49 million to treat smoking-related illnesses each year⁸ (£22.66 million primary care and £18.83 million secondary care). A further £15.67 million is spent on treating the consequences of exposure to secondhand smoke⁸ in children and adults.

The costs to the wider economy from sickness absenteeism, smoking breaks and reduced productivity are estimated at £15.05 million across Lancashire each year⁸. Every year 145,872 working days are lost through smoking related absence across the County.

The cost to the individual smoker is also significant. A smoker of twenty cigarettes a day is estimated to spend around £2,800 a year on their habit. In a family where both parents smoke, £5,600 a year of the household income is spent on tobacco. Becoming smokefree would release money to buy essentials such as food and heating for the entire family unit. No other interventions that a District Council could implement would put this level of annual income back into a household budget, and in turn, the local economy¹⁷.

Adopting the Declaration would illustrate the District Council's commitment to implementing effective tobacco control public health policy to alleviate the financial burden of smoking to the District Councils, the NHS, Lancashire Fire and Rescue, Worksites across the County and most of all the communities we serve.

5. The Local Government Declaration on Tobacco Control

Tobacco control is part of a global movement, based on principles of social justice, tackling worldwide inequalities and protecting the environment¹⁸. The Declaration gives a clear

APPENDIX 1

statement on a Councils' commitment to control tobacco in order to save lives and reduce inequalities (appendix 2). It sets out the following key actions that participating councils will take in order to control tobacco:

- Act at a local level to reduce smoking prevalence and health inequalities and to raise the profile of the harm caused by smoking to our communities.
- Develop plans with our partners and local communities to address the causes and impacts of tobacco use.
- Participate in local and regional networks for support.
- Support the government in taking action at national level to help local authorities reduce smoking prevalence and health inequalities in our communities.
- Protect our tobacco control work from the commercial and vested interests of the tobacco industry by not accepting any partnerships, payments, gifts and services, monetary or in-kind or research funding offered by the tobacco industry to officials or employees (please see below).
- Monitor the progress of our plans against our commitments and publish the results.
- Publicly declare our commitment to reducing smoking in our communities by joining the Smokefree Action Coalition, the alliance of organisations working to reduce the harm caused by tobacco (please see below).

The Declaration is not in conflict with existing duties. It does not contain specific commitments in relation to the Councils' pension fund investments in the tobacco industry. It commits the Council to protect health policy from the influence of the tobacco industry and this can be achieved through a strong policy on engagement and transparency locally (see below). It is possible for the Council to do this while retaining pension investment in tobacco shares.

Adopting the Declaration would strengthen current Tobacco Control activity and ensure that tobacco priorities are shared and understood across the whole of the District Council. It is important to note that no formal monitoring process is currently in place, and as the Declaration is non-statutory there are no sanctions if a council has not delivered on a particular aspect.

6. Protection of Local Policy from the Tobacco Industry

The tobacco industry produces and promotes a product that has been scientifically proven to be addictive, cause disease and death in one in every two of its long-term users and contribute to a variety of social ills, including increased poverty¹⁸. All of these are in direct conflict with the goals of public health.

The World Health Organization (WHO) has clearly illustrated the tactics used by the tobacco industry to impede public health tobacco control policy and rehabilitate its image; including funding worthy causes as part of a corporate social responsibility (CSR) agenda²¹. Similarly the tobacco industry's own documents highlight that the majority of its corporate social responsibility programmes and youth smoking prevention campaigns are designed to facilitate dialogue with policy-makers, influence agendas and shape public health policy to

APPENDIX 1

suit and promote the industry's marketing aims and interests, rather than to reduce smoking^{22,23}.

Tobacco companies have a long record of attempting to influence Council policies. In England they have:

- Sponsored schools and museums.
- Paid for industry branded smoking shelters on council property.
- Provided staff and funding and sniffer dogs for joint work on illicit tobacco. These campaigns have focused on counterfeit brands rather than main stream branded products that are smuggled and sold without tax.
- Worked through front campaigns such as "Love where you live". Supporting environmental campaigns is a great strategy for companies that produce a large proportion of street litter. It has also been a way of distributing industry branded giveaways such as portable ash trays and marketing products.
- Used subsidiaries to arrange meetings with members and officers on local harm reduction policies.

