

MEETING: CABINET  
DATE: Thursday 14th April, 2011  
TIME: 10.00 am  
VENUE: Town Hall, Bootle

**Member**

Councillor

Robertson (Chair)  
Booth  
Brodie - Browne  
P. Dowd  
Fairclough  
Maher  
Moncur  
Parry  
Porter  
Tattersall

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The Cabinet is responsible for making what are known as Key Decisions, which will be notified on the Forward Plan. Items marked with an \* on the agenda involve Key Decisions

A key decision, as defined in the Council's Constitution, is: -

- any Executive decision that is not in the Annual Revenue Budget and Capital Programme approved by the Council and which requires a gross budget expenditure, saving or virement of more than £100,000 or more than 2% of a Departmental budget, whichever is the greater
- any Executive decision where the outcome will have a significant impact on a significant number of people living or working in two or more Wards

**If you have any special needs that may require arrangements to facilitate your attendance at this meeting, please contact the Committee Officer named above, who will endeavour to assist.**

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# A G E N D A

Items marked with an \* involve key decisions

<u>Item No.</u>	<u>Subject/Author(s)</u>	<u>Wards Affected</u>	
1.	<b>Apologies for Absence</b>		
2.	<b>Declarations of Interest</b> Members and Officers are requested to give notice of any personal or prejudicial interest and the nature of that interest, relating to any item on the agenda in accordance with the relevant Code of Conduct.		
3.	<b>Minutes of Previous Meeting</b> Minutes of the meeting held on 3 March 2011		(Pages 7 - 18)
4.	<b>Local Policing Issues</b> Presentation by the Chief Constable of Merseyside Police, Jon Murphy and the Sefton Area Commander, Chief Superintendent Ian Pilling  Councillor Bill Weightman (Knowsley Council), Chair of Merseyside Police Authority will also be attending the meeting for this item	All Wards;	
* 5.	<b>Health Inequalities Working Group – Final Report</b> Report of the Overview and Scrutiny Health Inequalities Working Group	All Wards;	(Pages 19 - 32)
* 6.	<b>Transformation Programme 2011/12</b> Report of the Chief Executive	All Wards;	(Pages 33 - 52)
7.	<b>Future Arrangements for the Delivery of Connexions Services in Sefton</b> Report of the Chief Executive	All Wards;	(Pages 53 - 58)
* 8.	<b>Development of Area Partnerships</b> Report of the Director of Corporate Commissioning	All Wards;	(Pages 59 - 66)

9.	<b>Kirwan House</b> Report of the Strategic Director - People	Cambridge;	(Pages 67 - 72)
10.	<b>The Transfer of Land on Change of Status</b> Report of the Strategic Director - People	Derby;	(Pages 73 - 78)
11.	<b>Lander Road Primary School - Building Works</b> Report of the Strategic Director - People	Litherland;	(Pages 79 - 84)
* 12.	<b>Recycling Collection Services - Award of Contract</b> Report of the Director of Street Scene	All Wards;	(Pages 85 - 94)
* 13.	<b>Bus / Taxi Framework Agreement</b> Report of the Director of Street Scene	All Wards;	(Pages 95 - 100)
* 14.	<b>Study to Review the Regional Spatial Strategy Housing Requirement Figure for Sefton - Final Findings</b> Report of the Director of Built Environment	All Wards;	(Pages 101 - 120)
15.	<b>Proposed Charging for Pre-Application Advice in Relation to Planning Applications</b> Report of the Director of Built Environment	All Wards;	(Pages 121 - 130)
16.	<b>Joint Waste Development Plan: Preferred Options 2 - New Sites Consultation</b> Report of the Director of Built Environment	Netherton and Orrell;	(Pages 131 - 136)
17.	<b>Local Sustainable Transport Fund</b> Report of the Director of Built Environment	All Wards;	(Pages 137 - 162)
18.	<b>Unauthorised Encampment Policy</b> Report of the Director for Built Environment	All Wards;	(Pages 163 - 184)
19.	<b>Renewal of Highway and Drainage Maintenance Contracts</b> Report of the Environmental and Technical Services Director	All Wards;	(Pages 185 - 190)

20.	<b>Flood and Coastal Erosion Risk Management</b> Report of the Environmental and Technical Services Director	All Wards;	(Pages 191 - 200)
21.	<b>Environmental Portfolio Fees and Charges 2011/12</b> Report of the Environmental and Technical Services Director	All Wards;	(Pages 201 - 206)
22.	<b>Network Management Fees and Charges 2011/12</b> Report of the Environmental and Technical Services Director	All Wards;	(Pages 207 - 212)
23.	<b>Consultation Proposals to Introduce Community Right to Challenge and Community Right to Buy</b> Report of the Assistant Chief Executive	All Wards;	(Pages 213 - 240)
24.	<b>Exclusion of Press and Public</b> To consider passing the following resolution:  That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item(s) of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act. The Public Interest Test has been applied and favours exclusion of the information from the Press and Public.		
25.	<b>Outstanding Strategic Acquisition Properties and Riverside Housing Association</b> Report of the Director of Built Environment	Linacre;	(Pages 241 - 248)
26.	<b>Disposal of Land to the rear of Stamford Road, Southport</b> Report of the Director of Built Environment	Kew;	(Pages 249 - 254)

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**THE "CALL-IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON TUESDAY, 15 MARCH 2011. MINUTE NOS. 236, 237, 238, 239, 240, 241, 247 AND 249 ARE NOT SUBJECT TO "CALL-IN"**

## **CABINET**

### **MEETING HELD AT THE TOWN HALL, SOUTHPORT ON THURSDAY 3RD MARCH, 2011**

**PRESENT:** Councillor Robertson (in the Chair)  
Councillors Booth, Brodie - Browne, P. Dowd,  
Fairclough, Maher, Moncur, Parry, Porter and  
Tattersall

**ALSO PRESENT:** Councillors Cuthbertson, McGuire and Preece

#### **230. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

#### **231. URGENT BUSINESS**

The Chair reported that he had agreed that the Cabinet would consider the report relating to the Selection of the Deputy Chair (Minute No. 249) as an urgent item, in view of the need to seek approval to the submission of a recommendation to the Council Meeting later that day, with regard to an amendment to the Council Constitution.

#### **232. RETIREMENT/WELCOME TO OFFICERS**

Members of the Cabinet referred to the forthcoming retirement of the following Officers and extended their appreciation for their services to the Council and best wishes for a happy retirement:

- Mr. J. Alford - Assistant Director (Regulatory Services)
- Mr. J. Farrell - Interim Head of Corporate Finance and ICT Strategy
- Mr. C. Speight - Principal Manager - Social Care
- Mr. A. Wallis - Planning and Economic Development Director
- Mr. S. Waldron - Assistant Director (Transportation)

The Chair also extended a welcome to the following officers who were attending their first Cabinet Meeting:

- Mrs. J. Gowing - Head of Planning Service
- Mrs. M. Rawding - Head of Corporate Finance and ICT

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## 233. DECLARATIONS OF INTEREST

The following declarations of interest were received:

Member / Officer	Minute No.	Reason	Action
Councillor Fairclough	236 - Treasury Management Policy and Strategy 2011/12	Personal - His employer is referred to in the report	Took part in the consideration of the item and voted thereon
Councillor Booth	240 - Transformation Programme and Final Revenue Budget Options 2011/12	Personal - He is a member of Meols Cop Youth Club Management Committee which is affected by proposals in the report	Took part in the consideration of the item and voted thereon
Councillor Moncur	240 - Transformation Programme and Final Revenue Budget Options 2011/12	Personal - His wife's employer is referred to in the report	Took part in the consideration of the item and voted thereon
Councillor Robertson	240 - Transformation Programme and Final Revenue Budget Options 2011/12	Personal - He is a member of Aintree Youth Club Management Committee which is affected by proposals in the report	Took part in the consideration of the item and voted thereon
Mr. P. Morgan - Strategic Director - Children, Schools and Families	240 - Transformation Programme and Final Revenue Budget Options 2011/12	Personal - He is a Director of Greater Merseyside Connexions which is referred to in the report	Stayed in the room during the consideration of the item



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## **234. MINUTES OF PREVIOUS MEETING**

RESOLVED:

That the Minutes of the Cabinet Meeting held on 17 February 2011 be confirmed as a correct record.

## **235. CHARGING FOR NON-RESIDENTIAL SOCIAL CARE SERVICES**

Further to Minute No. 211 of the meeting held on 17 February 2011 and Minute No. 66 of the meeting of the Cabinet Member - Health and Social Care held on 2 March 2011, the Cabinet considered the report of the Adult Social Care Director on the revised charges for users of non-residential social care services.

RESOLVED: That

- (1) service users who have in excess of £23,250 capital or those who refuse to divulge their financial details be charged a maximum amount of £45 per day towards the actual cost of their day centre place and the actual cost of other care services provided by the Council;
- (2) the percentage of disposable income charged against as part of the financial assessment be increased from 65% to 80%;
- (3) the revised charges referred to in (1) and (2) be implemented from 11 April 2011, and the Adult Social Care Director be requested to monitor and review the impact of the increases in the charges and submit a report thereon to the Cabinet Member – Health and Social Care in six months; and
- (4) it be noted that the proposal was a Key Decision but, unfortunately, had not been included in the Council's Forward Plan of Key Decisions. Consequently, the Chair of the Overview and Scrutiny Committee - Health and Social Care had been consulted under Rule 15 of the Access to Information Procedure Rules of the Constitution, to the decision being made by the Cabinet Member/Cabinet as a matter of urgency on the basis that it was impracticable to defer the decision until the commencement of the next Forward Plan because the savings targets contained within the report are a component in achieving the setting of the Council's balanced budget for 2011/12. The item was not included on the Forward Plan because of the timescales dictated by the Transformation Agenda to achieve significant budget savings across the Council.

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## **236. TREASURY MANAGEMENT POLICY AND STRATEGY 2011/12**

The Cabinet considered the report of the Chief Executive and Section 151 Officer which provided details of the proposed procedures and strategy to be adopted in respect of the Council's Treasury Management Function in 2011/12.

RESOLVED:

That the Council be recommended to give approval to:

- (1) the Treasury Management Policy Document for 2011/12;
- (2) the Treasury Management Strategy Document for 2011/12;
- (3) the amendment to banking arrangements contained within the Financial Procedures Rules of the Constitution;
- (4) the Money Laundering Policy Document; and
- (5) the option set out in Section 5 of the report being used as the basis for the calculation of the Minimum Revenue Provision or Debt Repayment in 2011/12.

## **237. THE PRUDENTIAL CODE FOR CAPITAL FINANCE IN LOCAL AUTHORITIES - PRUDENTIAL INDICATORS 2011/12**

The Cabinet considered the report of the Chief Executive and Section 151 Officer on proposals to establish the Prudential Indicators required under the Prudential Code of Capital Finance in Local Authorities. This would enable the Council to effectively manage its Capital Finance Activities and comply with the Chartered Institute of Public Finance and Accountancy Prudential Code of Capital Finance in Local Authorities.

RESOLVED:

That the Council be recommended to give approval to:

- (1) the Prudential Indicators details in the report, and summarised in Annex A, as the basis for compliance with The Prudential Code for Capital Finance in Local Authorities;
- (2) the amendment of relevant Prudential Indicators in the event that any unsupported borrowing is approved as part of the 2011/12 Revenue Budget; and
- (3) delegated authority being granted to the Head of Corporate Finance and ICT to manage the authorised Limit and Operational Boundary for external debt as detailed in Section 5 of the report.

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## **238. CAPITAL PROGRAMME**

Further to Minute No. 97 of the meeting held on 2 September 2010, the Cabinet considered a joint report of the Interim Head of Corporate Finance and ICT Strategy and the Strategic Directors for Communities, Social Care and Wellbeing and Children, Schools and Families which set out the latest position in respect of the 2010/11 Capital Programme and its implications into 2011/12. The report also gave details of the capital resource notifications received from Central Government.

The report also set out proposals for the amendment of the Council Constitution to improve the accountability and management of the Capital Programme.

The Cabinet also considered an addendum to the report produced by the Strategic Director - Children, Schools and Families, seeking approval for Phase 2 of the Aintree Davenhill Scheme to be progressed.

This was a Key Decision and was included in the Council's Forward Plan of Key Decisions.

### **RESOLVED:**

That the Council be recommended to:

- (1) approve the revised phasing of the ongoing Capital Programme as shown in Annex A of the report;
- (2) approve the inclusion of the Leisure and Tourism capital schemes, funded from specific capital resources and outlined in paragraph 2.4 of the report in the 2010/11 Capital Programme;
- (3) approve the proposals outlined in section 3 of the report to change the Scheme of Delegation in the Council Constitution;
- (4) confirm that the allocations detailed in paragraph 4.5.1 of the report can be utilised by the relevant service, with proposals for their use reported in line with the changes to the Constitution as referred to in (3) above;
- (5) note the approval by the Environment Agency of the Regional Coastal Monitoring Programme 2011/16 as outlined in paragraph 4.5.11 of the report; and
- (6) approve the inclusion of the funding identified in paragraph 1.3 of the addendum to the report for the completion of Aintree Davenhill Phase 2 works.

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## **239. LOCAL GOVERNMENT ACT 2003 - CHIEF FINANCIAL OFFICER'S REQUIREMENTS**

Further to Minute No. 212 of the meeting held on 17 February 2011, the Cabinet considered the report of the Chief Executive and Section 151 Officer which provided an assessment on the robustness of the estimates, the adequacy of the financial reserves and the longer term revenue and capital plans based on the proposals in the report on the Transformation Programme to be considered under Minute No. 239.

RESOLVED:

That the Council be requested to consider the report before approving a Budget and Council Tax for 2011/12.

## **240. TRANSFORMATION PROGRAMME AND FINAL REVENUE BUDGET OPTIONS 2011/12**

Further to Minute No. 210 of the meeting held on 17 February 2011, the Cabinet considered the report of the Chief Executive and Section 151` Officer on proposals to finalise the 2011/12 Budget within the prioritisation framework agreed by the Council.

The Chair reported on the following corrections to the report, which do not affect the total budget figure:

Paragraph 7.1                      Coast and Countryside value should read £306,000  
Arts and Cultural Services value should read £497,000; and

Appendix B - Item 7.1.9      Arts and Culture should read £497,000 in 2011/12.

The Chair circulated an amendment to the recommendations in the report in respect of the Sure Start Children's Centres, Youth Centres and to create a Budget Pressure Reserve.

This was a Key Decision and was included in the Council's Forward Plan of Key Decisions.

RESOLVED:

That the Council be recommended to:

- (1) note the progress to date on the Transformation Programme;
- (2) approve the Neighbourhoods and Safer/Stronger Communities Review, confirm that their activities be funded to the value of £1.2m and mandate officers to commence a consultation process with

partners, key stakeholders, employees and Trade Unions, including the issue of relevant statutory and contractual notifications;

- (3) approve the additional savings/budget adjustments outlined in paragraph 3.1 of the report and totalling £0.95m;
- (4) approve the further savings proposals relating to management and support costs set out in paragraph 4 of the report and mandate officers to continue/commence the consultation process with suppliers, employees and Trade Unions, with a view to realising the reduction in costs identified, including the issue of relevant statutory and contractual notifications;
- (5) note the balance of Management and Support savings yet to be identified and request officers to report back on specific proposals to meet this target;
- (6) note the update on Terms and Conditions and the Social Care Funding and give approval to the inclusion of the savings within the final approved budget;
- (7) approve the assessment of Tier 2 services in line with the previous resolution of Council and the specific savings proposals set out in Appendix B of the report, subject to the deletion of the savings relating to Targeted Youth and Detached Youth Work, and mandate Officers to continue the consultation process with relevant stakeholders, employees and Trade Unions, with a view to realising the reduction in costs identified;
- (8) note the shortfall of £0.30m on the savings achievable from Tier 3 in 2011/12 only, subject to a combined saving target of £1m being applied to all Youth Service activities in 2012/13 with a part year effect of £500,000 in 2011/12 and a redesign of the Youth Service being undertaken to ensure that the savings are met and that our most vulnerable young people are protected whilst still enabling an element of universal service;
- (9) approve the cessation of externally funded activity set out in Appendix D of the report due to the reduction in Government funding and mandate Officers to continue the consultation process with relevant stakeholders, employees and Trade Unions, with a view to realising the reduction in costs identified;
- (10) approve a savings target of £0.9m in 2011/12 is applied to the Strategic Review of Sure Start Children's Centres and that areas identified for saving be brought forward at the earliest opportunity and not left until the final report stage;
- (11) approve that any Children's Centre savings target for future years be kept under review;

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- (12) approve that the Children's Centres savings target in 2011/12 be underwritten by one-off resources;
- (13) approve the creation of a Budget Pressure Reserve totalling £1.6m from one-off resources to be used to underpin potential increased demand or pressure in the budget and primarily in adult and children's social care; and
- (14) approve that the value of this Budget Pressure Reserve will be reduced should the 2010/11 underspend be less than £2m and that the Reserve be allocated at the discretion of the Cabinet;
- (15) approve the overall budget as detailed in Appendix C of the report, including the use of £4m of one-off resources funded from the re-appropriation of earmarked reserves, subject to:
  - the permanent increase of £402,000 for the budgets for items 168 - Targeted Youth Work and 169 - Detached Youth Work
  - the addition of £500,000 for 2011/12 only for the combined items 182 - Centre Based Youth Work and 183 - Duke of Edinburgh
  - a permanent reduction of £900,000 for item 193 - Sure Start Children's Centres Cost of Service;
- (16) note that a significant budget gap remains in 2012/13 and that work must begin immediately to identify options for bridging this gap.

## **241. COUNCIL TAX RECOMMENDATION 2011/12**

The Cabinet considered the report of the Chief Executive and Section 151 Officer on the level of levies and precepts set for 2011/12 and the proposed Council Tax for 2011/12 based on the budget recommendation to Council referred to in Minute No. 240 above.

RESOLVED: That

- (1) the impact of external levies set for 2011/12 be noted;
- (2) the precepts set by the Police Authority and the Fire and Rescue Authority for 2011/12 be noted;
- (3) the level of Parish Precepts set for 2011/12 be noted;
- (4) the capping principles that will apply to local authorities budgets for 2011/12 be noted;

- (5) the comments of the Parliamentary Under Secretary for Communities and Local Government on the Council Tax Freeze Grant set out in the report be noted; and
- (6) the Council be recommended to approve the following Band D Council Tax for 2011/12:

	£
Sefton	1,266.68
Police Authority	146.23
Fire and Rescue Authority	64.77
<b>Total</b>	<u>1,477.68</u>

**242. THORNTON TO SWITCH ISLAND LINK - PROGRESS UPDATE, REVISED PROJECT MANAGEMENT ARRANGEMENTS, SCHEME PROGRAMME AND COST PROFILE**

Further to Minute No. 141 of the meeting of the Cabinet Member - Technical Services held on 23 February 2011, the Cabinet considered the report of the Planning and Economic Development Director on the current progress with the Thornton to Switch Island scheme, including the responses from Government to the Council's Best and Final Funding Bid and the planning application. The report sought approval to accept the Government's funding offer, to initiate the next stages of the project, including land acquisition and the revised project management arrangements and set out the current scheme programme and cost profile.

This was a Key Decision and was included in the Council's Forward Plan of Key Decisions.

RESOLVED: That

- (1) the Department for Transport's acceptance of the Council's Best and Final Funding Bid for the scheme be noted;
- (2) approval be given to the acceptance of the terms and conditions of the proposed Government funding for the scheme and the cost of the scheme be increased in the capital Programme by £14.5m to be funded by the Department for Transport grant;
- (3) the Government Office response to the planning application for the scheme confirming that they do not require a Public Inquiry to be held to consider the planning issues be noted;
- (4) the progress in the preparation of the necessary statutory Orders for the scheme be noted;

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- (5) approval be given for the activities that were put on hold in June 2010 to be recommenced, including land acquisition;
- (6) approval be given to the start of work on the next stage of the scheme;
- (7) approval be given to the revised Project Management arrangements and Project Board for the scheme;
- (8) the revised programme for the scheme be noted; and
- (9) the revised spend profile for the scheme be noted.

## **243. MERSEYSIDE LOCAL TRANSPORT PLAN PREFERRED STRATEGY AND OUTLINE SEFTON IMPLEMENTATION PROGRAMME**

Further to Minute No. 142 of the meeting of the Cabinet Member - Technical Services held on 23 February 2011, the Cabinet considered the report of the Planning and Economic Development Director on the Merseyside Local Transport Plan Preferred Strategy and the four year Outline Local Transport Plan Implementation Programme for Sefton.

This was a Key Decision and was included in the Council's Forward Plan of Key Decisions.

RESOLVED: That

- (1) the Merseyside Local Transport Plan Preferred Strategy be endorsed; and
- (2) the proposed four year outline Sefton Local Transport Plan Implementation Programme be approved.

## **244. PLANNING FEES AND CHARGES 2011/12**

Further to Minute No. 140 of the meeting of the Cabinet Member - Technical Services held on 23 February 2011, the Cabinet considered the report of the Planning and Economic Development Director which sought approval to increase the fees and charges levied within the Planning portfolio.