Under the WHO Framework Convention on Tobacco Control (FCTC), to which the UK is a signatory¹⁸, 172 countries worldwide have pledged to protect health policy from the commercial interests of the tobacco industry. Local authorities are also subject to this treaty¹:

'Local authorities are encouraged to follow the Government's lead in this area, and to take necessary action to protect their tobacco control strategies from vested interests. While we recognise that there may be legitimate operational reasons for local authorities to deal with the tobacco industry, we would encourage transparency in all dealings.'

10.3, p47.

Whilst the operational requirement of some Local Authority departments to liaise with the tobacco industry, such as Trading Standards attainment of criminal witness statements to support criminal prosecution for the supply of counterfeit tobacco is understood, in line with the FCTC¹⁸ and national Tobacco Control Plan¹, it is vital for Local Authorities to avoid conflicts of interest, which may undermine local public health policy. Indeed, Trading Standards North West are also implementing a policy across all departments, including Lancashire County Council, not to accept payments, gifts or services, monetary or in-kind from the tobacco industry.

It is clear that the investment of pension funds in tobacco companies (typically undertaken at the discretion of external investment managers) does not directly permit tobacco industry involvement in public health policy making by the District Council. The nature of the mandates with the Pensions Fund's investment managers do not allow a route for influence for such investment services, direct or otherwise, on Council policy, either from the fund managers themselves or the companies in which they invest.

A clear separation is also achieved by the distinct nature and governance arrangements relating to individual Committees of the County Council. As such, any investment of pension funds in tobacco interests by the Pension Fund will have no effect or influence upon public health decisions made by the District Council.

By signing the Declaration the council will reinforcing its existing obligation and send a message that it will protect policies from tobacco industry lobbying.

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7. The Smokefree Action Coalition

The Smokefree Action Coalition²⁴ (SFAC) is an alliance of over 170 local and national organisations and has wide membership including medical royal colleges, the British Medical Association, the Trading Standards Institute, the Chartered Institute of Environmental Health, the Faculty of Public Health, the Association of Directors of Public Health and health charities such as ASH. The Coalition was created during the successful campaign for legislation ending smoking in enclosed public places (Health Act 2006). It campaigns for tobacco control at a national level and provides a network of support and advice to local public health professionals.

Membership of the SFAC is free and gives the council a national platform to make the case for Central Government action to reduce the level of smoking in support of local authorities. However, no member is required to agree with every policy position and all members would be contacted ahead of their name being put to a specific public statement.

8. Implications**8.1 Financial**

The signing of the Declaration is not expected to have any direct financial implications for the District Council. A small amount of Council Officer time will be required to include the Declaration within corporate policies. There is no cost attached to membership of the Smokefree Action Coalition.

However, costs that may arise as a result of actions that are delivered to meet the requirements of the Declaration, which are tobacco control related, will be met from existing grants.

Adoption of the Declaration can be undertaken without Local Authority Pension disinvestment in tobacco company shares, where typically these Pension Fund investments are made by investment managers of pooled funds, as well as direct holdings, which the Fund has appointed / invested in. In order to meet its fiduciary duties, the Pension Fund cannot unilaterally decide to divest from an individual investment type without regard to the overall objectives of the Fund, or without taking appropriate professional advice including risk and return considerations. A decision to exclude particular investments on ethical grounds (and thus affect potential financial return) could be subject to legal challenge. Securing a decent financial return in order to meet future commitments to beneficiaries is the primary objective of a pension fund.

8.2 Legal

The non-acceptance of payments, gifts or services, monetary or in-kind from the tobacco industry would extend to small gifts and the like, which are not currently subject to the Member Code of Conduct and Employee Code of Conduct. Any gift or hospitality from a tobacco company would be contrary to the policy.

This policy is subject to any overriding legal requirements that may apply to the District Council in various circumstances.

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Approving the recommendation is in compliance with the authority's duties under s.2B of the NHS Act 2006²⁵.

8.3 Equality and Diversity

The Declaration is all embracing and does not target one particular group. It is not considered to have an adverse impact on any groups or individuals sharing protected characteristics under the Equality Act 2010. Adoption of the Declaration would illustrate the District Councils' dedication to control tobacco in order to save lives and reduce inequalities in all communities across Lancashire.

Smoking disproportionately affects those disadvantaged by poverty and is a major contributor to health inequalities, accounting for half of the difference in life expectancy between social classes I and V^{7,26}. Adults in routine and manual occupations are around twice as likely to smoke as those in managerial and professional occupations (30% vs 13.8% respectively)⁴.

People on low incomes start smoking at a younger age and are more heavily addicted, spending up to 15% of their total weekly income on tobacco⁴. Similarly, women who smoke in pregnancy are also more likely to be younger, single, of lower educational achievement and in unskilled occupations²⁷. Smokers from routine and manual groups comprise 44% of the overall smoking population and reducing smoking in this group is critical to reducing inequalities.

Smoking rates are also higher among Bangladeshi and Irish males²⁸ (40% and 30% respectively), prisoners²⁹ (80%) and people living with a mental health condition. Nationally, a third (32%) of people with depression or an anxiety disorder and 40% for those with probable psychosis smoke³⁰. Even higher rates are experienced in inpatient settings, where up to 70% of patients smoke and around 50% are heavy, more dependent smokers³¹.

Smoking rates remain higher in Lancashire than England as a whole in adults⁴ (21.2% vs 20%), pregnant women¹⁰ (16.8% vs 12.0%) and young people^{5,6} (16% vs 11%). Reducing health inequalities resulting from smoking therefore remains a public health priority in Lancashire.

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Adult Services, Health and Wellbeing Directorate