The Cabinet also considered an addendum to the report on the revised charges for Local Land Searches in 2011/12.

RESOLVED:

That approval be given to revised fees and charges for 2011/12 set out in Annex A of the report and the addendum to the report, and the revised contributions to be set out in Supplementary Planning Guidance.



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## **245. EMPTY HOMES AND THE CORE STRATEGY**

Further to Minute No. 112 of the meeting held on 30 September 2010, the Cabinet considered the joint report of the Neighbourhoods and Investment Programmes Director and Planning and Economic Development Director on the current position relating to empty homes in the Borough in relation to previous discussions concerning the Green Belt Land Release Study and the future Planning Core Strategy.

RESOLVED: That

- (1) Sefton's position in relation to empty homes be noted; and
- (2) it be confirmed that the current risk based approach, focussing on the most problematical vacant properties, is the most appropriate response to the issue within current resource constraints.

## **246. PROPOSED AMENDMENT TO THE OVERARCHING DEVELOPMENT AGREEMENT WITH KEEPMOAT LIMITED IN RESPECT TO LAND AT PINE GROVE**

The Cabinet considered the report of the Neighbourhoods and Investment Programmes Director on proposals to amend the Overarching Development Agreement with Keepmoat Limited to enable a new housing development at Pine Grove, Bootle, to progress on land owned by the Council.

RESOLVED: That

- (1) in order to progress the scheme at Pine Grove, Bootle, approval be given to Keepmoat Limited funding the financial gap from its own resources, in exchange for them being able to retain 100% of any overage until the gap of £36,756 has been eliminated, at which point, the overage arrangement will revert to that currently within the Overarching Development Agreement and that the legal agreement in respect to this scheme is altered to permit this; and
- (2) the Acting Head of Corporate Legal Services be authorised to amend the Overarching Development Agreement accordingly.

## **247. MODERNISING DEMOCRATIC SERVICES**

Further to Minute No. 215 of the meeting held on 17 February 2011, the Cabinet considered a further report of the Assistant Chief Executive detailing changes to the programme of meetings for Area Committees and Overview and Scrutiny Committees in 2011/12 as part of the changes to the democratic processes to be implemented in order to meet the budget savings agreed by the Council on 16 December 2010.

RESOLVED: That

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- (1) the Council be recommended to approve the revised Programme of Meetings for 2011/12 as set out in Appendices B and C of the report; and
- (2) the following meetings scheduled to take place in April 2011 be reinstated:
  - Cabinet Member - Environmental - 6 April 2011
  - Cabinet Member - Children's Services - 19 April 2011; and
  - Overview and Scrutiny Committee (Children's Services) - 19 April 2011.

## **248. CABINET MEMBER REPORTS**

The Cabinet received reports from the Cabinet Members for Children's Services, Communities, Corporate Services, Environmental, Health and Social Care, Leisure and Tourism, Performance and Governance, Regeneration and Technical Services.

The Chair reported that a report on the new recycling contract would be submitted to the next Cabinet Meeting and the new contract would commence on 1 August 2011.

RESOLVED:

That the Cabinet Member reports be noted.

## **249. SELECTION OF DEPUTY CHAIR 2011/12**

Further to Minute No. 217 of the meeting held on 17 February 2011, and subsequent discussions at the meeting of the Mayoral Working Party held on 17 February 2011, the Cabinet considered a further report of the Assistant Chief Executive on proposals for the appointment of a Deputy Chair of Council Meetings for 2011/12 instead of a Deputy Mayor.

RESOLVED: That

- (1) the Council on 3 March 2011 be recommended to give approval to the amendment of Article 5 of the Council Constitution to reflect the amended role of Deputy Chair for 2011/12 and to the deletion of the payment of a Deputy Mayor's Allowance in the Members' Allowances Scheme; and
- (2) the Council be recommended to elect Councillor M. Fearn as the Deputy Chair for 2011/12 at the Annual Council Meeting on 12 May 2011.

# Agenda Item 5

**REPORT TO:** Cabinet

**DATE:** 14 April 2011

**SUBJECT:** Health Inequalities Working Group – Final Report

**WARDS AFFECTED:** All

**REPORT OF:** Samantha Tunney  
Assistant Chief Executive

**CONTACT OFFICER:** Michele Wainwright  
Head of Overview & Scrutiny  
Tele: 0151 934 2666

**EXEMPT/  
CONFIDENTIAL:** No

**PURPOSE/SUMMARY:**

To formally present the final report of the Health Inequalities Working Group.

**REASON WHY DECISION REQUIRED:**

The Working Group has made a number of recommendations that require consideration by the Cabinet

**RECOMMENDATION(S):**

That the recommendations of the Health Inequalities Working Group, set out in paragraph 2.2 of the report, be referred to the appropriate named Officer to enable them to bring costed proposals for implementation (including relevant budgetary considerations) to be considered by the Cabinet.

**KEY DECISION:** YES

**FORWARD PLAN:** YES

**IMPLEMENTATION DATE:** Immediately following the expiry of the “call-in” period for the Minutes of the Cabinet meeting.

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**ALTERNATIVE OPTIONS:**

NONE

**IMPLICATIONS:**

**Budget/Policy Framework:** NONE

**Financial:**

<b><u>CAPITAL EXPENDITURE</u></b>	<b>2010/ 2011 £</b>	<b>2011/ 2012 £</b>	<b>2012/ 2013 £</b>	<b>2013/ 2014 £</b>
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<b><u>REVENUE IMPLICATIONS</u></b>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

There are no financial implications arising as a direct result of this report.

**Legal:** N/A

**Risk Assessment:** N/A

**Asset Management:** N/A

**CONSULTATION UNDERTAKEN/VIEWS**

Headteachers and staff in the participating schools;  
Pupils in the participating schools;  
Local community representatives;  
Ward Councillors;  
Health professionals and GPs;

# Agenda Item 5

The Head of Corporate Finance & ICT has been consulted and her comments have been incorporated into this report.  
**FD737 /2011**

## CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community	√		
2	Creating Safe Communities	√		
3	Jobs and Prosperity	√		
4	Improving Health and Well-Being	√		
5	Environmental Sustainability	√		
6	Creating Inclusive Communities	√		
7	Improving the Quality of Council Services and Strengthening local Democracy	√		
8	Children and Young People	√		

## LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

Outlined in the reference section of the attached report

# Agenda Item 5

## 1.0 BACKGROUND:

- 1.1 During 2009/10, NHS Sefton presented the 2009 Annual Report of the NHS Sefton and Sefton Council's Director of Public Health, *Invest for the Future*, to all the Council's Overview & Scrutiny Committees. This latest Annual Report made the connection between health and general well-being, with other areas of strategic importance, such as employment, education, housing and environments.
- 1.2 Towards the end of 2009, the Centre for Public Scrutiny put forward a programme to raise the profile of overview & scrutiny as a tool to promote community well-being and assist Councils & Partners in addressing health inequalities within their local communities.
- 1.3 Bids were invited from Councils to become Scrutiny Development Areas, to seek to understand and address health inequalities within their areas, using innovative approaches to undertaking scrutiny reviews. During January 2010 the joint Sefton bid was selected to become a 'National Health Inequalities Scrutiny Development Area', 1 of 3 successful bids from within the North West and 1 of 9 throughout England.
- 1.4 A Working Group was established by the Overview & Scrutiny Management Board, comprised of the 4 Chairs of the Council's Overview & Scrutiny Committees. Membership was subsequently amended to include representation from the Labour Party. Between them, these Committees cover the remit of all the cross-cutting themes outlined within the 2009 Director of Public Health's Annual Report. The review held between June and December 2010 also involved NHS Sefton, local schools, parents and children and other stakeholders.
- 1.5 The Working Group wanted to develop a clear understanding of how health inequalities impact on the lives of people and their families in the Bootle area and in a comparator area in the Borough where people are considered to be 'better off' and in particular, to target children and their parents/carers/grandparents. They wanted to explore methods for reviewing the underlying determinants of health inequalities, with the aim of gaining a better understanding of the inequalities in society that affect health and how these play out for children of primary school age in selected areas in Sefton.
- 1.6 Members were clear from the outset that this review would be people-focused and would operate in 'listening mode', staying open to the broader and complex factors that matter to people and affect to their ability to 'live well'. In addition they were very keen to avoid negative labelling and to work from people's strengths and capacities rather than assumed and/or measured deficits. This dictated the chosen focus for the detailed work of the Review and influenced the multiple activities chosen to progress it. Sefton has good educational results and it was felt that this would avoid a focus on specific streets or areas where other quantitative data indicated that there is deprivation.

1.7 The review was based around three primary schools, two in the south of the Borough and one in the north of the Borough with a particular focus on children aged 5-7 and their families. The Working Group adopted an approach that would explore the broad, complex, and interconnected factors which Marmot and many other sources demonstrate have a major influence in health and well being. These include employment/income, transport, housing, social networks and activities provided within the Borough by the Council and by the third sector and independent organisations. Year 1 and Year 2 children and their families were chosen to take part in the review process as it was felt that this cohort would be settled into the routine of school life and would be able to articulate feelings and thoughts about the first 5 to 7 years of their lives. Schools would also have a great deal of information about these children and their families. The work was organised into the following strands of activity including:

1. Data gathering: statistical information was drawn from sources such as free school meal uptake and National Child Measurement data.
2. Member walkabouts: These took place in the vicinity of the Schools during the half term week at the beginning of June 2010 and the main facilities in each area were noted. Relevant Ward Councillors were also invited to attend. Notes were recorded from these 'walkabouts' but the real value came from Members being able to 'get a feel' for the area that they were looking at, particularly during a time when the local school was closed for half term.
3. Visits to Schools: Members visited Schools and met with Heads and other school teachers to gather their views at the beginning of the review.
4. Engagement with Children: The Working Group used resources provided by the Centre for Public Scrutiny to employ a *Community Artist* to engage the children within the 3 schools identified. The engagement programme involved six half day creative work shops in each school entitled 'Me, My Life & My Community' followed by a celebration event for family and pupils. Using a large 3D dolls house to depict separate scenes for home, school, community & aspirations each child was invited to re-enact their own home & community life.
5. Engagement with Parents / Carers: Parents and carers of Year 1 and Year 2 children were invited to complete a short questionnaire which would capture their views and perceptions about local assets and obstacles to their well being. Parents and carers were approached through the 'Active Kidz' camp held on 26<sup>th</sup> August as part of the 'Free and Active' programme run by Sefton Council's Leisure Department.

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6. Training & Capacity Event: Members also used support from the Centre for Public Scrutiny to facilitate a training and capacity development event. The event was held at the end of July 2010 and attendance was drawn from Working Group Members, Cabinet Members, Sefton PCT Board Members, relevant Council officers, Headteachers, Governors and representatives from the voluntary and community sectors and faith communities. This event was perceived as highly successful in stimulating new kinds of conversations with a very diverse range of stakeholders enabling the new insights into local assets as well as local needs in the target areas.

## 2.0 WORKING GROUP FINAL REPORT

- 2.1 Attached at **Appendix A** is the executive summary of the report. In view of the need for economies to be made in the amount of papers circulated to Members, the copy of the full report and the various appendices, are available in the Modern.gov Committee System Library which can be accessed via the Council's website via this link:

<http://modgov.sefton.gov.uk/moderngov/ecCatDisplay.aspx?sch=doc&cat=13124&path=13058>

- 2.2 The recommendations arising from the review are set out below:-

1. Having found excellent examples of schools promoting healthy eating and lifestyle, the Working Group recommends that the focus on this area of work should continue and be developed;
2. That the Strategic Director (People), in consultation with individual schools, be requested to promote the wider use of local school buildings for the benefit of our local communities;
3. That the Strategic Director (People), in consultation with individual schools, be requested to promote the value of the role of the Head Teacher within the local community. This is particularly relevant during the appointment process of a new Head Teacher and could be included in both the job description and person specification drawn up by the Governing Body;
4. That the Chief Executive of Sefton MBC, the Acting Chief Executive of NHS Sefton and the Acting Director of Public Health be requested to identify all Public Sector and community assets available in Sefton local areas, and ensure that partner organisations and the voluntary, community and faith sector have access to the information/data source effectively;



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5. That the Chief Executive of Sefton MBC, the Acting Chief Executive of NHS Sefton and the Acting Director of Public Health be requested to work together in ensuring that the local community is aware of the services and activities available to them, for example through the production and distribution of appropriate promotional material, and the circulation of information relating to the activities in Children's Centres across the Borough;
6. That the Chief Executive of Sefton MBC, the Acting Chief Executive of NHS Sefton and the Acting Director of Public Health be requested to develop a protocol to involve the leaders of communities in policy and service development for tackling health inequalities;
7. That the Acting Chief Executive of NHS Sefton and the Acting Director of Public Health, in conjunction with the leadership of the developing GP led Local Consortium, be requested to consider whether Ainsdale Health & Well Being Centre is being fully utilised in its service use;
8. That the Overview & Scrutiny Management Board be requested to consider the merits of the methods adopted during this review, and consider adopting these methods in future reviews; and
9. That the Acting Chief Executive of NHS Sefton and the Acting Director of Public Health be requested to make provision for the continuity and passing on of the findings of this report to the GP Consortia in the Borough of Sefton, and positively facilitate the development and fostering of good partnership working between local GPs, the Local Authority, schools and the voluntary, community and faith sector.

2.3 In view of the financial implications that may need to be considered by the Cabinet it is proposed that they be referred back for the appropriate named Officer to bring costed proposals for implementation (including relevant budgetary considerations) to be considered by the Cabinet.

## **3.0 IMPACT OF THE REVIEW**

3.1 Although the report and recommendations from the review have only recently been completed – there are some early signs of impact. These include:

- The review developed and built on innovative methods, by using examples from previous working groups. This facilitated better information sharing and the availability of data for the project but also beyond

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- Members found that visiting community venues to meet with key stakeholders and services users, and walking around the community were invaluable ways of getting to the heart of an issue.
- A legacy of collaborative working has been left by the review – as it was very effective at building partnerships – both across organisations and with seldom heard groups (such as children)
- Local democracy in the community - awareness of the services that Sefton Council and its partners provide has increased with the schools and the children knowing more about their local area, who their councillors are and what keeps them healthy

3.2 Through its involvement as a Scrutiny Development Area, the Working Group's review will be part of the published resource kit from the CfPS. This resource kit will be available on the website as national support and assistance for future scrutiny reviews that deal with complex and cross-cutting issues.

### EXECUTIVE SUMMARY

Overview  
& Scrutiny



*Inequalities in Health:*  
*A report from Sefton's Overview & Scrutiny Management Board*

### INTRODUCTION

Within Sefton there is a long and successful history of partnership working, both across the public sector organisations and with the voluntary, community and faith sector. Consequently, we (Sefton Councillors) have been working with partners in NHS Sefton to understand how health inequalities impact upon the lives of people and their families in our local communities.

A lot of statistical information was received from NHS Sefton and from our own departments. The information we looked at clearly said that there were differences in life expectancy dependent upon where a person lived in the Borough.

Whilst we accepted that life expectancy was not the only measure of good health, it did provide us with a baseline for further investigation.

We know that nationally the age a person can expect to live to can vary depending on where they live in the country. In Sefton the average life expectancy age for men is 74.7 years old, and for women it is 79.8 years old. Within our Borough people who live just a short distance away from each other another can have a difference in their life expectancy of between 8 and 11 years. In the Litherland Ward of the Borough the life expectancy for men is 72.6 years old and for women is 78.7 years. In comparison, the life expectancy for men living in the Ainsdale Ward 76.6 years old and for women is 84 years. We wanted to understand why this variation occurs.

We decided to look at the factors which could be having an effect upon people's health and wellbeing in Sefton, including what families eat; where they go and what they do; what already works well in communities; what could be improved and what were the future aspirations of our communities.

When we were considering how to undertake the review, it was felt that the focus should be around local schools. We chose to work closely with year 1 and 2 pupils of Lander Road Primary School (Litherland); St Elizabeth's RC Primary School (Litherland); and Kings Meadow Primary School (Ainsdale).

We listened to the people who lived and worked in the communities where the schools were based. These included, pupils; parents/carers; teachers and school staff; and people who worked in the community providing a service (whether paid

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or voluntary) for example, local youth clubs, health centres, church based activities etc.

We recognised that this topic was broad and would deal with very complex issues. We felt, however, that through addressing these issues we would be able to have an impact upon the future planning, and service provision that would tackle the problem of health inequalities within Sefton.

### HOW WE APPROACHED THE REVIEW

We worked closely with officers based in the Council and with our partners in NHS Sefton. We were also fortunate that Canon Roger Driver (a local vicar) became involved in the review and provided a valuable perspective from the voluntary, community and faith sector. The first meeting of the Working Group took place on 16<sup>th</sup> February 2010 and established the terms of reference for the review. Once we had identified the local schools that we would be working with we set out a timetable for the following activities:

1. Information gathering; We knew that a lot of statistical information had been gathered by the council and NHS Sefton and we wanted to have an understanding about what this information told us about the health of our local communities.
2. Walkabouts of local area; We felt that it was important to be familiar with the areas surrounding the schools we would be working with, so that we would be able to relate to, and understand the views of the people we would be listening to. Not all of the councillors undertaking the review were familiar with the local areas so we arranged visits so that we could get to know the local community as well as possible.
3. School visits; The main part of the review was working with the pupils of the three primary schools so it was important to meet with the Head Teachers and other school teachers and staff in order to gather their views about their local area, the role of the school, and what factors may be affecting the health of the local community.
4. Working with the children; – We employed the services of a Community Artist who worked with the pupils of the chosen schools over a period of 5 weeks. Through this work we provided a way for the children to tell us about their day to day life and their views of the community.
5. Talk to the parents / carers of the pupils taking part in the review; We gave the parents / carers of the pupils involved in the review the opportunity to speak about the issues concerning them, or to tell us about the good work happening in their local community. We arranged a meeting with parents/

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carers at each of the schools, and also sent out a questionnaire to ask about their views of a healthy lifestyle.

6. Talk to local community organisations; We spoke representatives of those organisations who provided services in our local community and we arranged a meeting in the Ainsdale and Litherland areas.
7. Meet with the Health Professionals; We gathered the views of the health professionals (for example doctors, health visitors) who worked in the community. We arranged a meeting in the Ainsdale and Litherland areas.
8. Training and capacity event; We brought together representatives of all those organisations involved in tackling health inequalities to discuss the factors affecting health inequalities. We arranged an event and invited Councillors, officers from NHS Sefton, representatives from the voluntary, community and faith organisations and the local schools concerned.

## WHAT WE HAVE FOUND OUT

- Health inequalities exist across the country, as well as within Sefton, and it is not just access to health services that affect the health of our community. There are other factors such as having a job, having a good education and good social support that affect the health and well-being of our community;
- The aspirations of our children are affected by the expectations of teachers and families. The children who took part in our review are aware of the people who play a part in their community and are influenced by their contact with them, as well as the lifestyle of their parents / carers;
- There is a real commitment to partnership working across the Borough, with many examples of the different organisations working together;
- We have a wide range of community assets to help us tackle health inequalities. There is a lot of support available within our community from the voluntary, community and faith sector;
- Providing healthy meals during the day has an impact upon the children's ability to learn and concentrate throughout the day as well as promoting healthy food choices. In exploring the activities related to promoting healthy eating we noted that not everyone who is entitled to free school meals takes advantage of this;
- The role of our schools and their staff is crucial in providing our children with the best start in life. The Head Teacher can provide a role that supports the relationship between families and schools, and work as a community leader;

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- There are many examples of schools working with children and their parents / carers in supporting children to adopt a healthy lifestyle and encourage aspirations for the future (for example children growing and cooking their own food at school, drop-in facilities for parents / carers. and courses for parents held at the schools);
- Information needs to be available, and used in planning services, at a very local level. Combining the statistical knowledge available with local knowledge will provide a more accurate representation of the local area, and help organisations to provide services that tackle health inequalities;
- The expectations of local people are not always understood by those who provide services, and this can then lead to the public having a poor perception of the service;
- Health professionals can provide insight into the problems facing our community, particularly for those issues which people feel they cannot be vocal about.

### RECOMMENDATIONS FOR THE FUTURE

Our recommendations have been presented to the decision makers within the Council, and those within NHS Sefton.

1. We found many examples of good work in promoting healthy eating and lifestyles within our primary schools, and we have recommended that this type of work should be supported by the Council, NHS Sefton and other organisations within the community.
2. We believe that our local schools are valuable assets for the local community, and we have recommended that the Council and our Schools should work together in making sure that we use these assets for the benefit of the community, for example in hosting community services and activities and providing a place for parent / carers to meet.
3. We were impressed with the contribution made by our Head Teachers within the local community, and we have recommended that the Council and our schools should promote this community role of the Head Teacher, and include this role within any job description and person specification when recruiting for new positions.
4. Across the Borough of Sefton there are many physical assets that are available to help the local community in tackling the health inequalities that

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exist. We feel that it would help those organisations providing services to plan service provision more effectively if this information was available and could be shared with those organisations.

5. There are a lot of services and help available to the local community, and we have recommended that the Council and NHS Sefton work together to make sure that the local community are aware of what is available to them, and this could be achieved through better communication.
6. There is a wide range of knowledge available in our local community, and we have recommended that the Council and NHS Sefton work with our community leaders when planning the provision of services for tackling health inequalities.
7. We have recommended that the service use of the Ainsdale Health and Well Being Centre be considered by the appropriate service provider.
8. In undertaking this work, we have adopted a different approach than in previous reviews, and we have recommended that the methods and principles we have used be considered by other councillors when looking at issues affecting our local community.
9. We are aware that there are many changes occurring within the local health service and its structures. We have therefore recommended that NHS Sefton pass on the findings of our report to the appropriate people within these new structures, and ensure that we continue to develop and support the good partnership working that exists in our Borough.

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# Agenda Item 6

**REPORT TO:** Cabinet

**DATE:** 14<sup>th</sup> April 2011

**SUBJECT:** Transformation Programme 2011/12

**WARDS AFFECTED:** All

**REPORT OF:** Margaret Carney  
Chief Executive

**CONTACT OFFICER:** Jan McMahon  
Head of Transformation Services  
0151 934 4431

**EXEMPT/CONFIDENTIAL:** No

**PURPOSE/SUMMARY:**

To report the progress of the Transformation Programme and implementation of approved savings proposals.

**REASON WHY DECISION REQUIRED:**

The 2011/12 budget contains £44m savings and it is imperative that implementation is closely monitored so that any necessary action corrective action can be taken in a timely way. In addition the Council continues to forecast a significant budget gap over the next three years and additional budget savings will need to be identified over the coming months to ensure that future years budgets can be balanced.

**RECOMMENDATION(S):**

**Cabinet is recommended to**

- a) Agree the approach to tracking approved savings proposals, reviews and cessation of external funding and note progress to date
- b) Mandate officers, in respect of funding and service changes, to commence/continue consultation processes with partners, employees and Trade Unions with a view to implementing the required changes identified above including the issue of relevant statutory and contractual notifications
- c) Note progress to date – Public Consultation and Engagement
- d) Note the intention to present further budget savings proposals to future meetings of Cabinet

**KEY DECISION:** No. This report is not a key decision in itself but forms part of the process for setting the Council's budget and Council Tax.

**FORWARD PLAN:** Yes. Setting the Council's budget and Council Tax is included on the forward plan.

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**IMPLEMENTATION DATE:** Following the expiry of the call-in period for this meeting.

**ALTERNATIVE OPTIONS:**

Not to agree the issues identified will increase budgetary pressures on the Council.

**IMPLICATIONS:**

**Budget/Policy Framework:**

**Financial:**

The actions proposed in this report will support the Council's budget setting process for 2012/13

<b><u>CAPITAL EXPENDITURE</u></b>	<b>2011/ 2012 £</b>	<b>2012/ 2013 £</b>	<b>2013/ 2014 £</b>	<b>2014/ 2015 £</b>
Gross Increase in Capital Expenditure	N/a	N/a	N/a	N/a
Funded by:				
Sefton Capital Resources	N/a	N/a	N/a	N/a
Specific Capital Resources	N/a	N/a	N/a	N/a
<b><u>REVENUE IMPLICATIONS</u></b>				
Gross Increase in Revenue Expenditure	N/a	N/a	N/a	N/a
Funded by:				
Sefton funded Resources	N/a	N/a	N/a	N/a
Funded from External Resources	N/a	N/a	N/a	N/a
Does the External Funding have an expiry date? Y/	See Sections 3 & 4			
How will the service be funded post expiry?				

**Legal:**

NA

**Risk Assessment:**

Early decision making in relation to budget issues will help to mitigate the impact of the consequential changes by giving sufficient time to undertake the required formal consultation / notification processes. Particular risks associated with activity funded from external sources are contained within the report.

**Asset Management:**

NA

**CONSULTATION UNDERTAKEN/VIEWS**

Strategic Directors  
Director of Corporate Services,  
Director of Commissioning,  
Head of Personnel,  
Head of Corporate Finance & IS  
Trade Unions

**CORPORATE OBJECTIVE MONITORING:**

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community			√
2	Jobs and Prosperity			√
3	Environmental Sustainability			√
4	Health and Well-Being			√
5	Children and Young People			√
6	Creating Safe Communities			√
7	Creating Inclusive Communities			√
8	Improving the Quality of Council Services and Strengthening local Democracy			√

**LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT**

Reports to Cabinet and Council 3<sup>rd</sup> March 2011 *Transformation Programme and Final Revenue Budget Items 2011/12*

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## 1. Background

- 1.1 Members will be aware that Council agreed proposals totalling £44m that achieved a balanced budget for 2011/12. Although the budget has been agreed for the coming financial year a further £18.5 million must be saved over the next two years to meet planned reductions in Government funding. Activity to identify future savings continues and timely decision making is essential to allow early actions to be taken to help reduce and eliminate the 2012/13 – 2013/14 budget gap.
- 1.2 Over recent months the Council has been approving savings proposals, which are currently being implemented. Assuming all the approved savings are deliverable the table below summarises the current position -

	2012/13	2013/14	2014/15
	£m	£m	£m
Original forecast saving	55.8	59.4	68.9
Government Settlement impact	8.3		
CSR Assumed reductions		8.3	6.9
<b><u>Amended Target</u></b>	<b>64.1</b>	<b>67.7</b>	<b>75.8</b>
<b><u>Less Approved Savings</u></b>	<b>-47.6</b>	<b>-49.2</b>	<b>-51.4</b>
<b><u>Savings Gap Remaining</u></b>	<b>16.5</b>	<b>18.5</b>	<b>24.4</b>

- 1.3 The Medium Term Financial Plan assumes that further savings of £16.5m, £2.0m and £5.9m will be required by the Council in the years 2012/13 to 2014/15. A key element within these figures is the core annual grants from central government e.g. Formula Grant. Last year's Local Government Settlement announced a two-year settlement; therefore, only the core grant for 2012/13 can be relied upon. The latter two years grant income assumed for Sefton have been based on national figures announced in the CSR. A complete review of the Formula Grant methodology is to be undertaken over the next 18 months, ready for implementation in 2013/14. Linked to this is the transfer of functions from the National Health Service to local government. These two issues will have a fundamental impact on the grant allocation; consequently, the budget gaps for 2013/14 and 2014/15 must be treated with a great deal of caution.
- 1.4 The Transformation Programme and prioritisation process aim to transform the way the Council operates and the way it delivers services in a way that reduces the impact on frontline services at the point of delivery as far as possible. Council has previously approved the categorisation of critical, frontline and regulatory services. While these activities represent the highest priority activity for the Council, no service is exempt from efficiency and therefore Officers will continue to seek to identify further opportunities to reduce the costs in these areas over the coming weeks.
- 1.5 Despite significant cuts around £228 million (net) will continue to be spent on services this year, including;
- £31 million to support vulnerable children in our communities
  - £86 million to care for older people
  - £23 million for education and young people
  - £4 million secured to support work delivered in partnership with the voluntary, community and faith sector

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- £26 million maintaining roads, collecting refuse and keeping communities clean and safe
- £12 million for Arts, Culture, Libraries, Leisure and Tourism

## 2. Transformation Programme Update

2.1 In the context of the significant reduction in resources, increased demand for services and cost pressures faced by the Council it is essential that the implementation of agreed savings proposals is tracked and progress of reviews monitored. A significant amount of work is still required to implement approved savings and identify sufficient savings to meet the financial objectives set by the Government.

2.2 In respect of approved savings proposals, reviews and cessation of external funding, it is recommended that a traffic light system is used to indicate progress –

- Red highlights an area where there is a significant risk that the saving will not be achieved or a scheduled review is late in commencing
- Amber indicates that although there is some progress, this is less than satisfactory or review scheduled to commence at a later date
- Green shows that the recommendation has been achieved or progress in its implementation is satisfactory e.g. contractual notice periods are being observed.

Appendix A identifies current progress. Cabinet and Overview and Scrutiny Committee (Performance and Corporate Services) will receive a regular tracking report to monitor progress in implementing previously approved recommendations. Cabinet is asked to agree this approach and note progress to date. This indicated that almost £20m of savings have been fully achieved.

2.3 Decommissioning Plans continue to be developed and progress against these plans will be monitored by the Transformation Team. Any issues identified will be reported to future Cabinet meetings.

2.4 Clear communications, both internally with staff, Trade Unions & Elected Members and externally with the community, partners and the media, remain essential if progress is continue at the required pace. To date 38 Informing Sefton Newsheets and 11 personal messages from the Chief Executive have been published. In addition to this, fortnightly meetings continue to be held with Trade Unions, regular Senior Management events take place and departmental team meetings continue as scheduled. The Transforming Sefton - Meeting Challenging Times internet pages informing the public how services and spending have been prioritised so far will continue to be updated. The media will continue to be briefed throughout the process to ensure that proposals and decisions made are widely communicated. Staff and the public continue to be able to make suggestions or ask questions relating to the Transformation Programme via a number of channels.

2.5 In September 2009 and June 2010 exercises were undertaken seeking Expressions of Interest for Voluntary Early Retirement/Voluntary Redundancy (VER/VR). The tables below detail the current position of received expressions of interest and associated savings –

Number of Expressions of Interest approved by Cabinet December 2009	50
Number of Expressions of Interest approved by Chief Executive (since 3 <sup>rd</sup> December 2009)	164
Number of Expressions of Interest declined since September 2009 – this includes potential bumps	33
Number of Expressions of Interest decision pending	26
Number of Expressions of Interest withdrawn by employee	23

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Year	Savings £000
2010/2011	2,526
2011/2012	2,650
2012/2013	227
<b>Total</b>	<b>5,403</b>

The above savings have been incorporated into approved savings proposals, where appropriate. The opportunity to express an interest in VER/VR remains open to the workforce and is positively promoted.

- 2.6 The main focus of the Transformation Programme must now be to develop a programme of work that will create a customer focussed, efficient, effective organisation, commissioning/delivering high-quality services within available resources and underpinned by a dynamic and flexible workforce. The required change will only be achieved with a radical redesign of Council services and by enhancing the Council's ability to manage the risk and demand associated with the critical services particularly Adult and Children's Social Care. Officers are now working on plans to address these challenges, following from this project and savings options will be identified and reported to a future Cabinet.

### **3. External Funding**

- 3.1 Externally funded activity continues to be closely monitored. There is now a formal process in place to ensure that at the point of initial consideration of an idea for an externally funded scheme, the sponsoring officer must inform Corporate Finance of the proposals so that it can be logged and an appropriate officer identified to support the process. In addition to specific support, Corporate Finance will ensure that the projects are properly assessed in terms of the revenue/capital costs and that the implications of any required exit strategy are detailed.

At the same time the appropriate accounting arrangements will be put in place. Subject to schemes being referred to the Strategic Leadership Team (SLT) and then approved by Elected Members, all costs and associated funding of all successful bids must be incorporated into Revenue budgets for subsequent monitoring. Similarly, schemes involving capital expenditure will need to be approved by Strategic Asset Management Group and then referred to Cabinet for inclusion in the Capital Programme. This procedure is designed to ensure the complete transparency of all externally funded schemes in the future and enable the clear identification of budgets for control and risk management purposes. At the end of the review retrospective accounting arrangements will be out in place for all schemes which members approve for continuation.

### **4. Funding & Service Changes**

- 4.1 Members will recall that Council has previously approved decommissioning of the Music Service as the current grant ceased on 31<sup>st</sup> March 2011. Transitional funding has now been made available for 1 year only until National Music Plan is rolled out and future funding will be by a bidding process, possibly through Regional Hubs. It is now proposed to move towards a commissioned service, which will place Sefton in a good position to be able to bid for further funding in future years.
- 4.2 Leisure Services are reviewing aquatic provision and schools will be included in this review. Swimming sessions (delivered via a Service Level Agreement) have already been reduced by schools (19 sessions per week in 2011/12) and this has increased the unit cost for the remaining schools. Further reductions are being proposed by schools from September

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2011 (14 sessions per week). This will make the service non viable in its current form and it is now proposed that the School Swimming service be decommissioned.

- 4.3 Officers have been made aware of a further reduction in funding from the Youth Justice Board as well as Children's Fund. This funding contributes to Targeted Youth Support. It is intended that this will be managed as part of the reorganisation of early intervention/prevention work.
- 4.4 Cabinet is asked to mandate officers to commence/continue consultation processes with partners, employees and Trade Unions with a view to implementing the required changes identified above including the issue of relevant statutory and contractual notifications.

## **5. Public Consultation and Engagement**

- 5.1 The Council has a good record of consulting and engaging with our local communities, businesses, stakeholders and partners. Cabinet will recall that the Cabinet Member for Performance and Governance has approved a high level Communication and Consultation Strategy and Plan which will ensure that the communication and consultation that does take place in relation to the Transformation Programme is appropriate. There is a clear intention to further strengthen the consultation and engagement process in a number of areas.
- 5.2 Work is underway to make the YouChoose consultation and engagement tool available to Sefton citizens. YouChoose is an online budget simulator that members of the public can use to simulate making cuts in the council budget and the implications of such cuts in terms of both service delivery and risk. The tool raises the public's awareness of the difficulties faced in making decisions about where cuts and efficiencies might be made. It will feature details of the current budget for 2011/12 and will have a narrative explaining that a further £20 million must be saved over the next two years in order to make it balance. People using the tool will have to set a balanced budget. The tool it will prompt people about the issues created by removing funding from any particular area. It also includes a suggestions button for the public to feedback what is important to them and their ideas for making savings and generating income. This will help Elected Members to understand what is important to the residents of Sefton in making their decisions about future priorities for the Council. The tool also incorporates a feedback mechanism which enables the public, Elected Members and officers to see the results of this feedback. Once the tool has gone live the Communications team will promote it to residents through press releases to the local media. It will also be featured prominently on the homepage of the Sefton Council website.
- 5.3 The Sefton Citizens Panel is currently a group of nearly 4,000 local people who are invited to respond to surveys on a regular basis. The Panel can be used to test the views and perceptions of local residents on a wide range of things such as which services are important to them, when services should be delivered through what means and at what time, what they think of the quality of the services provided by the Council, and indeed other public sector partners, and quality of life issues related to Street Scene, crime and general well being. The findings of the Citizens Panel can be analysed in a variety of ways to enable Elected Members to develop a greater understanding of the needs and experiences of local people both in terms of their local neighbourhoods but also across characteristics such as gender, age and disability. The intention is to maximise the use of this valuable resource.
- 5.4 Public consultation, in respect of the reduction in library opening hours, took place from 7<sup>th</sup> February 2011 to 18<sup>th</sup> February 2011. This consultation was aimed at library users. A questionnaire was produced for each library, and each one gave the users if the choice of options for that library. The survey was also published on the website. Each library was

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provided with information about the levels of business for different times of the day and different days of the week. A total of 13,000 forms were distributed to libraries, and 9,556 of these were returned, and a further 224 surveys completed on-line. The results from the consultation, with the exception of one library mean that the preferred option from the majority of users in any one library will be implemented. There will be a variation in the times that libraries open throughout Sefton but this was the case in 2001. There will be an improved geographic spread of opening hours within a local area. Staff were also consulted as part of the public consultation about their preferred pattern of opening hours. The results from staff were analysed separately. The outcome of the review of library opening hours is detailed in a report to Cabinet Member – Leisure and Tourism 23<sup>rd</sup> March 2011.

5.5 The inaugural meeting of the Strategic Review of Children’s Centres has taken place and it has been agreed that in order to inform the review and to provide a basis for consultation and communication three Review Reference Groups will be established –

- Parents
- Centre Managers and Headteachers
- Diagonal Slice Staff Group

It is intended that these groups meet every 2 months to ensure appropriate engagement and ownership of the review process.

5.6 A critical element of the Youth Service Redesign is to establish early and regular consultation opportunities for all key stakeholders particularly young people. The consultation and communications plan clearly outlines the key groups which include:

- Young people from the North, Mid and South area youth fora
- Representative young people on the Youth Cabinet
- Parents of young people with learning and/or physical disabilities
- Duke of Edinburgh Committee
- CSF Cabinet Member and spokespersons
- Staff
- A reference group comprised of 3 young people, a Young Adviser, 3 members of staff.

5.7 Cabinet is asked to note the progress made.

## 6. Equality Impact Assessment

6.1 Information regarding our approach and methodologies has now been published on the Sefton website. This includes the equality impact assessments undertaken. Visitors to the website can access the information in two ways – either by the month in which the decision was made or by subject.

## 7. Conclusion

7.1 When the 2011/12 budget was approved, it was recognised that there were risks around the implementation of £44m of savings within the available timescales. The implementation of these savings requires very close monitoring and this report identifies progress on a traffic light basis. This indicates that satisfactory progress is being made at this stage.

7.2 There remains a significant budget gap of £16.5m in 2012/13 and early consideration of how these savings can be achieved will be required. Progress on the identification of options will be presented to the next meeting of Cabinet

7.3 Reductions of the magnitude necessary will require tough and far reaching decisions regarding service change, reduction in Page 40 , in order to meet the financial objectives



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set by Government. Early decision making and transparency will continue to be essential. Innovation will be critical if we are to meet the challenges of savings delivery and the continually rising expectations of Sefton's Citizens. New methods/models of service delivery will need to be developed, implemented and their impact monitored and fully understood.

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## Approved Savings Proposals Tracking Report March 2011

### Savings Achieved

Reference	Description	Owner	Value 2011/12
CE14	Full Year ABG	Margaret Carney	£272,063
	Government Resources for Social care	Margaret Carney	£4,173,000
	Use of One-Off Resources	Margaret Carney	£1,509,000
	Voluntary, Community & Faith Sector Review	Sam Tunney	£311,000
CE8	Review of Personnel	Mark Dale	£120,000
	Reduce Members Allowances	Mike Fogg	£41,000
CE13	No provision of food for meetings/training events (and no subsistence allowance)	Mike Fogg	£20,000
CE7	Downgrade quality of print paper	Brian Gibson	£40,000
CE20	Re-tender of Office Supplies Contract	Brian Gibson	£50,000
	Review of Capital Programme	Bill Milburn	£95,000
	Review of MTFP Assumptions	Margaret Carney	£301,000
	Re-evaluation of Savings Accruing from ABG	Margaret Carney	£2,142,000
	Benefit Savings	John Farrell	£160,000
	Levy Reductions	Margaret Carney	£229,000
CE16	Take on HMRI Conveyancing and Building Agreement Works	David McCullough	£50,000
CE17	Legal Sundry Savings	David McCullough	£17,850
CE18	Admin Staff Reductions	David McCullough	£8,068
PE57	BSU Capita Income - Funding Ceased (External Funding £85k)	Mike Fogg	
	Anti Social Behaviour Unit - dedicated Legal Support & Police Community Support - Funding Ceased	Amanda Langan	£77,000
	Restructure of Children's Social Care Management	Colin Pettigrew	£72,000
CS1	Full year impacts of Area Based Grant funding changes within Children's Services	Peter Morgan	£935,000
CS2	Removal of severance pay support to schools	Peter Morgan	£700,000
CS3	Charge schools for health & safety training course	Peter Morgan	£18,000
CS5	Post 16 Transport – Reduction in post 16 travel passes - Saving achieved, value increases to £240,000 in future years.	Peter Morgan	£140,000
CS6	Education Psychologists	Colin Oxley	£50,000
CS7	Performing Arts – discretionary grant	Mike McSorley	£32,050
CS9	Cease School Clothing Grant	Mike McSorley	£201,000
CS12	PSHEE and Healthy Schools (Personal Health and Social Education)	M McSorley	£6,500
CS13	Education Health Partnerships	M McSorley	£74,431
CS14	Cease Designated Teachers (LAC) Training	Colin Pettigrew	£16,094
CS – M10	School Improvement Service	Danny Roberts	£70,039
BI3 – 2	Positive Activities for Young People (Balance remaining)	Peter Morgan	£564,918