August 2014

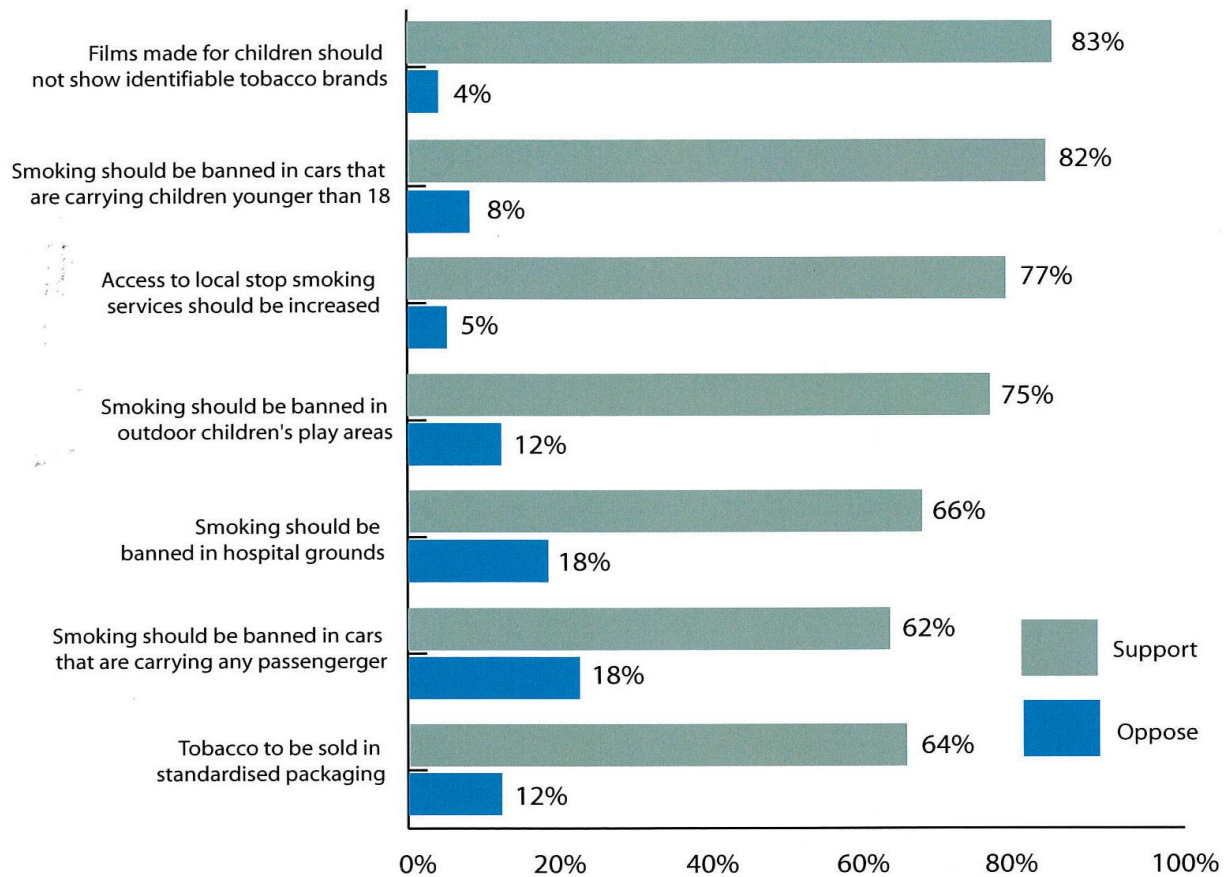
Joanne.McCullagh@lancashire.gov.uk

APPENDIX 1

Appendix 1: Public Opinion on Tobacco Control – Results of 2013 YouGov Poll

Tackling tobacco is popular in the North West

Most people, including smokers, support measures to reduce the harms caused by smoking and tobacco. These range from the introduction of smokefree public places such as pubs and restaurants in 2007 to potential future changes such as the introduction of standardised, plain tobacco packaging. See the results of a 2013 YouGov survey below.



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Appendix 2: Local Government Declaration on Tobacco Control

Local Government Declaration on Tobacco Control

We acknowledge that:

- Smoking is the single greatest cause of premature death and disease in our communities;
- Reducing smoking in our communities significantly increases household incomes and benefits the local economy;
- Reducing smoking amongst the most disadvantaged in our communities is the single most important means of reducing health inequalities;
- Smoking is an addiction largely taken up by children and young people, two thirds of smokers start before the age of 18;
- Smoking is an epidemic created and sustained by the tobacco industry, which promotes uptake of smoking to replace the 80,000 people its products kill in England every year; and
- The illicit trade in tobacco funds the activities of organised criminal gangs and gives children access to cheap tobacco.

As local leaders in public health we welcome the:

- Opportunity for local government to lead local action to tackle smoking and secure the health, welfare, social, economic and environmental benefits that come from reducing smoking prevalence;
- Commitment by the government to live up to its obligations as a party to the World Health Organization's Framework Convention on Tobacco Control (FCTC) and in particular to protect the development of public health policy from the vested interests of the tobacco industry; and
- Endorsement of this declaration by the Department of Health, Public Health England and professional bodies.

We commit our Council from this dateto:

- Act at a local level to reduce smoking prevalence and health inequalities and to raise the profile of the harm caused by smoking to our communities;
- Develop plans with our partners and local communities to address the causes and impacts of tobacco use;
- Participate in local and regional networks for support;
- Support the government in taking action at national level to help local authorities reduce smoking prevalence and health inequalities in our communities;
- Protect our tobacco control work from the commercial and vested interests of the tobacco industry by not accepting any partnerships, payments, gifts and services, monetary or in kind or research funding offered by the tobacco industry to officials or employees;
- Monitor the progress of our plans against our commitments and publish the results; and
- Publicly declare our commitment to reducing smoking in our communities by joining the Smokefree Action Coalition, the alliance of organisations working to reduce the harm caused by tobacco.

Signatories for [insert council]



Leader of Council



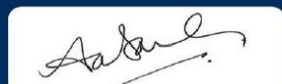
Chief Executive



Director of Public Health

Endorsed by

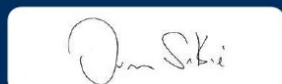
Anna Soubry, Public Health Minister,
Department of Health



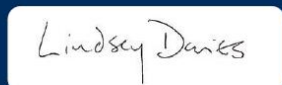
Dr Janet Atherton, President, Association
of Directors of Public Health



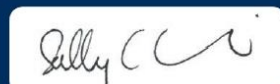
Duncan Selbie, Chief Executive,
Public Health England



Dr Lindsey Davies, President, UK Faculty
of Public Health



Professor Dame Sally Davies, Chief Medical
Officer, Department of Health



Graham Jukes, Chief Executive, Chartered
Institute of Environmental Health



Leon Livermore, Chief Executive, Trading
Standards Institute



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Signatories

Leader of Council

Chief Executive

Director of Public Health

Endorsed by

Jane Ellison, Public Health Minister,
Department of Health

Duncan Selbie, Chief Executive,
Public Health England

Professor Dame Sally Davies, Chief
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Dr Janet Atherton, President, Association
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