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1	Common Assessment Framework	Colin Pettigrew	£200,000
2	Kirwan House (closure - April 2011)	Colin Pettigrew	£100,000
13	School Improvement - Advisory Service	Mike McSorley	£140,000
17	Choice Advisor	Mike McSorley	£20,000
18	School Improvement Partners for Schools (SIPS)	Peter Morgan	£100,000
19	School Intervention	Peter Morgan	£49,000
Tier 3	Sure Start – Every Child A Talker	Peter Morgan	£128,000
	CSF - Music Service	Mike McSorley	£37,000
	Other Courses	Peter Morgan	£22,000
	Contribution to Early Years	Peter Morgan	£21,000
	Teenage Adolescent Mental Health Grant (TAMHS)	Peter Morgan	£89,000
	Youth Opportunity Fund	Peter Morgan	£173,000
	Key Stage 4 Foundation Learning	Peter Morgan	£95,000
	Special Educational Needs	Peter Morgan	£65,000
	Voluntary Sector (Help reduce back office expenditure / assist organisational efficiencies)	Robina Critchley	£200,000
	Economic Development Review	Mark Long	£714,000
5			
CM1	Communities Directorate Senior Management Restructure	Bill Milburn	£250,000
CM2	Reduce Operational Services (OS) Management Structure	Jim Black	£35,000
CM4	Reduce Bulky Item Service Collection to 10 days	Jim Black	£60,000
CM6	Reduce hours in street cleansing service - through reduced working hours	Jim Black	£59,500
CM7	Reduce overtime hours for street cleansing service	Jim Black	£40,000
CM8	Stop non-highway cleaning	Jim Black	£30,000
CM9	Close Attended Public Conveniences	Jim Black	£100,000
CM12	Stop Canal Patrols	Jim Black	£40,000
CM13	Restructure Catering Service	Jim Black	£20,000
CM13 B	Reduce operational services management & restructure catering services	Jim Black	£10,000
CM17 (a)	Cleansing – Cease Neighbourhood Liveability Teams	Jim Black	£394,074
CM18	Refuse Collection AWC Zoning	Jim Black	£100,000
CM19	Reduction of Support for Trainees	Jim Black	£10,000
CM44	Good Neighbour Skips	Jim Black	£50,000
	Cease Good Neighbour Skips (ABG Funded)	Jim Black	£72,825
CM48 (a)	Cease Cleansing - Fly Tipping/Graffiti	Jim Black	£67,355
CM49	Cease Cleansing - Linacre Bridge Team	Jim Black	£25,000
CM50	Cease Cleansing - WNF Projects Team Leader	Jim Black	£35,000
CM51 (a)	Cease Cleansing - Arterial Routes	Jim Black	£269,380
CM59	Review of Management / Supervision arrangements for Cleansing and Transport Services	Jim Black	£25,000
CM26	Sefton CVS : Cease Young Apprenticeships	Alan Lunt	£75,000
CM27	Neighbourhoods Division Acme Art – Cease Expressive Arts	Alan Lunt	£81,665
CM30	Review Planning Technical Support	Jim Alford	£50,000
CM31	Rationalisation of PCN processing and administration of Disabled Blue Badge resources	Andy Wallis	£30,000
CM32	Reduce local transport plan support	Andy Wallis	£80,000
CM37	Cease funding for opportunities shop	Mark Long	£69,000
21	Building Control	Andy Wallis	£35,000
PE48	Child Poverty Funding Ceased £685,489	Andy Wallis	

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CM39	Reduce Regulatory Enforcement	Peter Moore	£250,000
CM40	Merge of Environmental Enforcement	Peter Moore	£40,000
CM43(a)	Cease Pest Control Charged Service	Peter Moore	£15,000
CM43 (b)	Cease additional Pest Control	Peter Moore	£37,000
CM52	Cease Alcohol Harm Reduction	Peter Moore	£28,270
CM53	Cease - Community Engagement Team	Peter Moore	£110,000
CM54	Campaigns Coordinator	Peter Moore	£61,342
CM55	Project Officer	Peter Moore	£28,862
CM57	Detrunking	Peter Moore	£760,000
CM58	Cease Climate Change ABG Contribution	Peter Moore	£22,500
9	Grass Cutting (reduction in frequency of highway grass cutting - April 2011)	Peter Moore	£200,000
10	Street trees (reductions to arboricultural database management and tree maintenance)	Peter Moore	£40,000
24	Licensing (reduction in staffing budget and increased income target in 2011/12 to breakeven)	Peter Moore	£50,000
25	Dog Wardens (reduce service to statutory minimum)	Peter Moore	£60,000
	Staff Car Parking – Increased Income	Peter Moore	£80,000
SCL1 (c)	Arts & Cultural Services - Reduce arts entertainment programme and 3rd party support	Graham Bayliss	£90,000
SCL2 (a)	Cessation of environmental education activity, out of school wild life clubs and community events	Graham Bayliss	£50,000
SCL3	Parks & Open Spaces - Close down the Nursery operation	Graham Bayliss	£100,000
SCL 4(a)	Parks & Open Spaces - General reduction in bedding	Graham Bayliss	£40,000
SCL 5(b)	Parks & Open Spaces - Reduce Repair & Maintenance Budget by £50k	Graham Bayliss	£50,000
SCL 5(c)	Parks & Open Spaces - Reduce site inspection and repairs team	Graham Bayliss	£34,000
SCL6 (a)	Parks & Open Spaces - Park Rangers (substantially reduce budgets and activities)	Graham Bayliss	£15,000
SCL7 (b)	Libraries - Stockfund (Reduce)	Graham Bayliss	£96,000
SCL9 (b)	Sport & Leisure Centres - Management (Delete Head of Service post)	Graham Bayliss	£80,000
SCL16 (b)	Sports & Leisure Centres - Cease the annual contribution to Sefton Sports Council and MCSP	Graham Bayliss	£13,000
SCL18	Free & Active	Graham Bayliss	£205,000
SCL19	Cease Mischief Night Intervention	Graham Bayliss	£21,000
SCL10(a)	Potential Charging Policy for Leisure Operations – increase in burial and cremation fees	Graham Bayliss	£35,500
SCL10 (b)	Potential Charging Policy for Leisure Operations (Undertake review of all fees & charges in Leisure Centres with the addition of 2% increase from April 2011)	Graham Bayliss	£93,500
SCL 11(a)	Service Development - Stop grants to ext orgs to run play / child minding schemes in school holidays	Graham Bayliss	£15,000
SCL11 (b)	Service Development - Stop/reduce cross departmental development work	Graham Bayliss	£41,500
SCL12 (d)	Tourism - Delete vacant post of conference manager	Graham Bayliss	£47,500
New	Arts & Cultural Services - Cease the grant to the Royal Liverpool Phil.	Graham Bayliss	£22,350
	<b>Total</b>		<b>£19,595,136</b>

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**Progress is Satisfactory** e.g. contractual notice periods are being observed

Reference	Description	Owner	Value 2011/12	Progress	Comment
	Changes to Terms & Conditions	Mark Dale	£3,000,000	Green	Changes will be implemented from 1.4.2011. Saving value to be monitored
CE1	Modernising Democratic Services/Scrutiny Support - Reductions in staff and running costs for meetings	Sam Tunney	£120,000	Green	ICT development work ongoing, testing will commence 15 <sup>th</sup> April. Staff Consultation ongoing.
CE2	Review Civic / Mayoral Service - Reduction in mayoral function	Sam Tunney	£132,000	Green	Vacant post deleted. Staff Consultation ongoing
CE21	Civic Attendants Service - Revised staffing structure and invest to save proposals	Andrea Grant	£140,000	Green	A number of voluntary redundancies have been approved. Staff Consultation ongoing
	Cease Merseyside Policy Unit / North-West Policy Forum	Sam Tunney	£75,600	Green	Notice period
	Review of Learning & Development	Mike Fogg	£310,000	Green	Review underway
CE3	Managed print services via avarto	Linda Price	£100,000	Green	Contract negotiations complete, rollout scheduled
	Neighbourhoods Review	Graham Bayliss	£859,000	Green	Approved decommissioning activities underway
	Strategic Review of Sure Start Children's Centres	Peter Morgan	£900,000	Green	Review underway Ongoing Consultation Implementation of review scheduled for December 2011
	Redesign of the Youth Service	Peter Morgan	£500,000	Green	Redesign underway. A number of voluntary redundancies have been approved.
	Connexions Contract	Peter Morgan	£244,000	Green	
CS10	Parent Support Adviser – Coordinator	M McSorley	£80,000	Green	
CS11	Contact Point Funding Ceased £37, 787	M McSorley		Green	
CS-M1	Aim Higher Funding Ceased £89,350	Peter Morgan		Green	
CS – M5	Community Learning - Funding Reducing	Peter Morgan		Green	
PE1	Planning for Play Early Years Team - £175,313	Peter Morgan		Green	BLF ends 31/07/11 Surestart ends 31/03/11

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PE3 & 4	Cease TDA funded School Workforce Development Team Funding Ceased - £71,054	Peter Morgan		Green	
12	Pupil attendance (employment)	Colin Pettigrew	£60,000	Green	
14	Parent Partnership	Mike McSorley	£60,000	Green	
15	Early Years (Sufficiency & Sustainability funding (Surestart))	Peter Morgan	£492,000	Green	
16	Graduated Leader Support Programme (Surestart) -	Peter Morgan	£228,000	Green	Contract arrangements in place until 31st July 2011. Programme discontinued afterwards.
Tier 2	Sure Start Children's Fund	Peter Morgan	£147,000	Green	
Tier 2	Sure Start – Aiming High	Peter Morgan	£109,000	Green	
Tier 2	Parenting Team	Peter Morgan	£88,000	Green	
Tier 2	TAMHS (Schools)	Peter Morgan	£67,000	Green	
Tier 3	Families and Schools Together (FAST)	Peter Morgan	£114,000	Green	Rising to £173,000 in 2012/2013
Tier 3	Continuing Education Post 16	Peter Morgan	£186,000	Green	
Tier 3	Surestart (Dcatch Programme)	Peter Morgan	£500,000	Green	Rising to £173,000 in 2012/2013
External Funding	Youth Offending Service N/A There is a reduction of to 20% in external YJB funding	Colin Pettigrew		Green	
3	Income Increase (Disability Related Expenditure: increase % of people's disposable income from 65% to 80%)	Robina Critchley	£635,000	Green	
				Amber	Shortfall identified to Cabinet 3 <sup>rd</sup> March 2011 £52k
6	Inflation (withhold inflation elements to all providers)	Robina Critchley	£1,513,000	Green	Potential legal challenge from Care Homes Association
	Review of Specialist Transport - Reduction in overspend.	Jim Black		Green	Staffing and Management Review 18 voluntary redundancies have been approved. New Taxi/Bus framework agreement advertised through OJEU Separate report elsewhere on agenda
CM63	Review of Sefton Security operational practices	Jim Black	£330,000	Green	A number of voluntary redundancies have been approved, intention to

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					increase income to be monitored.
CM64	Building Cleaning - Raise income target by £100k	Jim Black	£100,000	Green	Additional income to be monitored.
8	Recycling (Reduced cost of recycling contract renewal)	Jim Black	£900,000	Green	Report elsewhere on agenda
CM20	Integrate Strategic Housing Function	Alan Lunt	£217,000	Green	
CM21	Reduce private sector housing support	Alan Lunt	£53,968	Green	
	Closure of Winsor House	Alan Lunt	£11,000	Green	
CM29	Introduce a charge for Development Control advice	Andy Wallis & Jane Gowing	£30,000	Green	
CM38	Senior European Officer	Andy Wallis		Green	
CM59	Economic Assessment - To support the development of a Local Economic Assessment through consultancy support in 2009/10	Andy Wallis & Jane Gowing	£65,000	Green	
20	Development Control (Department restructure)	Andy Wallis	£50,000	Green	
22	Car Parks Fees and Charges	Andy Wallis & Jane Gowing	£200,000	Green	
PE44	Coastal Defence - Project Delivery Funding Ceased	Andy Wallis		Green	
PE47	Work Place Travel team Funding has been confirmed for a further 12 months	Andy Wallis		Green	Funding to be monitored
	MELS Funding Ceased	Andy Wallis		Green	
Tier 2	Environmental Conservation & Coast Management	Andy Wallis & Jane Gowing	£181,000	Green	
PE45	Environmental Monitoring (Emissions Inventory) Funding for a further 12 months has been confirmed	Peter Moore		Green	Funding to be monitored
PE46	Recycling Education Funding Ceased	Peter Moore		Green	All actions have been taken
CM42	Increase fees for Network Mgt activities	Peter Moore	£30,000	Green	
Tier 3	Capita ad hoc variable budgets & R&M Estates	Peter Moore	£135,000	Green	



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SCL1(a)	Arts & Cultural Services - Cease all Council building based Arts Development work	Graham Bayliss	£139,000	Green	Staff under notice of Redundancy
SCL1 (b)	Arts & Cultural Services - Closure of Botanic Garden Museum	Graham Bayliss	£71,716	Green	Staff under notice of Redundancy
SCL 5(a)	Parks & Open Spaces - Reduce Grounds Management for Parks	Graham Bayliss	£100,000	Green	
SCL8 (a)	Libraries (Specialist Services)	Graham Bayliss	£136,000	Green	A number of voluntary redundancies have been approved. Service Review undertaken Review to be completed by 30 <sup>th</sup> June 2011.
SCL13	Libraries - Review Opening Hours	Graham Bayliss	£140,000	Green	
SCL14 (a)	Libraries (Management) - Reduce library management and admin support	Graham Bayliss	£68,000	Green	
SCL14 (b)	Libraries (Management) - Downsizing of library manager posts	Graham Bayliss	£139,000	Green	
SCL9 (a)	Sport & Leisure Centres - Management (Review and restructure Operational Management)	Graham Bayliss	£70,000	Green	
SCL15(b)	Sport & Leisure Centres - Review Opening Hours (at Splashworld and extend winter closure)	Graham Bayliss	£27,000	Green	Saving will be achieved from Sept 2011
SCL16 (a)	Sports & Leisure Centres - Discontinue inspections, bench marking services, monitoring, advertising, marketing etc	Graham Bayliss	£43,000	Green	
Tier 1	Leisure Centres	Graham Bayliss	£400,000	Green	Service Review undertaken Review to be completed by 31st July 2011.
SCL12 (a)	Tourism - Cancel Comedy Festival/Reduced advertising	Graham Bayliss	£55,000	Green	
SCL12(b)	Tourism - Reduce opening hours and staffing levels in Tourist Information Centre/Partial transfer of operational delivery of the pier to the concessionaire and other service areas/Reduce Security provision at Southport Market	Graham Bayliss	£72,000	Green	
PE35	Southport Partnership Funding Ceased	Graham Bayliss		Green	
SCL15(a)	Sport & Leisure Centres - Review Opening Hours	Graham Bayliss	£70,000	Green	
Tier 2	Coast & Countryside	Graham Bayliss	£306,000	Green	

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Tourism	Graham Bayliss	£292,000	Green	
Arts & Cultural Services	Graham Bayliss	£497,000	Green	Service Review undertaken Review to be completed by 30th August 2011.
<b>Total</b>		<b>£15,588,284</b>		

**Some progress, this is less than satisfactory or review scheduled to commence at a later date**

Reference	Description	Owner	Value 2011/12	Progress	Additional Comments
	Management & Support Costs - 25% reduction	Margaret Carney	£3,493,000	Amber	Officers working to address shortfall of £
	Review of Emergency Planning	Mike Fogg	£58,000	Amber	Review yet to commence
	arvato contract	Mike Fogg	£430,000	Amber	Negotiations ongoing
CE6	Telephony changes	Linda Price	£50,000	Amber	Lines identified and tariffs changing
CS8	Review Inclusion Service – Review of all SEN /Inclusion support services	Colin Pettigrew / Colin Oxley	£140,000	Amber	Revised structure being developed
BI3 -1	Education Welfare – Reduce service	Colin Oxley	£50,000	Amber	
CS – M4 (a)	Cease 14-19 Partnership	Peter Morgan	£406,862	Amber	Redundancy and pension issues being resolved.
11	Education psychologists	Colin Pettigrew	£100,000	Amber	2 x Trainee posts to cease 31st August 2011. Additional income to be identified.
Tier 3	Pupil Attendance	Peter Morgan	£92,000	Amber	Revised structure being developed. Saving increases to £140,000 in 2012/2013.
	Under Eights Service	Peter Morgan	£22,000	Amber	Notice period to be observed and end date confirmed. Saving increases to £29,000 in 2012/2013.
4	Commissioned Services	Robina Critchley	£3,000,000	Amber	Negotiations ongoing
7	Staff savings (delete 15 vacant posts)	Robina Critchley	£500,000	Amber	£278k identified to date
	Capita contract	Bill Milburn	£112,000	Amber	Review yet to commence
CM61	Cleansing Services - Charge for replacement Grey/Green Wheelie Bins	Jim Black	£10,000	Amber	Policy to be defined. ICT changes in progress. Report elsewhere on agenda
Tier 2	Affordable Warmth	Alan Lunt	£49,000	Amber	Reviewing options linked to CM41
CM41	Integrated Sustainability Function	Peter Moore	£58,000	Amber	Reviewing options linked to Affordable Warmth
	E&TS – Pest Control	Peter Moore	£30,000	Amber	Reviewing Options

Reference	Description	Owner	Value 2011/12	Progress	Additional Comments
SCL12 (c)	Tourism - Relocate Tourism offices to Southport Town Hall	Graham Bayliss	£20,000	Amber	Dependency on the Accommodation Strategy
	<b>Total</b>		<b>£8,562,862</b>		

**Known shortfalls or significant risk that the saving will not be achieved or a scheduled review is late in commencing**

Reference	Description	Owner	Value 2011/12	Progress	Comment
CE19(b)	Cease membership of North West Employers	Sam Tunney	£28,000	Red	12 month notice period to be observed, saving will be delivered in 2012/13
CE15	CAA Fees	John Farrell	£50,000	Red	Notice Period to be observed £50,000 2012/13
CE5	Rationalisation of Point of Sale & Bookings Software	Linda Price	£30,000	Red	Review yet to commence
	<b>Total</b>		<b>£108,000</b>		

	<b>Total Savings</b>		<b>£43,854,282</b>		
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**Savings to be delivered in future years**

Reference	Description	Owner	Value 2012/2013	Progress	Comment
CE19(a)	Cease membership of the LGA	Sam Tunney	£60,000	Green	Notice Period to be observed £60,000 2012/13
CM23	Increase Charge to Schools for Energy Advice	Alan Lunt	£10,000	Green	
CM24	Charge schools for Env Education or stop service	Alan Lunt	£17,500	Green	
23	Car Parks Contract Review (Retendering of Car Park Enforcement Contract from April 2012)	Jane Gowing	£100,000	Green	
26	Homelessness	Alan Lunt		Green	Progress is satisfactory - £31,000 (Reduction in staff numbers by one in 2013/14)
27	House Renovation Grants)	Alan Lunt		Green	£31,000 (Reduction in staff numbers by one in 2013/14)

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# Agenda Item 7

**REPORT TO:** Cabinet

**DATE:** 14<sup>th</sup> April 2011

**SUBJECT:** Future Arrangements for the Delivery of Connexions Services in Sefton

**WARDS AFFECTED:** All

**REPORT OF:** Margaret Carney, Chief Executive

**CONTACT OFFICER:** Eddie Sloan, 14 – 19 Manager - Tele: 0151 934 3410

**EXEMPT/  
CONFIDENTIAL:** No

**PURPOSE/SUMMARY:**

1. To inform Cabinet of the need to either serve notice on the termination of contract with the Greater Merseyside Connexions service by 31st March 2012, or subject to any changes in commissioning responsibility, extend a revised version of the contract until 2014.
2. To seek the approval of the Cabinet for officers to continue negotiations with the service, in conjunction with the other Liverpool City Region local authority areas, to obtain a reduction in service and therefore maximise savings in the final year of contract (2011/12).

**REASON WHY DECISION REQUIRED:**

1. To agree to propose a reduction in the core budget delivery for 2011/2012 based on a reduction in specific areas of activity, protecting front line delivery as far as possible. This reduction is currently being negotiated at around 13% in total. 11% (£240,000) of the potential 13% reduction was reported to the Cabinet of 3 March 2011 to include in the Council's Budget for 2011/12
2. To inform cabinet of the implications of the revised negotiations of contract, particularly the risks involved should the contract collapse mid term due to budgetary pressures

**RECOMMENDATION(S):**

1. Note that negotiations will continue with connexions to reach agreement on the wording of the conditions.
2. Note the current position in respect of the Connexions Service contract, including contract deadlines.
3. Authorise officers on behalf of the Council to continue to negotiate with Greater Merseyside Connexions Partnership in respect of the contract and service specification for future years, together with the other five Local Authority areas in the Liverpool City Region (LCR).

**KEY DECISION:** No

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**FORWARD PLAN:** No

**IMPLEMENTATION DATE:** After the expiry of "Call in Period" period following the publication of the minutes of the Cabinet Meeting

**ALTERNATIVE OPTIONS:**

**IMPLICATIONS:**

**Budget/Policy Framework:** None

**Financial:**

The payment to Connexions in 2011/12 for the core service has been treated as a contractual commitment during the budget preparation exercise which means that this budget has been protected from potential cuts. The full payment to Connexions is therefore currently provided for. Any negotiated savings for 2011/12 would result in equivalent savings to the Council's budget.

<b><u>CAPITAL EXPENDITURE</u></b>	<b>2011/ 2012 £</b>	<b>2012/ 2013 £</b>	<b>2013/ 2014 £</b>	<b>2014/ 2015 £</b>
Gross Increase in Capital Expenditure	0	0	0	0
Funded by:				
Sefton Capital Resources	0	0	0	0
Specific Capital Resources	0	0	0	0
<b><u>REVENUE IMPLICATIONS</u></b>				
Gross Increase in Revenue Expenditure	0	0	0	0
Funded by:				
Sefton funded Resources	0	0	0	0
Funded from External Resources				
Does the External Funding have an expiry date? YES	When, 31 <sup>st</sup> March 2012			
How will the service be funded post expiry?	Provision will cease or transpose into a new service (see notes under background below)			

**Legal:** It is assumed that the specific statutory responsibilities of the Local Authority for Information Advice and \Guidance services will remain in place for the foreseeable future.  
The view of the Halton Borough Council solicitor (confirmed by all the authorities' legal representation) is that the LCR authorities are

# Agenda Item 7

contractually committed to maintaining the level of spend on core services during the period ending at 31<sup>st</sup> March 2012. This is regardless of the fact that neither the main contract (Halton BC and GMCP) nor the Collaboration Agreements (HBC and each of five other LAs) have been signed. However the contract may be varied by agreement.

**LD50/11 LD78/11**

**Risk Assessment:** The key risk relates to the potential for a successful outcome of negotiations with GMCP in relation to a reduction in core contract delivery. In the event that the contract breaks down during the negotiation period, the council could become liable for certain significant costs associated with the staffing of the service

There are also risks associated with the Local Authority's statutory duties for Information Advice and Guidance and the ability to continue to deliver on this.

**Asset Management:** NA

## **CONSULTATIONS**

### **Finance – FD706**

The Head of Corporate Finance & ICT has been consulted and her comments have been incorporated in the report.

## **CORPORATE OBJECTIVE MONITORING:**

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community	/		
2	Creating Safe Communities		/	
3	Jobs and Prosperity	/		
4	Improving Health and Well-Being		/	
5	Environmental Sustainability		/	
6	Creating Inclusive Communities		/	
7	Improving the Quality of Council Services and Strengthening local Democracy		/	
8	Children and Young People	/		

## **LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT**

Report to Cabinet Member for Children's Services and to Cabinet (September 2009)

# Agenda Item 7

## **1. Background**

- 1.1 Any reductions in Connexions facilities in LA Under the previous Government, the Department for Children, Schools and Families transferred grant funding for Information Advice and Guidance (Connexions) Services from Government Office North West to the Local Authority, as part of the Area Based Grant. From that point it was for each Local Authority to commission 'Connexions' activity in line with statutory requirements, national specifications and local priorities.
- 1.2 A set of national standards for Information, Advice and Guidance (IAG) was established, and the Local Authority became statutorily responsible for (a) ensuring the implementation of the IAG standards and (b) ensuring that schools and colleges were delivering to those standards. The then Secretary of State also transferred to LAs the following statutory duties:-
  - Obligations to ensure careers services are provided for schools and college students;
  - Obligations to ensure the assessment of young people with learning difficulties and disabilities;
  - Obligations to ensure young people aged 13-19 are offered support to enable their effective participation in learning.
- 1.3 The six Liverpool City Region Authorities agreed in 2007/2008 to jointly commission a pan-Merseyside Connexions Service, with an interim transition arrangement led by Wirral Council. A procurement process under EU legislation was undertaken, and following competitive tendering the contract was offered to Greater Merseyside Connexions Partnership (GMCP). The new contract took effect on 1<sup>st</sup> January 2010.
- 1.4 Halton Borough Council acted as the lead authority on procurement, and holds the main contract with GMCP Ltd\*\*. The six Liverpool City Region Authorities have agreed a Collaboration Agreement that specifies ways of working between them when working within the framework contract. A contractual monitoring process is in place between them, led by Halton Council. Regular local monitoring meetings are held.

## **2. Current position**

- 2.1 The current contract with GMCP runs to March 2012, with an optional extension to March 2014, subject to government policy announcements. All authorities have paid in full for core delivery in 2010/2011. The total Liverpool City Region core contract value in 2011/2012 is £15.5 million. The proposed renegotiation would put the city region contract at circa £13,000,000.
- 2.2 For Sefton the original total annual contract value for 2011/12 is circa £2,444,065 , with the proposed new cost of the service in Sefton to be £2,118,563. This would represent a saving to the borough of 13.32% (circa £335,502). The final reductions will be finalised after completion of the negotiations. At the Cabinet of 3 March 2011, the initial agreed savings of £240,000 (11% of the potential 13%) were reported to include in the Councils Budget for 2011/12
- 2.3 Discussion is currently underway with GMCP regarding this potential reduction to the core service specification for 2011/12. Any changes would have to be agreed by all six authorities and by GMCP.



# Agenda Item 7

- 2.4 LAs will have to give notice to GMCP by 31<sup>st</sup> March 2011 as to whether they wish to extend the contract to 31 March 2014 or not.
- 2.5 The connexions service are complying with the request for a budget reduction, but to date have suggested the following conditions:  
(these conditions are purely operational and are very likely to change before negotiations are finalised).
- There is no further reduction during the term of the contract, to April 2012;
  - The framework contract value and service offer is binding on all 6 LAs and the contract management arrangements are managed in such a way as to reduce unnecessary bureaucracy and optimise economies of scale across the City region;
  - Local Authorities acknowledge and come to an agreement with GMCP about the costs of transition to the new contract value and service offer, estimated to be at least £500k (e.g. redundancy and related costs of areas). GMCP will guarantee the deployment of £13,017,200 in service delivery to clients if LAs underwrite the costs of transition. If transition costs are included in the contract price it will further reduce the level of service that can be offered in 2011/12 beyond £13,017,200;
  - Local Authorities, within the provisions of the existing Connexions contract, agree to guarantee an extension of the contract for a further 2 years from April 2012 as it applies to those services which remain the responsibility of LAs as determined by Government policy; this relates to the duty on LAs to provide careers and other support services to NEET young people and vulnerable young people in transition. This guarantee will be made in line with the Contract notice period of 12 months and agreed prior to any variation to the contract in line with these negotiations;
  - The changes outlined in an agreement will require consultation with a range of key stakeholders, including young people, schools, colleges and work based learning providers; this will require an agreed plan for the timing of and the way in which they will be implemented.

### **3. Policy information supporting the proposed decision**

- 3.1 The Education Bill identifies some policy on future IAG services for young people.
- 3.2 Local authorities will no longer have a duty to provide a universal careers guidance offer. They will retain the duty to support NEET young people and those who have LDD (including those up to the age of 24).
- 3.3 Schools will have duty requiring them to secure access to independent and impartial careers guidance for all pupils in the third and fourth key stages of their education. This needs to include information on all 16-18 education and training options, including apprenticeships. Many schools are likely to secure access to independent and impartial careers guidance by buying a service from the All Age Service or other providers of high quality guidance.
- 3.4 The Education Bill refers to, but does not establish, the New All Age Careers Service. The procurement model for All Age Careers Service is yet to be determined.
- 3.5 With the detail of the proposed changes being unclear, planning for next year and the discussions with Connexions need to remain as flexible as possible to work with potential further budget reductions and evolving Government policy.

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## 4. Next Steps

- 4.1 There will be a Liverpool City Region feedback meeting in advance of March 31<sup>st</sup> 2011 to discuss initial negotiation outcomes, at which a decision will be made about revision of the contract by each Liverpool City Region Council.
- 4.2 Through the LCR partnership, work will begin with GMCP and other partners, (including schools/colleges/providers), to develop a local transition plan.
- 4.3 The LCR framework contract manager will hold further meetings to work through the detail of the negotiations on the contract from April 2011 to ensure a framework for local discussions is in place

# Agenda Item 8

**REPORT TO:** Cabinet

**DATE:** 14 April 2011

**SUBJECT:** Development of Area Partnerships

**WARDS AFFECTED:** All

**REPORT OF:** Graham Bayliss, Director of Corporate Commissioning

**CONTACT OFFICER:** Steph Prewett, Assistant Director Neighbourhoods Ext 3485

**EXEMPT/  
CONFIDENTIAL:** No

**PURPOSE/SUMMARY:**

To inform Cabinet of progress to date in the development of Area Partnerships

To ask for agreement to the proposals set out in Annex I for a forward work plan to enable the progression of Area Partnerships across Sefton.

**REASON WHY DECISION REQUIRED:**

To allow progress to be made in further developing Area Partnerships and making them relevant to their geography

**RECOMMENDATION(S):**

It is recommended that the Cabinet:

- i) Note the outcomes of Member consultation
- ii) Note the achievements to date
- iii) Agree the proposed timeline for development to enable further work to progress to establish Area Partnerships in Crosby, Sefton East Parishes, Formby and Southport

**KEY DECISION:** Yes

**FORWARD PLAN:** Yes

**IMPLEMENTATION DATE:** 1<sup>st</sup> May 2011

**ALTERNATIVE OPTIONS:**

**To proceed with current arrangements**

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## **IMPLICATIONS:**

**Budget/Policy Framework:** No Implications.

**Financial:** The Head of Corporate Finance & Information Services has been consulted and has no comments on this report.

There are no implications.

**Legal:**

**Risk Assessment:**

**Asset Management:** No implications

### **CONSULTATION UNDERTAKEN/VIEWS**

The Head of Corporate Finance & ICT has been consulted and has no comments on this report. FD731/2011

The Head of Corporate Legal Services has been consulted and has no comments on this report - LD - 94/11

Consultation has been undertaken with Members and partners about the development of Area Partnerships

### **BACKGROUND PAPERS**

Cabinet and Council - Governance Review – Workstreams on the Sefton Borough Partnership and Area Management, 4 March 2010

Performance Cabinet - Governance Review – Workstreams on the Sefton Borough Partnership and Area Management, 17 February 2010

Cabinet Members – Communities and Performance and Governance 3 November 2010, 16 and 23 March 2011

Cabinet and Council - Transformation Programme and Final Revenue Budget Options 2011/12, 3 March 2011

**CORPORATE OBJECTIVE MONITORING:**

<b><u>Corporate Objective</u></b>		<b><u>Positive Impact</u></b>	<b><u>Neutral Impact</u></b>	<b><u>Negative Impact</u></b>
1	Creating a Learning Community	√		
2	Creating Safe Communities	√		
3	Jobs and Prosperity	√		
4	Improving Health and Well-Being	√		
5	Environmental Sustainability	√		
6	Creating Inclusive Communities	√		
7	Improving the Quality of Council Services and Strengthening local Democracy	√		
8	Children and Young People	√		

# Agenda Item 8

## **1.0 Background:**

- 1.1 Cabinet and Council agreed to the establishment of Area Based Thematics at relevant meetings on 4 March 2010. Further to consultation these have now evolved into Area Partnerships
- 1.2 The Area Partnerships are currently defined within the following geographical boundaries:
  - South Sefton
  - Crosby
  - Sefton East Parishes
  - Formby
  - Southport
- 1.3 Consultation has taken place with Members and partners around how they see the Area Partnerships developing and how they see themselves operating within them
- 1.4 Further to decision taken at last Cabinet on 3 March 2011 the Community Safety Area Partnerships are to be assimilated into the Area Partnerships and, therefore, the Area Partnerships will need to be operational to enable a smooth transition of this agenda.

## **2.0 Outcomes to Date**

- 2.1 The South Sefton Area Partnership has been established and evolved from the pre-existing Neighbourhood Regeneration Thematic Group. This group has agreed a governing document and has identified 2 key areas of work it would like to focus on.
- 2.2 The Southport Area Partnership will transition from the existing Southport Partnership, further additional stakeholder engagement will be carried out to help in determining priorities for its work programme.
- 2.3 It is widely accepted that a one size fits all approach will not work and so consultation has taken place with the other areas to establish how they see an Area Partnership working for them. There is a definite ambition to forge ahead with Area Partnerships. The outcomes of this consultation indicated:
  - Clear distinction needed between Area Committee and Area Partnerships: terms of reference and roles and responsibilities should be developed
  - Corporate sign up by all officers
  - Need Area Partnerships to have some kind of leadership and influence, particularly if don't have a direct budget to control.
  - Need clear remit and purpose if to avoid becoming a talking shop – clear outcomes and direction of travel. Danger of becoming another layer of bureaucracy with no real value if this isn't done.
  - Need to build on successful ad hoc arrangements already taking place around bringing partners together to deal with specific issues. Don't want duplication. Action and clear outcomes is the most important thing, and not having meetings for meetings sake.

Partnership working most successful when dealing with specific issues with a clear timescale.

- Recognition of what can and can't be dealt with at a local level and local priorities should reflect this. However, wherever possible services should be considered at the lowest level of decision making.
- Each area will need to set out how their Area Partnership can work for them and who needs to be on them.

2.4 Partners play a key role on the Area Partnerships regardless of their individual structure or set up and so consultation is ongoing with relevant partner agencies to ascertain how they see their involvement and how Area Partnerships can support them in delivery. Discussions have been positive and outcomes will be drawn together once all discussions are complete.

### **3.0 Proposed Timeline for Roll Out of Area Partnerships Across Sefton**

3.1 It is proposed that the roll out of Area Partnerships be carried out in a phased approach with Crosby and Sefton East Parishes being established first and Southport and Formby to follow once further groundwork has been done.

3.2 A timeline has been attached at Annex 1 to suggest suitable timescales for the implementation

### **4.0 Key Considerations for each Area Partnership**

4.1 It is not proposed to impose a model upon any of the Area Partnerships and so there are a number of key considerations to be made upon the establishment of any Area Partnership:

- Membership – Members, key partners, businesses, any other relevant partnerships. Each Area Partnership will need to determine numbers, how to decide upon who will be represented and issue of deputies.
- Schedule of meetings and agenda structure
- How to conduct business outside of meetings – additional special meetings, task and finish groups, electronic discussion
- Review process
- How it works with its Area Committee
- How it will determine its priorities

4.2 These issues will be addressed at the inaugural meeting or prior to this where appropriate

### **5.0 Feedback from Cabinet Members – Communities and Performance and Governance and Sefton Borough Partnership Operations Board**

5.1 Both Cabinet Member - Communities and Cabinet Member- Performance and Governance were in agreement with the contents of the report and will be kept informed of the development of Area Partnerships.

5.2 The Sefton Borough Partnership Operations Board met on 14 March 2011 and were extremely positive about the development of the Area Partnerships and fully supported the

# Agenda Item 8

value of their work. Partners on the Ops Board were positive about the emerging Area Partnerships, with encouraging comments about the early meetings of the South Sefton Area Partnership. Partners such as Police and Fire Service were enthusiastic about working with Area Partnerships and emphasised the need to pick up good practice from other partnerships. Concerns raised by NHS Sefton about the possible difficulty in attending a number of meetings were alleviated by the fact that attendance would be based upon relevance and need.



**Appendix A**

	<b>April</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>August</b>	<b>September</b>	<b>October</b>	<b>November</b>	<b>December</b>
<b>South Sefton</b>	Area Partnership Meeting	Task and Finish Groups <i>(or locally determined approach to business)</i>		Area Partnership Meeting	Task and Finish Groups <i>(or locally determined approach to business)</i>		Area Partnership Meeting	Task and Finish Groups	
		Work programming						Review and Evaluation	
<b>Crosby</b>		Inaugural Meeting	1 <sup>st</sup> Theme Meeting						
			Work Programming						
<b>Sefton East Parishes</b>		Inaugural Meeting	1 <sup>st</sup> Theme Meeting						
			Work Programming						
<b>Southport</b>			Transitional arrangements moving Southport Partnership into new Southport Area Partnership						6 month progress review
			Stakeholder engagement to define priorities						
<b>Formby</b>		Further consultation and planning			Inaugural Meeting*	1 <sup>st</sup> Full Meeting*		Task and Finish Groups <i>(or locally determined approach to business)</i>	
						Work Programming*			
<b>Overall</b>	Report to Cabinet								

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# Agenda Item 9

**REPORT TO:** Cabinet

**DATE:** 14 April 2011

**SUBJECT:** Kirwan House

**WARDS  
AFFECTED:** Cambridge

**REPORT OF:** Peter Morgan  
Strategic Director – People

**CONTACT  
OFFICER:** Mike McSorley 0151 934 3428  
[Mike.mcsorley@sefton.gov.uk](mailto:Mike.mcsorley@sefton.gov.uk)

**EXEMPT/  
CONFIDENTIAL:** No

**PURPOSE/SUMMARY:**

To approve actions in relation to the site of a former Children's Home at Kirwan House, Southport.

**REASON WHY DECISION REQUIRED:**

Cabinet are required to consider applications to declare assets surplus in accordance with the Council's Asset Management Strategy.

**RECOMMENDATION(S):**

The Cabinet is recommend to declare that Kirwan House is surplus to the Council's requirements and be disposed of in line with the Council's Asset Management Strategy

**KEY DECISION:** No

**FORWARD PLAN:** No

**IMPLEMENTATION DATE:** Following the expiry date of the call in period for the minutes of this meeting

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**ALTERNATIVE OPTIONS:**

The building is not required for use by other Council Departments

**IMPLICATIONS:**

**Budget/Policy Framework:**

None

**Financial:** The Council will receive a Capital receipt following the disposal of the property

<b><u>CAPITAL EXPENDITURE</u></b>	<b>2006/ 2007 £</b>	<b>2007/ 2008 £</b>	<b>2008/ 2009 £</b>	<b>2009/ 2010 £</b>
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<b><u>REVENUE IMPLICATIONS</u></b>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

**Legal:** Any disposal shall be in accordance with the relevant requirements

**Risk Assessment:** If appropriate the Council can retain a measure of control

through covenants included in the disposal documentation.

**Asset Management:** Included in the report

**CONSULTATION UNDERTAKEN/VIEWS**

The Head of Corporate Finance & ICT has been consulted and has no comments on this report. **FD733 /2011**

The Head of Corporate Legal Services has been consulted and has no comments on this report. **LD 97/11**

**CORPORATE OBJECTIVE MONITORING:**

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community			
2	Creating Safe Communities			
3	Jobs and Prosperity			
4	Improving Health and Well-Being			
5	Environmental Sustainability			
6	Creating Inclusive Communities			
7	Improving the Quality of Council Services and Strengthening local Democracy			
8	Children and Young People			

**LINKS TO ENSURING INTEGRATION:**

N/A

**IMPACT UPON CHILDREN'S SERVICES TARGETS AND PRIORITIES:**

N/A

**LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT**

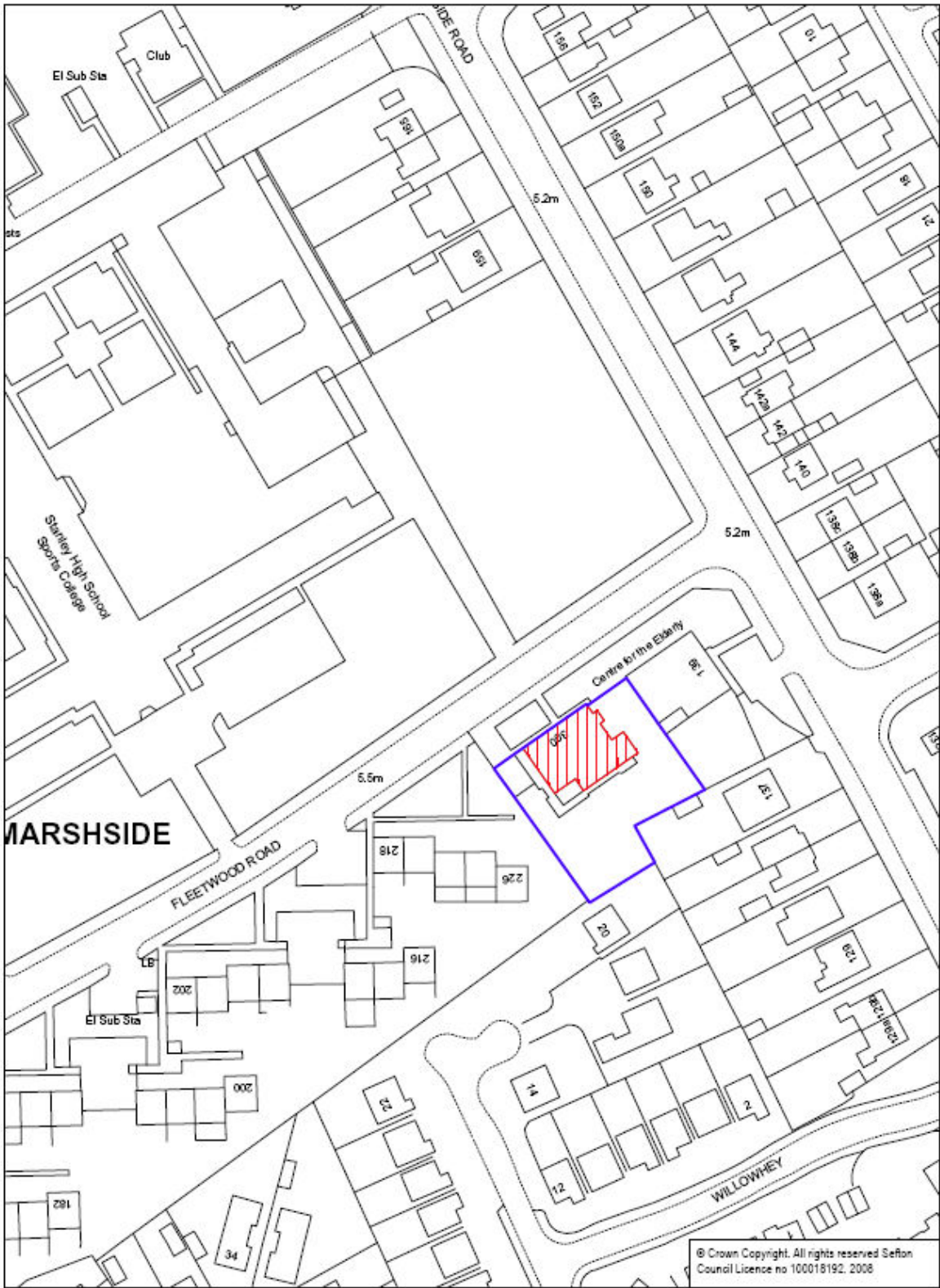
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## **BACKGROUND:**

1. The Council approved the closure of Kirwan House a 10 bed children's home some time ago with a resolution that alternative provisions be put in place before it is decommissioned.
2. The alternative provision which was approved comprises a new community team, made up from the former Kirwan House staff. This team works closely with the families in order that young people are able to remain living at home rather than becoming looked after.
3. As part of the process Kirwan House is now being decommissioned and this is scheduled to be complete by 31 March 2011.
4. Once fully decommissioned the building will no longer be required by the Council and is surplus to requirements. It is therefore recommended that the property be formally declared surplus to the Council's requirements. A plan of the site is attached to this report.
5. Should members agree to declare the property surplus to requirements the property will be disposed of on the open market in line with the Council's Asset Management Strategy when market conditions are appropriate.
6. Any offers received will be reported to Cabinet for approval.
7. In the interim an appropriate revenue budget will be retained to meet the holding costs of the property.

Annexe A

Kirwan House



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# Agenda Item 10

**REPORT TO:** Cabinet

**DATE:** 14 April 2011

**SUBJECT:** The Transfer of Land on Change of Status

**WARDS AFFECTED:** Derby

**REPORT OF:** Peter Morgan  
Strategic Director - People

**CONTACT OFFICER:** Mike McSorley (0151 934 3428)

**EXEMPT/  
CONFIDENTIAL:** NO

**PURPOSE/SUMMARY:**

The purpose of this report is to advise Members of the change of status of Hillside High School and to seek approval for the subsequent land transfer.

**REASON WHY DECISION REQUIRED:**

The Cabinet has delegated powers to approve the land transfer detailed in this report.

**RECOMMENDATION(S):**

The Cabinet is recommended to:-

- i). note the change of status of Hillside High School;
- ii). approve the land transfer detailed in this report;
- iii). request the Strategic Director - Place and the Acting Head of Corporate Legal Services to progress the transfer.

**KEY DECISION:** No.

**FORWARD PLAN:** Not appropriate.

**IMPLEMENTATION DATE:** Following the expiry of the "call-in" period for the Minutes of the Cabinet meeting.

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## ALTERNATIVE OPTIONS:

Not appropriate.

## IMPLICATIONS:

**Budget/Policy Framework:** None.

**Financial:** The direct costs associated with the transfer of the land are the responsibility of the Local Authority and these legal costs can be contained within the existing Service Level Agreement between Legal Services and Children, Schools & Families.

<b><u>CAPITAL EXPENDITURE</u></b>	<b>2010/ 2011 £</b>	<b>2011/ 2012 £</b>	<b>2012/ 2013 £</b>	<b>2013/ 2014 £</b>
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<b><u>REVENUE IMPLICATIONS</u></b>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton Funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

**Legal:** The transfer of land will be carried out in line with the relevant legislation detailed in 'The transfer disposal of school land in England: A general guide for Schools, Local Authorities and the Adjudicator'.

**Risk Assessment:** Not appropriate.

**Asset Management:** A Foundation School will remain a full part of the Council's school's asset management planning process and the schools would be treated equally in terms of government support for capital investment.

**CONSULTATION UNDERTAKEN/VIEWS**

The Acting Head of Corporate Legal Services has been consulted on this report and his comments have been incorporated into this report. **LD0068/11.**

The Interim Head of Corporate Finance & Information Services has been consulted and has no comments on this report. **FD673/2011.**

**CORPORATE OBJECTIVE MONITORING:**

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		✓	
2	Creating Safe Communities		✓	
3	Jobs and Prosperity		✓	
4	Improving Health and Well-Being		✓	
5	Environmental Sustainability		✓	
6	Creating Inclusive Communities		✓	
7	Improving the Quality of Council Services and Strengthening local Democracy		✓	
8	Children and Young People		✓	

**LINKS TO ENSURING INTEGRATION:**

Not appropriate.

**IMPACT UPON CHILDREN, SCHOOLS & FAMILIES TARGETS AND PRIORITIES:**

Not appropriate.

**LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT**

None.

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## **THE TRANSFER OF LAND ON CHANGE OF STATUS**

### **1. Background**

- 1.1 The Education and Inspection Act 2006 has placed a duty on all local authorities to exercise their powers to secure diversity in the provision of schools and increase the opportunities for parental choice. The Act has included provision for a Community School to change category to a Foundation School.
- 1.2 A Foundation School is maintained by the Local Authority but owns its assets, employs its own staff and is its own admission authority.
- 1.3 It is a requirement of the Education and Inspection Act 2006 that on the implementation date for the school becoming a Foundation School all land and buildings held and used by the school for the purposes of the school will transfer by relevant statute to the Foundation School.
- 1.4 All major building and land asset transfers within Sefton Borough Council require Cabinet approval, under the Council's Constitution. This report seeks approval from Cabinet for the transfer of land associated with Hillside High School.

### **2. Hillside High School**

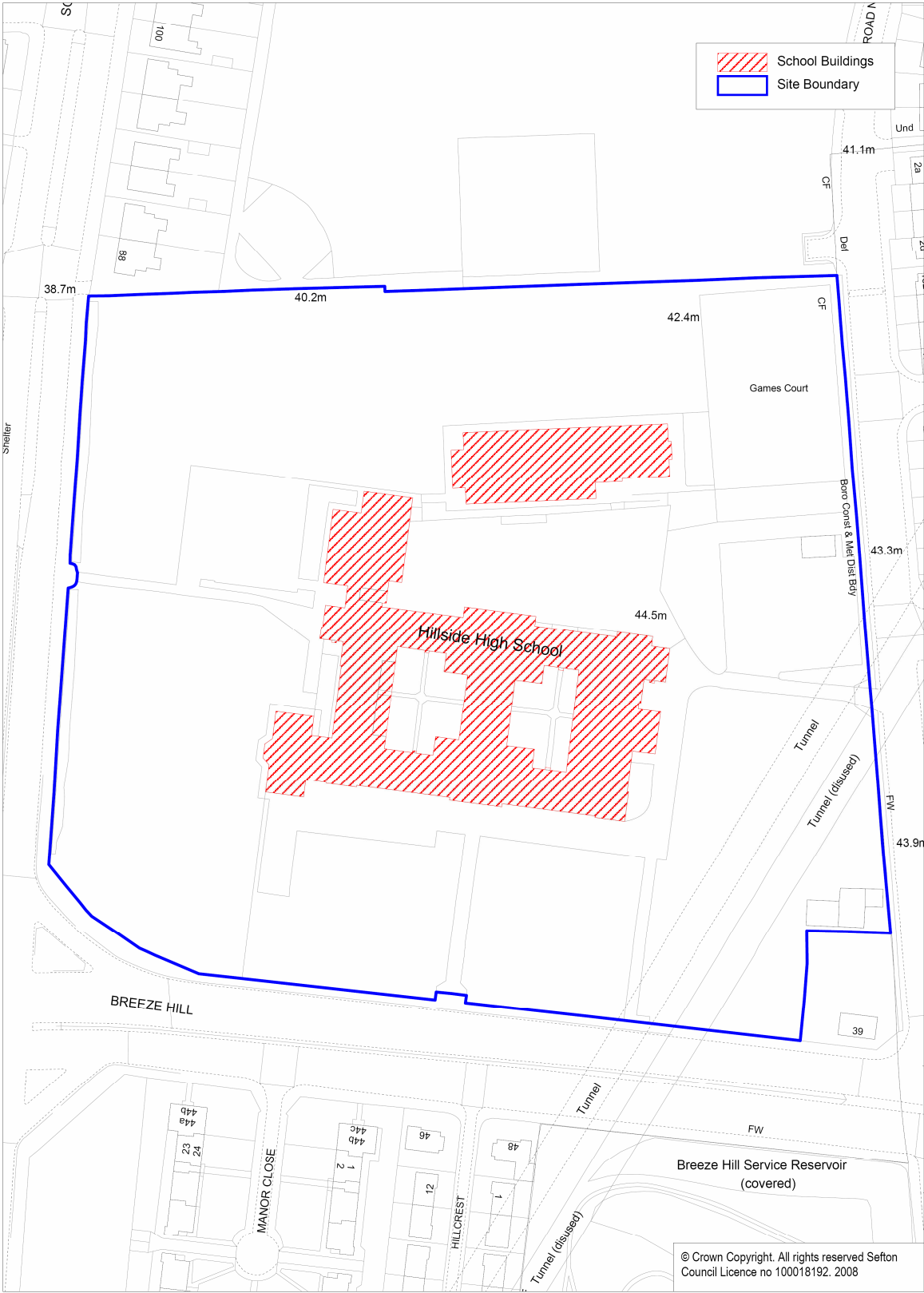
- 2.1 Hillside High School changed from a Community to Foundation School on 5 July 2010 having consulted on the proposal earlier in the year and having published a Statutory Notice on 4 March 2010.

### **3. Proposal**

- 3.1 It is proposed that the land and building assets of Hillside High School be transferred from the Local Authority to the Foundation Governing Body with effect from the date that the Transfer Deed is completed. The plan at Appendix A shows the extent of the land and buildings.
- 3.2 It should be noted that the area of Stuart Road Playing Fields is not part of the school site and will not be included in the Land Transfer. However, the school has use of these facilities during the school week and this arrangement will continue.
- 3.3 The Governing Body will have the legal title to the land and assets. The direct costs associated with the transfer of the land will be the responsibility of the Local Authority. However, the Local Authority and Foundation will be responsible for their own legal or other professional advisors' costs or fees incurred in connection with the transfer of land. If the property ceases to be used for educational purposes then the property will be transferred back to the Council for nil consideration.
- 3.4 Members should note that no capital receipt accrues to the Council on transfer to the trust.

## Appendix A

### Hillside High School - Site Plan



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**REPORT TO:** Cabinet

**DATE:** 14<sup>th</sup> April 2011

**SUBJECT:** Lander Road Primary School – Building Works

**WARDS AFFECTED:** Litherland

**REPORT OF:** Peter Morgan  
Strategic Director – Place

**CONTACT OFFICER:** David Kay, Client Manager (0151 934 4527)  
[David.kay@sefton.gov.uk](mailto:David.kay@sefton.gov.uk)

Mike McSorley, Service Director (0151 934 3428)  
[Mike.mcsorley@sefton.gov.uk](mailto:Mike.mcsorley@sefton.gov.uk)

**EXEMPT/ CONFIDENTIAL:** No

**PURPOSE/SUMMARY:**

The report is to update members on the position with regards to the appointment of a replacement contractor for the completion of the Lander Road CP school project.

**REASON WHY DECISION REQUIRED:**

To provide financial underwrite of the funding necessary to complete the project and allow the works to recommence as soon as possible.

**RECOMMENDATION(S):**

Cabinet is recommended to:

- (i) Approve an increase of £195,559 in Capital Funding underwrite for the Lander Road Primary School project until such time as funding anticipated through a claim against the performance bond may be realised. The additional funding requirement will be met from within the existing Children's Services Capital Programme provision.
- (ii) Subject to (i) above, authorise the Head of Corporate Legal Services to terminate the existing contract with ROK Building Ltd and enter into a formal contract with the second lowest original tendering contractor in the maximum sum of £783,654.
- (iii) note that the Chair of the Scrutiny and Review (Cabinet; Performance and Corporate Services) has been requested to consent, under Rule 17 of the Scrutiny Procedure Rules, to the call-in period being waived in respect of this matter.

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**KEY DECISION:** No

**FORWARD PLAN:** Not Appropriate

**IMPLEMENTATION DATE:** Immediately following this meeting subject to authorisation to waive call in.

**ALTERNATIVE OPTIONS:**

All reasonable alternative options will be considered with priority being given to those affording the Council the best opportunity to complete the outstanding works as quickly as possible and at no additional cost.

**IMPLICATIONS:**

**Budget/Policy Framework:** There is currently a provision of £1,895,870 in the Children’s Schools and Families Capital Programme in connection with the Lander Road Primary School project.

**Financial**

Although advice is such that the majority of the extra cost necessary to complete the works will be recovered from the administrator or as a claim against the bond it will be necessary to provide a funding underwrite of £195,559 until such time as the works are completed. The additional funding requirement will be met from within the existing Children’s Services Capital Programme provision.

<b><u>CAPITAL EXPENDITURE</u></b>	<b>2010/ 2011 £</b>	<b>2011/ 2012 £</b>	<b>2012/ 2013 £</b>	<b>2013/ 2014 £</b>
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<b><u>REVENUE IMPLICATIONS</u></b>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	N/A			
How will the service be funded post expiry?	N/A			



**Legal:** See below

**Risk Assessment:** The key risk is that the Council will not be able to claim the full value of the bond and will have to fund any gap from existing capital resources in the CSF capital programme.

**Asset Management:** Completion of the building works in a timely manner is essential to make best use of the Council's asset

**CONSULTATION UNDERTAKEN/VIEWS**

The Children's Schools and Families Department have been consulted and any comments have been taken into account in preparing this report.

FD comment: The Head of Corporate Finance & Information Services has been consulted and has no comments on this report. (FD 730)

LD Comment: The Head of Corporate Legal Services has been consulted and his comments have been incorporated into this report. (LD 00092/11)

**CORPORATE OBJECTIVE MONITORING:**

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Creating Safe Communities		√	
3	Jobs and Prosperity		√	
4	Improving Health and Well-Being		√	
5	Environmental Sustainability		√	
6	Creating Inclusive Communities		√	
7	Improving the Quality of Council Services and Strengthening local Democracy		√	
8	Children and Young People		√	

**LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT**

Children Schools and Families Capital Programme

# Agenda Item 11

## **1.0 Background**

- 1.1 ROK Building Ltd, who had been engaged to carry out various contracts on behalf of the Authority, entered administration on 8<sup>th</sup> November 2010.
- 1.2 Members will recall that reports advising of this, and providing updates of progress, have been presented to Cabinet at its meetings on 16<sup>th</sup> December 2010, 27<sup>th</sup> January and 17<sup>th</sup> February 2011.
- 1.3 At the meeting on 17<sup>th</sup> February 2011 Cabinet approved proposals for re-commencement of the works on the Southport Market and Kew Woods Primary School projects
- 1.4 At the same meeting Cabinet also approved proposals for the re-commencement of the Lander CP School project subject to certain conditions being met. Although these conditions have now essentially been met the circumstances, and potential risk to the Authority, are such that it is necessary to provide a further update and to seek additional authorisation before proceeding.

## **2.0 Impact of the delayed building programme on the school**

- 2.1 The delay to the building work at the school is having a significant impact on the school's ability to properly deliver its curriculum requirements and much teaching and learning has to take place in an unsuitable environment. There is a significant reduction in the facilities available to staff and pupils as approximately 1/3 of the school site is mothballed pending a decision on the recommencement of building work.
- 2.2 As well as the adverse impact on the pupils and their education the mothballed building site is having a detrimental effect on the local neighbourhood and there have been a number of thefts of stored building materials.
- 2.3 At a meeting on 18<sup>th</sup> March the Strategic Director was presented with a petition of 437 signatures from parents of pupils, staff and local residents as a show of "support for the building work at Lander Road Primary School to recommence as our children are suffering". At the meeting with the Cabinet Member and Strategic Director, which was attended by staff, parents Governors and Ward Councillors, the background and latest position was outlined and staff and parents provided practical examples of the impact the delay in completing the work was having on the pupils in the school.

## **2.0 Contractual and Financial Issues**

- 2.1 Provided the Authority takes reasonable steps to mitigate any costs arising it is entitled to utilise monies held against ROK Building Ltd and to make a claim against the performance bonds, in order to cover any increased costs incurred in completion of the works. Any costs that cannot be met in this way will however have to be met by the Authority.

- 2.2 Capita Symonds have established a cost of £783,654 for completion of the works with the second lowest original tendering contractor. Taking this, and other costs associated with the delay and re-engagement exercise into account the total scheme cost is expected to exceed the current funding allocation by some £205,853.
- 2.3 Capita Symonds have satisfied themselves that this cost is reasonable and that the Authority will therefore be entitled to seek maximum recovery, the specifics being as follows:

Total additional Cost		£205,853
Met from monies held against ROK Building Ltd	£10,294	
Met through a claim against the performance bond	£152,194	£162,488
		<hr/>
<b>Balance to be met by Sefton</b>		<b>£43,365</b>

- 2.4 However the initial view of the bondsperson is that they do not accept any liability in respect of this project.
- 2.5 Although it is believed that this view is demonstrably wrong, and may indeed be simply an initial standpoint taken to illicit a favourable compromise agreement, this does perhaps demonstrate that the process to secure a favourable outcome of a claim against the bond will not necessarily be straightforward.
- 4.0 Proposals to Proceed**
- 4.1 Clearly it is desirable to proceed to re-commence and complete the outstanding works as soon as possible in order to mitigate any further impact upon the operation of the school as outlined in section 2.0 above.
- 4.2 However, neither the administrator nor the bondsperson are required to agree a settlement with the Authority at this stage. Indeed legal advice is that the bondsperson is entitled to hold from the Authority all of any justified claim against the bond until the works are completed and the final costs established.
- 4.3 It will therefore be necessary to consider undertaking to complete the works without the funding, or even the reassurance on funding, that agreement with the administrator or bondsperson would have brought.

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- 4.4 The authority would appear to have little option other than committing to complete the project works and at the same time instructing Capita Symonds to pursue a claim against the bond with all vigour in order to maximise the amount of any claim and mitigate any financial impact upon the Authority.
- 4.5 Based upon the advice of Capita Symonds it is anticipated that all but £43,365 of the additional cost likely to be incurred by the Authority should be met. It should be noted however that there is an element of risk that not all of the anticipated funding will be forthcoming.
- 4.6 In the event that not all anticipated funding is realised the Authority will investigate the reasons why this has not been possible and may need to seek recovery from other sources.

## **5.0 Financial Implications**

- 5.1 Although it is anticipated that the vast majority of the funding necessary to complete the project will be provided from monies held against ROK and through a claim against the bond this will not be confirmed until after the works are completed and the justification of the Authority's claim established.
- 5.2 It will therefore be necessary to provide a funding underwrite of £195,559 to complete the works, this being the total additional cost less the monies currently held against ROK.
- 5.3 The additional funding requirement both initially and following final agreement with the administrator and bondsperson will be met from within the existing Children's Services Capital Programme provision.
- 5.4 In the event that specific additional financial resources are required in order to pursue the claim against the bond through legal avenues a further report will be made to Members setting out the associated financial implications.

# Agenda Item 12

**REPORT TO:** Cabinet Member – Environmental  
Cabinet

**DATE:** 6 April 2011  
14 April 2011

**SUBJECT:** Recycling Collection Services - Award of Contract

**WARDS AFFECTED:** All Wards

**REPORT OF:** J G Black  
Director of Street Scene

**CONTACT OFFICER:** Jim Black, Tele: 0151 288 6133

**EXEMPT/CONFIDENTIAL:** No

**PURPOSE/SUMMARY:**

To determine the scope of Recycling Collection Services and to establish appropriate contractual arrangements for the provision of the services during the period 1<sup>st</sup> August 2011 to 31<sup>st</sup> July 2016.

**REASON WHY DECISION REQUIRED:**

To recommend and agree the scope for recycling collection services and award a contract for the provision of recycling collection services for the period 1<sup>st</sup> August 2011 to 31<sup>st</sup> July 2016.

**RECOMMENDATION(S):**

That the Cabinet Member – Environmental considers the information presented and recommends;

- i the scope of recycling collection service to be provided in future.
- ii that a contract be awarded to Tenderer D to reflect the agreed scope of service.
- iii that Cabinet agrees the level of savings arising from this decision, and if necessary, consider any growth required in future years as Local Authorities will be required by statute to separately collect plastic and cardboard from 2015 onwards.

**That Cabinet:**

- i approve the scope of recycling collection services that will form the basis for a contract, as recommended by the Cabinet Member – Environmental.
- ii agree to award a contract to Tenderer D for the provision of the recycling collection services for the period 1<sup>st</sup> August 2011 to 31<sup>st</sup> July 2016, with the option to extend the contract period up to a maximum of 2 years, subject to satisfactory performance.
- iii agree the level of savings arising from this decision, and if necessary, consider any growth required in future years.

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<b>KEY DECISION:</b>	Yes
<b>FORWARD PLAN:</b>	Yes
<b>IMPLEMENTATION DATE:</b>	Following the expiry of the 'call-in' period for the Minutes of this meeting

<b>ALTERNATIVE OPTIONS:</b>
None, due to the value of the recycling collection services contract a formal arrangement must be established in accordance with European and UK procurement legislation.
<b>IMPLICATIONS:</b>
<b>Budget/Policy Framework:</b>

## Financial:

The tendering process will achieve a significant saving against the future estimated budget allowed for the provision of recycling collection services. The amount saved will ultimately be governed by the scope of the new contract, the lowest (full year) saving could be £600k should an enhanced service be chosen, or as much as £1.6m (full year) if members opt to maintain the current service levels. Members should be mindful that if a decision to defer moving to an enhanced service is made and the maximum saving taken budget growth will be required in future, from the point at which an enhanced service is agreed. Local Authorities will be required by statute to separately collect plastic and cardboard from 2015 onwards.

	<b>2011/ 2012 £</b>	<b>2012/ 2013 £</b>	<b>2013/ 2014 £</b>	<b>2014/ 2015 £</b>
<b><u>CAPITAL EXPENDITURE</u></b>				
Gross Increase in Capital Expenditure				
Funded by:				
Prudential Borrowing				
Sefton Capital Resources				
Specific Capital Resources				
<b><u>REVENUE IMPLICATIONS</u></b>				
Gross Increase in Revenue Expenditure	(pro-rata) See	See above		

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	above			
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

**Legal:** N/A

**Risk Assessment:** None

**Asset Management:** N/A

## CONSULTATION UNDERTAKEN/VIEWS

Legal LD80/11 – The Acting Head of Corporate Legal Services has been consulted and his comments have been incorporated in the report.

Finance FD709 – The Head of Corporate Finance & ICT has been consulted and her comments have been incorporated into this report.

Overview & Scrutiny – Regeneration & Environmental Services

## CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Creating Safe Communities		√	
3	Jobs and Prosperity		√	
4	Improving Health and Well-Being		√	
5	Environmental Sustainability	√		
6	Creating Inclusive Communities		√	
7	Improving the Quality of Council Services and Strengthening local Democracy	√		
8	Children and Young People		√	

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## **LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT**

Previous reports on this subject to Cabinet Member – Environmental, Cabinet and Overview & Scrutiny Committee (Regeneration & Environmental Services)



## Background

1. The current arrangement for the provision of the dry recycling collection service (including food waste) and bring sites was established in February 2010, when the previous contractor entered into administration. This interim arrangement has enabled recycling collection services to continue to be provided whilst the Council conducts a formal procurement process to establish a new contractual arrangement. The interim arrangement is in place until 31<sup>st</sup> July 2011 to provide a reasonable mobilisation period following a formal award of contract.
2. A significant number of vehicles were purchased, via external capital funding provided by the Department of Food and Rural Affairs (Defra), and were made available to the previous Contractor for use on the initial dry recycling collection contract when it commenced in 2004. A new fleet of vehicles will be required for the new contract. It was reasonable to assume that the cost of the new contract would be significantly more than the current arrangement and therefore £1.9m was initially incorporated into the forecast budget via the medium term financial plan (MTFP), this was later reduced via the efficiency savings exercise to £1m.
3. Due to the nature and the scale of the procurement exercise to explore the scope of the service(s) to be procured, produce complex tender documents, determine timescales, manage the project and establish a robust method for evaluating tenders, it was established and agreed that a consultancy experienced in all aspects of the procurement process and more importantly the provision of recycling services would be required to assist with this project.

## Scope of the Contract

4. Due to concerns about the overall cost of providing recycling collection services in future it was established that the new contract would include the following elements, as priced options;
  - Option 1 - 'Core Service'; the weekly collection of recyclable materials, as per current service (including food), directly from households.
  - Option 2 - provision of a 'Bring Site Service' e.g. collection, emptying of containers and cleanliness of the sites
  - Option 3 - the addition of 'Plastic' to the core service
  - Option 4 - the addition of 'Cardboard' to the core service
  - Option 5 - Core with plastic & cardboard added plus Bring Site Service

Breaking the service into the above elements provides the Council with the opportunity to determine the level of service that can be funded and therefore the scope of the contract that will be awarded.

5. Following informal market consultation with prospective bidders, it was determined that a contract period of five years would be the most viable option upon which tenderers could bid, as this represents a reasonable period for depreciating vehicle costs. A shorter contract period would over-inflate tendered prices. The contract upon which tenders have been invited is for five years,

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commencing on the 1<sup>st</sup> August 2011 through to 31<sup>st</sup> July 2016, with an option to extend for up to 2 years to 31<sup>st</sup> July 2018, subject to satisfactory performance and at the Council's discretion.

## Procurement Process

6. Due to the anticipated cost of the contract for recycling collection services Sefton is obliged to conduct a formal tendering exercise, in accordance with European and UK procurement legislation. Operational Services staff has liaised closely with colleagues in the Finance Department's Central Purchasing Unit and Legal Services throughout the formal procurement process.
7. It was established that an accelerated restricted process would be used. This is a 2-stage process that is carried out via reduced timescales as the process is administered electronically. The first stage invites interested companies to submit a pre-qualification questionnaire (PQQ). These are then evaluated to determine a shortlist of companies to be invited to tender (ITT) at the second stage of the process.
8. Delegated Authority was granted to the Operational Services Director to invite tenders following evaluation of PQQ's. Twelve PQQ's were received and following evaluation the following 5 companies were invited to tender;
  - Acumen
  - Brysons
  - Enterprise
  - HW Martin
  - Palm Recycling

## Tender Evaluation

9. Tenders were received from all of the above however Legal advised that one of the tenders received was invalid and therefore should not be evaluated. The tenderer concerned will be notified immediately following approval to award the recycling collection services contract.
10. The remaining tenders were evaluated in accordance with the details stated in the contract documents. The evaluation was assessed on a price/quality basis with a 60/40 weighting.
11. The four valid tenders were first analysed in respect of price. A formula developed by the consultancy, who co-ordinated and facilitated the production of the contract documents and the evaluation exercise, was applied to transform the prices into scores, see Appendix A.
12. All four tenders were also scored in respect of quality, based on assessment of the following criteria:
  - Service Delivery 12%
  - Technical Solution 20%

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- Innovation 5%
- Compliance with Council Policy 3%

13. Evaluation was conducted, over a period of two weeks, by officers in the Operational Services Department and also by the consultancy. The following specific aspects of tenders were considered for compliance and/or quality by colleagues in other sections/departments, as follows;

- Health and Safety (Health Unit/Personnel)
- Legal and Contractual issues (Corporate Legal Services)
- Tendered Sums (Finance)

14. Following the above, a moderation exercise was conducted to determine the overall evaluation of tenders received. Staff from Operational Services, Finance (Central Purchasing) and representatives from the consultancy formed the moderation panel. The panel received feedback on the first day of moderation from Legal in relation to contractual compliance and other legal matters and from Finance in relation to their initial evaluation of tendered prices. The Health Unit conducted a joint evaluation of this specific aspect of tenders with the Cleansing Manager. The findings were considered along with individual assessments of Health and Safety submissions, by the panel.

15. The panel considered the individual scores awarded in relation to 'quality' and a moderated score for each element of the above criteria (stated in 12 above) was agreed. The moderated scores were incorporated into an overall scoring template and the outcome of this can be seen in Appendix A.

16. A full financial assessment has been undertaken to determine the viability of the lowest tendered price for all options.

17. The option to enhance the current service by adding plastic and cardboard can be contained within the forecast budget. However the cost of adding these materials is still significant at around £1.1m per year. Whilst the inclusion of plastic and cardboard will increase recycling tonnages and divert this waste from landfill it will not produce a major increase in the recycling percentage rate, nor is such an increase necessary at this time.

18. There is currently no statutory requirement to collect plastic and cardboard although it is required from 2015 onwards. Therefore the Council has time to consider what would be the most viable and affordable way of collecting these materials in the future to comply with any legislative requirement.

19. Should the Council opt to continue with the present level of service for kerbside collection, without enhancement (option 1) the level of savings available would be £1.6m per full year. However should the Council opt to enhance the service (option 5) by adding the collection of plastic and cardboard at the start of the contract then the level of saving available would reduce to £600k per full year. However in making this decision and taking the maximum saving now it should be noted that budget growth would be needed in later years to allow for the future collection of plastic and cardboard.

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20. Should the choice be made to defer a move towards enhancing the service an alternative method for collecting plastic and cardboard could be explored in the future. An example is 'co-collection' this may involve providing a third wheelie bin into which plastic and cardboard and other recyclates could be placed (mixed together) and then taken to a Merseyside Waste Disposal Authority site for sorting.
21. Work was carried out during the evaluation process to assess the lowest tenderer's ability to provide the same level of service that is currently provided, i.e. Core Service plus Bring Sites (Options 1 & 2 only) at a much lower price than other tenders. A financial exercise was carried out to project expenditure likely to be incurred by the contractor based on tender information submitted. The exercise also projected the level of income likely to be achieved from contractual payments and the sale of recyclable materials. Whilst the price tendered is significantly low the financial exercise would suggest that this tender is viable and should produce a profit for the contractor. The Council can therefore have confidence that in choosing Tenderer D the saving for continuation of the current service (option 1 & 2) would realize the full year saving of £1.6m identified in this report.
22. A confidential briefing session was conducted on the 8<sup>th</sup> March 2011 with members of the Overview and Scrutiny Committee – Regeneration and Environmental Services, Cabinet Member – Environmental (and spokespersons) and Leaders or their representatives to obtain their views about the scope of service to be provided in future.
23. The highest evaluated total score(s) for the provision of recycling collection services is shown in appendix A. It is important to note that the highest total score(s) is the combined weighted percentage for price (60%) and quality (40%).
24. The desktop evaluation scored aspects of the tender submitted by tenderer D lower than other tenders. However, as their tendered price(s) is the lowest across the range of options they do achieve the highest overall score due to percentage weighting.
25. Based on the information provided in this report the Cabinet Member – Environmental is required to recommend the scope of recycling collection services that will be provided in future, via a new contractual arrangement, and to recommend that the contract for recycling collection services be awarded to Tenderer D.
26. Cabinet is requested to agree the scope of the recycling collection services contract and to award the contract at the meeting on 14<sup>th</sup> April 2011. Immediately following this meeting all tenderers will be notified of the outcome of tender evaluation and how their tender scored in comparison to the successful tender. A 10-day standstill (Alcatel) period will then provide an opportunity for any challenge to be raised, following which the contract will be formally awarded. The target date for formal contract award is the 26<sup>th</sup> April 2011.

**Appendix A – Evaluation Summary**

Tender →	TOTAL (100%)				FINANCIAL (60%)				QUALITATIVE (40%)			
	A	B	C	D	A	B	C	D	A	B	C	D
Core & Bring Sites (Options 1 and 2)	50.93	53.67	49.07	<b>77.56</b>	33.15	34.03	32.76	<b>60.00</b>	17.78	<b>19.64</b>	16.32	17.56
Core + Plastics + Card & Bring Sites (Option 5)	62.63	75.94	N/A	<b>77.40</b>	45.92	57.70	N/A	<b>60.00</b>	16.71	<b>18.24</b>	N/A	17.40

Notes;

- The percentage scores quoted above reflect the outcome of a financial and qualitative evaluation.
- Tenderer C did not tender for providing a collection of plastics and/or card.
- Due to the confidential nature of tenders detailed financial information is not included in this table.

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# Agenda Item 13

**REPORT TO:** Cabinet Member – Environmental Cabinet

**DATE:** 6<sup>th</sup> April 2011  
14<sup>th</sup> April 2011

**SUBJECT:** Bus / Taxi Framework Agreement

**WARDS AFFECTED:** All

**REPORT OF:** J G Black  
Director of Street Scene  
Tel: 0151 288 6311

**CONTACT OFFICER:** Andrew Walker  
Assistant Director - Operational Services  
Tel: 0151 288 6159

**EXEMPT/ CONFIDENTIAL:** No

**PURPOSE/SUMMARY:**

Members considered an original report on 10<sup>th</sup> June 2010 seeking to obtain approval to extend the current Bus Route Framework Agreement for an additional 12 months to September 2011 to coincide with the expiry of the Taxi Framework Agreement. A procurement process has now been undertaken via OJEU to obtain proposed bus and taxi costs to the Council with effect from September 2011.

**REASON WHY DECISION REQUIRED:**

To provide an ongoing service for the transportation of vulnerable residents by external bus and taxi companies and to be able to effectively budget for such expenditure over the coming two years.

**RECOMMENDATION(S):**

That Cabinet Member notes the pricing framework procured through the tendering process and recommends that Cabinet approves the future use of this pricing framework.

That Cabinet:

1. approves the pricing framework procured through the tendering process; and
2. gives approval for the Specialist Transport Unit to plan and award routes accordingly in the most financially advantageous manner to the Council

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using the new pricing framework, with effect from September 1<sup>st</sup> 2011.

**KEY DECISION:** Yes

**FORWARD PLAN:** Yes

**IMPLEMENTATION DATE:** With effect from 1<sup>st</sup> September 2011.

**ALTERNATIVE OPTIONS:** None

## IMPLICATIONS:

**Budget/Policy Framework:** Adoption of the proposed Framework Agreement will assist in reducing overall transport related expenditure by commissioning bodies within Sefton Council.

**Financial:** Whilst it is expected that substantial savings will result from the acceptance of this Framework Agreement, it is not yet possible to quantify these savings. This can only be done after completion of the route optimisation, staffing and operational reviews currently being undertaken within the Specialist Transport Unit. A further financial report will be presented in September/October 2011.

<b><u>CAPITAL EXPENDITURE</u></b>	<b>2007/ 2008 £</b>	<b>2008/ 2009 £</b>	<b>2009/ 2010 £</b>	<b>2010/ 2011 £</b>
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<b><u>REVENUE IMPLICATIONS</u></b>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				



**Legal:** An OJEU tendering process has been undertaken with all appropriate legislative requirements followed. This has resulted in a framework of prices for both bus and taxi hire which is presented within this report. LD95/11

**Risk Assessment:** The procurement, in advance, of fixed prices for bus and taxi hire through a competitive process both reduces the potential spend by the Council and protects the Council from the effects of increasing costs for the duration of the framework agreement.

**Asset Management:** Not Applicable.

**CONSULTATION UNDERTAKEN/VIEWS**

The Head of Corporate Finance and ICT (FD732/2011) and the Acting Head of Corporate Legal Services (LD 45/11) have been consulted and their comments are included in the report

**CORPORATE OBJECTIVE MONITORING:**

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Creating Safe Communities		√	
3	Jobs and Prosperity	√		
4	Improving Health and Well-Being	√		
5	Environmental Sustainability	√		
6	Creating Inclusive Communities	√		
7	Improving the Quality of Council Services and Strengthening local Democracy	√		
8	Children and Young People	√		

**LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT**

Bus/Taxi Framework Agreement Report – Cabinet July 2010

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## Background

1. During 2010/11 the Specialist Transport Unit (STU) utilised 32 in-house vehicles of varying sizes and ages. These covered 30 routes on a daily basis, utilising 45 drivers and 220 passenger assistants. The STU also subcontracted 91 buses and between 175 and 190 taxi and Private Hire vehicles due to the changing requirements of users. In addition, the external contractors also supplied some 40 passenger assistants.
2. Within Sefton there have previously been separate framework agreements in place for busses and taxis. The current Bus Route Framework Agreement was set up in 2005 and is scheduled to end on August 31<sup>st</sup> 2011. The current Taxi Framework Agreement was set up in 2009 and is also scheduled to end on August 31<sup>st</sup> 2011.
3. The annual expenditure for hired taxis is circa £1.25 million, and for hired buses circa £2.75 million, equating to a total annual expenditure of almost £4 million. This level of expenditure required that an OJEU competitive tender process was undertaken to allow potential contractors to offer transport prices for the range of vehicles necessary to meet the specialist transport requirements in Sefton.

## The Tender Process

4. The NWCE Chest Portal was used by Corporate Purchasing Unit for prospective contractors to register their interest in the tender process, and then to undergo a Pre-Qualification Questionnaire (PQQ). Those contractors who were deemed to have the necessary abilities to meet the operational and financial requirements of the tender were then issued with an Invitation To Tender (ITT). Tenders submissions which were then received from companies within the necessary timescales were subsequently evaluated accordingly.
5. A total of 33 contractors registered an interest via the NWCE Chest Portal. 22 contractors were then successful at PQQ stage and subsequently submitted tender prices. 17 of the successful contractors who submitted prices are based in Sefton.
6. Contractors were invited to submit a price per mile for the provision of a range of vehicles. The tender document was therefore split into four areas or 'lots'.
  - Lot 1 required a price per mile for a vehicle licensed to carry up to 5 passengers. These vehicles would typically be saloon cars and hackney cabs.
  - Lot 2 required a price per mile for a vehicle licensed to carry up to 8 passengers. These vehicles would typically be 'people carriers'.

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- Lot 3 required a price per mile for a vehicle licensed to carry up to 16. These vehicles would typically be the ‘ambulance’ type vehicles currently seen transporting passengers in Sefton.
  - Lot 4 required a price per mile for a vehicle licensed to carry 17+ passengers. These vehicles would typically be ‘coaches’ of varying sizes up to a capacity of 52 passengers.
7. An example workload of some 300 routes were created for inclusion within the tender documentation. This information contained a range of seating profiles and capacity splits across the full spectrum of potential requirements. Routes totalling 10 miles, 20 miles, 30 miles, and over 31 miles were also included across all seating and capacity splits. This enabled contractors to include all potential factors which may have affected their price proposals prior to arriving at their cost per mile bids.
  8. Contractors were also invited to submit a cost per hour for the provision of Passenger Assistants based on an example annual work load of 44,500 hours.
  9. The tenders have been evaluated based on a ‘Quality’ score for each contractor representing 20% of available points, and the ‘Cost’ element representing 80% of available points. All contractors awarded work within this framework agreement become ‘Approved Suppliers’ within the agreed and accepted Terms & Conditions. These include defined service level standards, and also specific policies relating to the safeguarding of any vulnerable adults and children transported.

## Proposed Framework Agreement

10. The prices tendered by potential contractors are shown below. Additional information has been supplied including minimum charge rates, passenger assistant hourly rates and vehicle types which will be used to allocate routes accordingly.

CONTRACTOR	PRICE PER MILE Lot 1 – Vehicle up to 5 passengers	PRICE PER MILE Lot 2 – Vehicle up to 8 passengers	PRICE PER MILE Lot 3 – Vehicle up to 16 passengers	PRICE PER MILE Lot 4 – Vehicle 17+ passengers	Wheelchair Accessible Vehicles
<b>A</b>		£2.00			N
<b>B</b>	£1.77	£1.77	£1.99	£2.29	Y
<b>C</b>	£1.20	£1.50			Y
<b>D</b>	£1.45				Y
<b>E</b>	£1.40				N

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<b>F</b>		£3.20	£3.40	£6.00	N
<b>G</b>	£1.45	£1.80	£2.50		Y
<b>H</b>	£1.73	£1.86	£2.16	£2.73	N
<b>I</b>	£2.00	£2.00	£2.00		N
<b>J</b>		£1.82	£1.96	£3.52	Y
<b>K</b>	£2.50	£2.75	£2.90		Y
<b>L</b>		£1.00	£1.25		Y
<b>M</b>	£1.20	£1.80			N
<b>N</b>	£4.00	£5.00	£6.00	£7.50	Y
<b>O</b>	£1.10	£1.14	£1.44	£1.84	Y
<b>P</b>	£1.50	£1.50			Y
<b>Q</b>	£1.35	£1.50			Y
<b>R</b>	£1.70	£2.00			Y
<b>S</b>	£1.94	£2.24	£2.74	£3.14	Y
<b>T</b>	£2.30	£2.30	£2.70		Y
<b>U</b>		£1.70	£1.90	£2.30	N
<b>V</b>		£2.00	£2.50	£3.50	Y

11. The acceptance of this framework agreement guarantees no specific volume of work to any individual contractor. It does however allow the Specialist Transport Unit to produce price-based tables for each specific mode of transport. The cheapest available contractor can then be selected for each individual journey irrespective of journey time, distance or type of vehicle.
12. This new tender process methodology has provided a framework of proposed service costs which are actually less than those currently being operated. There will therefore be substantial savings generated by the adoption of this framework agreement. These savings will be further enhanced through the route optimisation process currently being undertaken by the Specialist Transport Unit following the implementation of the new planning software known as 'Cleric'.
13. The full extent of the savings to be generated via this new tender process methodology, coupled with the route optimisation exercise, and an internal staffing, restructuring and operational review will be calculated prior to the implementation of this new framework agreement on September 1<sup>st</sup> 2011. It is therefore proposed to present a full financial review and report for the Specialist Transport Unit to Cabinet in September/October 2011.

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**REPORT TO:** Planning  
Cabinet Member –Regeneration  
Cabinet

**DATE:** 9 March 2011  
16 March 2011  
14 April 2011

**SUBJECT:** Study to Review the Regional Spatial Strategy Housing Requirement  
Figure for Sefton – Final Findings

**WARDS AFFECTED:** All

**REPORT OF:** Director of Built Environment

**CONTACT OFFICER:** Alan Young – Strategic Planning and Information Manager  
Tel: 0151 934 3551

**EXEMPT/  
CONFIDENTIAL:** No

**PURPOSE/SUMMARY:**

To report on the final findings of a key study to review the Regional Spatial Strategy Housing Figure for Sefton, in order that this can inform the evidence base for the Local Development Framework and specifically the Options Stage of the emerging Core Strategy.

**REASON WHY DECISION REQUIRED:**

To comply with national planning guidance on the need to provide a robust evidence base for Sefton's housing policies in the Local Development Framework

**RECOMMENDATION(S):**

That:

- (I) Planning Committee and Cabinet Member – Regeneration note the key findings of the study to review the Regional Spatial Strategy Housing Figure for Sefton and the sub-district split; and
- (II) Cabinet endorses the key findings of the study to review the Regional Spatial Strategy Housing Figure for Sefton, and the sub-district split, and confirms that they be used as part of the housing evidence base to inform the Core Strategy Options Consultation which will start in May 2011

**KEY DECISION:** Yes

**FORWARD PLAN:** Yes

**IMPLEMENTATION DATE:** Following the expiry of the call in period after Cabinet meeting

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**ALTERNATIVE OPTIONS:**

None

**IMPLICATIONS:** None

**Budget/Policy Framework:** None

**Financial:** There are no additional cost implications of this study as the costs have been paid.

<b><u>CAPITAL EXPENDITURE</u></b>	<b>2010/ 2011 £</b>	<b>2011/ 2012 £</b>	<b>2012/ 2013 £</b>	<b>2013/ 2014 £</b>
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<b><u>REVENUE IMPLICATIONS</u></b>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

**Legal:** No comments

**Risk Assessment:** N/A

**Asset Management:** N/A

**CONSULTATION UNDERTAKEN/VIEWS**

The Interim Head of Corporate Finance & Information Services has been consulted and his comments have been incorporated into this report - **FD680 /2011**

The Head of Corporate Legal Services has been consulted and has no comments on the report - **LD67/11**.

The study findings will inform the Core Strategy Options Consultation

**CORPORATE OBJECTIVE MONITORING:**

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Creating Safe Communities		√	
3	Jobs and Prosperity		√	
4	Improving Health and Well-Being		√	
5	Environmental Sustainability		√	
6	Creating Inclusive Communities		√	
7	Improving the Quality of Council Services and Strengthening local Democracy		√	
8	Children and Young People		√	

**LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT**

None, other than the NLP Study referred to in the report below

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## Study to Review the Regional Spatial Strategy Housing Requirement Figure for Sefton – Final Findings

### 1 Background

- 1.1 The background and context to this important study is set out in full in the report to Planning Committee on 9<sup>th</sup> February 2011 which is appended to this report as Annex A below. For this reason it is not repeated in this report.
- 1.2 Nathaniel Lichfield and Partners' (NLP) final study report is currently available to view on the Council website at: [www.sefton.gov.uk/planningstudies](http://www.sefton.gov.uk/planningstudies)
- 1.3 As anticipated and importantly the headline findings already reported to the Planning Committee remain unaltered but are expanded on in this report, principally with regard to the various scenarios examined and the proposed disaggregation of the 'preferred' Borough housing figure.
- 1.4 After considering all the background data and the wide range of options NLP firmly recommends a revised housing target of 480 net new dwellings per year for Sefton. A figure lower than this would prejudice our ability to meet our demographic, housing and employment needs.

### 2. Key Study Findings

#### (i) Borough Level

- 2.1 As previously advised and in accordance with the study brief and subsequent discussions with Council Officers, NLP have tested a broad range of possible scenarios to reflect a wide range of possible outcomes. In total eleven different scenarios [six demographic (scenarios a-f), three economic (g-i) and two housing factors (j-k)] have been appraised in accordance with the best practice approach to undertaking such studies. The analysis looks first to 2027 (consistent with the Core Strategy plan period, and then further forward by 5 years to 2032 to allow for any potential slippage in the Core Strategy timetable. Full details covering the period to 2027 to 2032 are set out in the study report but are not repeated here. The annualised figures for housing requirements for most scenarios for the post 2027 period are lower because of changes in the demographic structure of the population. Consequently, the summary below only relates to the period base dated from 2003 (unless otherwise stated) to 2027 for Sefton.
- 2.2 A summary of the key findings of each of the scenarios is set out below, although full details are set out in the NLP study report.
  - a. **Baseline scenario**
- 2.3 Under this scenario NLP have run their bespoke PopGroup model and used ONS (Office for National Statistics) assumptions for natural change, using projected fertility and mortality rates and ONS 2008-based sub-national



projections for migration, the latter reflecting consistent high levels of net international out-migration. These factors taken together lead to a population decline of approximately 6,900 residents. However, when combined with the strong trend toward reduced average household size (reflecting ONS headship rates) this scenario would lead to a growth of households of about 7,780 to 2027. Taking account of the need for a stock vacancy component this generates a requirement for 8,185 dwellings 2010 to 2027 and taking this back to a 2003 base date gives total requirement of 11,555 dwellings. But it would also imply, a loss of 18,500 economically active people from Sefton's labour pool, with the estimated 10,745 jobs that they occupy (based on existing commuting rates and estimated unemployment rates) either lost to the Borough or filled by in-commuters. This scenario would result in a dwelling requirement of 11,555 dwellings 2003 to 2027 equivalent to 481 dwellings per annum.

## **b. Natural change scenario**

- 2.4 Under this scenario NLP model a situation where domestic and international migration is assumed to be zero (i.e. there is no in or out migration to/from the Borough whatsoever) enabling the examination of the potential housing requirement that Sefton would face if it were only to provide for the needs of existing residents providing none left the borough. Although unrealistic, this provides a benchmark that balances the housing need for existing residents with those resulting from net-in migration. This would lead to a population decline of 1,355 people, a growth of households of about 12,034 to 2027 or 12,655 allowing for the stock vacancy rate. This scenario results in a dwelling requirement of 12,655 dwellings 2003 to 2027 equivalent to 527 dwellings per annum

## **c. Zero net migration scenario**

- 2.5 Under this scenario NLP model a situation that net domestic and international in/out is set at zero (i.e. allows for domestic/international migration, but the 'ins' equal the 'outs'). Whilst this give rise to relatively limited difference between this scenario and scenario b above, population growth tends to be higher as in migrants tend to have a higher proportion of residents in the 18 plus age bracket as this has positive population implications. This scenario has a population loss of 3,389 people although 9,056 new households would still be created. Taking account of the stock vacancy rate, this scenario would give a total dwelling requirement of 13,445 new dwellings over the period, equivalent to 560 dwellings per annum.

## **d. Past migration trends scenario**

- 2.6 Under this scenario NLP model a situation based on long term migration trends (over the eleven years previously i.e. equivalent to a net internal out migration of 91 dwellings per annum and net international out migration of 425 people per year). This scenario results in very high levels of population loss

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due to net out migration, leading to a population decline of 13,780 people, equivalent to 4,859 households. Taking account of the stock vacancy rate this generates a housing requirement of 7,215 dwellings over the period, equivalent to 301 dwellings per annum.

## **e. Stable population scenario**

- 2.7 Under this scenario (as specifically requested by Sefton) NLP model the housing implications of a stable population over the plan period keeping the 2010 borough population of 272,100 constant over the long term. This gives a household growth figure of 10,630 and allowing for a stock vacancy rate, a total dwelling requirement of 11,177 units from 2003 to 2027, equivalent to about 657 dwellings per annum

## **f. 2008 based ONS population projections/2008 based CLG household projections scenario**

- 2.8 Under this scenario ONS 2008-based sub-national, the most recent demographic projections that have been published, are used. Following these, CLG published their 2008-based household estimates. Using these, the 2008 based ONS population projections show that Sefton's population will decline by 9,024 people to about 264,800 by 2033. Applying CLG household projections this would lead to a rise in households from 117,000 to about 124,000 over the period to 2028, equivalent to an additional 280 dwellings per annum, which when adjusted for the stock vacancy rate, gives rise to 294 dwellings per annum to 2027.

## **g. Zero job growth scenario**

- 2.9 Under this scenario NLP assume that the 2010 level of jobs (equal to 88,880) is maintained to 2027. Based on NLP modelling there would need to be an increase in resident population of circa 30,171, which would lead to a dwelling requirement of 28,825 over the period to 2027, equivalent to 1,201 dwellings per annum.

## **h. Past trends job growth scenario**

- 2.10 Under this scenario NLP carry forward past borough jobs loss (i.e. not growth) over the last 10 years of 283 jobs per annum, equivalent to a jobs loss 2003 to 2027 of 5,940 jobs. The modelling of this scenario would require an in-migration of circa 8,770 people to 2027. Combined with indigenous household growth this would generate a need for 21,035 dwellings over the period to 2027, equivalent to 876 dwellings per annum.

## **i. National rates of unemployment scenario**

- 2.11 Under this scenario NLP model the implications of reducing the level of unemployment in Sefton to the national average of 5.75% by 2027. This would

increase the number of jobs required by 2027 from 78,118 to 78,618. However, the dwelling requirement is unaltered from the baseline scenario of 481 per annum since it merely adjusts the unemployment rate of existing citizens. The requirement figure for this scenario is 481 per annum to 2027.

## **j. Past housing delivery trends scenario**

- 2.12 Under this scenario population and household change is not modelled. Rather past (net) house building rates over the last 20 years are taken as a proxy for the future (whilst recognising that they may have been artificially reduced by the application of Sefton's housing restraint policy between 2003 and 2008). On this basis an annual housing requirement of 427 dwellings per annum is derived up to 2027.

## **k. RSS housing delivery scenario**

- 2.13 This scenario simply assumes the current RSS housing figure for Sefton of 500 dwellings per annum.

## **The Treatment of Vacant Dwellings in the Study**

- 2.14 In examining all the above scenarios, except j and k, NLP assume that the current stock vacancy rates for the borough at 4.9% rate will remain the same in the future. Unless there were clear evidence that this figure would change significantly over time, which there is not, this approach is correct. In this regard, Members should be aware the target vacancy rate should be 3%, which is widely regarded as the level necessary to ensure the efficient recycling of the existing stock. This would mean that we should be aiming to bring back up to 2,500 vacant dwellings back into use. However, as a report elsewhere on the Cabinet agenda on empty homes concludes:

*'It is accepted that it is very important that we bring back into uses as many long term vacant homes as possible, in order to both secure the most efficient use of existing stock and minimise local dereliction. Such an approach needs to be complementary to (although it cannot replace) housing polices in a Core Strategy, which makes adequate provision. However, given current budget constraints it is unlikely we could increase service levels to bring back into use a large number of empty homes each year.'*

- 2.15 Given this context, NLP take the precautionary view and assume current stock vacancy levels will remain the same because they have no basis to take a different view. The more so because any reduction in vacant dwellings achieved must be a net figure after allowing for other stock that may fall into vacancy over time. Notwithstanding this, NLP highlight that it is important that changes in vacancy rates are monitored over time by the Council, as significant reductions in net vacancy rates would reduce any housing requirements.

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## **NLP Conclusions**

- 2.16 On the basis of the NLP work they have forecast a range of potential housing requirements ranging from a low of 294 per annum based on Scenario f to a high of 1,201 dwellings per annum based on Scenario g. However, it is clear that some of the above scenarios need to be regarded as no more than theoretical possibilities but are nevertheless useful to provide comparators to other more realistic options.
- 2.17 Using NLP's expert professional judgement and taking account all the factors used to derive the above scenarios and all the constraints on development delivery as shown by the available data (including land supply) etc, in their view the evidence shows that the dwelling requirement for Sefton '*should sit around the 480 dwellings per annum mark to the 2027*'.
- 2.18 This conclusion is primarily justified on the basis that the level of housing delivery proposed would largely meet the scale of needs arising from the projected household growth in Sefton, and would also enable the delivery of affordable housing in line with recent delivery rates and thereby contribute towards meeting the urgent housing needs identified in Sefton's Strategic Housing Market Assessment.
- 2.19 Importantly, although it would imply a housing growth of at least 7,780 households, this level of housing development would not imply any population growth for Sefton. In fact, it would result in a population decline for the Borough of about 6,900, from its present level of 272,100 to about 265,200 by 2027. Furthermore, total net migration loss would be an average of over 100 people per annum over the whole period. Arising from these factors there would also be local labour force contraction of about 18,000 people (primarily because of the ageing of the population) from its present level of 130,000, equivalent to a loss of 10,745 jobs. (This suggests a possible need for a reduction of out-commuting, 'smarter economic growth' and encouraging, among other things, a greater mix of family homes to retain the economically active population.)
- 2.20 Given the above it is firmly suggested by NLP that a house-building rate of 480 dwellings per annum (net) could plausibly form the basis of one of the Core Strategy options (Option Two of the paper approved by Cabinet in February 2011).

### **(ii) Sub District Split**

- 2.21 The explanation of this set out in the Report to Planning Committee (Annex A) is not repeated here. However, the summary implications of the suggested sub district split of the 480 dwellings per annum over the period 2010 to 2027 (taking no account of any backlog or under provision which is estimated at about a further 360 units) are set out in the table below.

## Possible Division of the Proposed NLP Borough-wide housing requirement 480 dwellings per annum

Sub Area	New Dwellings Per Area (%)	Potential Dwellings per Year	Total Notional New Dwellings over the period 2010 to 2027 (i.e. 17 years @480 pa)
Southport	35	168	2856
Formby	7.5	36	612
Maghull/Aintree	12.5	60	1020
Crosby	15	72	1224
Bootle	15	72	1224
Netherton	15	72	1224
<b>Sefton Total</b>	<b>100</b>	<b>480</b>	<b>8160</b>

### 3. Comments of the Planning and Economic Development Director

- 3.1 My earlier comments made in the Planning Committee report remain valid and are not repeated here.
- 3.2 What is very important is to acknowledge that this is an essential study which will be required as we take forward the Core Strategy process, the more so because the borough housing figures will be challenged vigorously (by those arguing for a higher figure and by those arguing for a lower figure) once RSS has been abolished following the enactment of the Localism Bill later this year. In this regard, I am confident that it is a very robust piece of work that has been undertaken by one of the leading consultancies in this field. Therefore, I strongly recommend Cabinet to endorse this study as part of the evidence base to underpin the emerging Core Strategy Options process and the 480 net dwellings per annum, and the sub-district split, should inform one of the options. I also recommend Cabinet to endorse the NLP recommended housing figure of 480 net dwellings per annum for Sefton as the basis for assessing the 5-year borough housing requirement, once RSS has been abolished later this year.

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## **ANNEX A: PLANNING COMMITTEE REPORT**

**REPORT TO:** PLANNING

**DATE:** 9 FEBRUARY 2011

**SUBJECT:** Study to Review the Regional Spatial Strategy Housing Requirement Figure for Sefton – Headline Findings

**WARDS AFFECTED:** ALL

**REPORT OF:** Andy Wallis, Planning & Economic Development Director

**CONTACT OFFICER:** Alan Young – Strategic Planning and Information Manager  
Tel: 0151 934 3551

**EXEMPT/  
CONFIDENTIAL:** No

**PURPOSE/SUMMARY:**

To report on the headline findings of a key study to review the Regional Spatial Strategy Housing Figure for Sefton, in order that this can inform the evidence base for the Local Development Framework and specifically the Options Stage of the emerging Core Strategy (which is reported separately at this meeting). The full study report will be reported in the next cycle to Planning Committee, Cabinet Member -Regeneration and Cabinet.

**REASON WHY DECISION REQUIRED:**

To comply with national planning guidance on the need to provide a robust evidence base for Sefton's housing policies in the Local Development Framework.

**RECOMMENDATION(S):**

That Planning Committee note this report and agree to receive a further more detailed report on the matter (together with Cabinet Member - Regeneration and Cabinet) in the next committee cycle.

**KEY DECISION:** No (although a decision on the report on the final study will be a key decision)

**FORWARD PLAN:** No

**IMPLEMENTATION DATE:**

**ALTERNATIVE OPTIONS:**

None

**IMPLICATIONS:**

**Budget/Policy Framework:**

**Financial:**

The cost of the study (£8,895 exclusive of VAT) will be covered by Planning and Economic Development Department's consultancy budget.

<b><u>CAPITAL EXPENDITURE</u></b>	<b>2009/ 2010 £</b>	<b>2010/ 2011 £</b>	<b>2011/ 2012 £</b>	<b>2013/ 2014 £</b>
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<b><u>REVENUE IMPLICATIONS</u></b>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

**Legal:** None

**Risk Assessment:** None

**Asset Management:** None

**CONSULTATION UNDERTAKEN/VIEWS**

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## CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Creating Safe Communities		√	
3	Jobs and Prosperity		√	
4	Improving Health and Well-Being		√	
5	Environmental Sustainability		√	
6	Creating Inclusive Communities		√	
7	Improving the Quality of Council Services and Strengthening local Democracy		√	
8	Children and Young People		√	

## LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

None at this time



## STUDY TO REVIEW THE REGIONAL SPATIAL STRATEGY HOUSING REQUIREMENT FIGURE FOR SEFTON – HEADLINE FINDINGS

### 1. BACKGROUND AND CONTEXT

- 1.1 Meeting the need for new homes is a key element of the local planning system and sits at the heart of our work to prepare the Local development Framework.
- 1.2 Members may recall that the Regional Spatial Strategy for the North West (RSS) was approved by the Secretary of State for Communities and Local Government in September 2008. Among other matters, under *Policy L4 – Regional Housing Provision* (Table 7.1), it set a housing provision for each local authority area in the North West for the period 2003 to 2021 and ‘for a limited period beyond then’. In Sefton’s case this set a total housing requirement figure for the borough of 500 dwellings per annum equivalent to 9,000 dwellings for the period to 2021 (net of clearance replacement). This is the requirement figure which Sefton has, to date, been using to inform the preparation of its emerging Core Strategy.
- 1.3 However, with effect from 6<sup>th</sup> July 2010, the Secretary of State for Communities and Local Government of the new Coalition Government announced the revocation of Regional Spatial Strategies (RSS) with immediate effect. The consequence of this was that the RSS housing figure was also abolished. However, in a covering letter by Steve Quartermain, the Chief Planner at the Department of Communities and Local Government, it was made clear the precise position that local authorities should take following the revocation of RSS. Among other matters and as clarification for two specific policy questions, he advised as follows:

#### ***Who will determine housing numbers in the absence of Regional Strategy targets?***

***Answer:*** ‘Local planning authorities will be responsible for establishing the right level of housing provision in their area, and identifying a long term supply of housing land without the burden of regional housing targets. Some authorities may decide to retain their existing housing targets that were set out in the revoked Regional Strategies. Others may decide to review their housing targets. We would expect that those authorities should quickly signal their intention to undertake an early review so that communities and landowners know where they stand.’

#### ***Will we still need to justify housing numbers in our local plans?***

***Answer:*** ‘Yes – it is important for the planning process to be transparent, and for people to be able to understand why decisions have been taken. Local authorities should continue to collect and use reliable information to justify their housing supply policies and justify them during the LDF examination process. They should do this in line with current policy in PPS3.’

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- 1.4 More recently the Minister of State for Decentralisation and Planning, Greg Clark on 12 September 2010 at a Select Committee on the work of the DCLG further commented as:

*'it is open to local authorities to review their local development frameworks and to reintroduce their own assessment of the housing needs in their area. But it needs to be rigorous. They can't just pick a number and put it in and regard that as being the end of it. They need to make an assessment, and they need to put that, and justify that, in their plans. In doing that, those plans exist and they include Government decisions including appeals. We have not made any changes to the five-year requirement, but that five-year requirement is obviously going to be based on the numbers that they have established are needed in that area.'*

- 1.5 Given the above, it therefore became clear that Sefton's emerging Core Strategy could not rely on the existing RSS housing figure and needed to be informed by a robust and rigorous assessment of its housing requirement. The more so, because any Core Strategy Examination would not take place until at least mid 2012, by which time the RSS (or former RSS) housing figure would be four years old and based on data which would date from an earlier date.

## 2. CALA HOMES LEGAL DECISION REGARDING RSS

- 2.1 Notwithstanding the above Members may be aware that the High Court on 10 November 2010, arising from a challenge brought by Cala Homes (in relation to a proposal to build 2,000 homes in Winchester consistent with RSS i.e. 'The South East Plan') ruled that the Secretary of State's decision to abolish Regional Spatial Strategies was unlawful. In particular, Justice Sales ruled that the Communities Secretary was not entitled to revoke regional strategies under existing planning law. He said:

*"Parliament has given no clear or sufficient indication that that principal [that each region should have a regional strategy] may be set aside by virtue of a contrary policy judgement." He added: "The revocation of the South-East Plan is likely to have an immediate impact upon determination of planning applications.....I consider that the Secretary of State acted unlawfully by purporting to revoke the [RSS]."*

- 2.2 At face value this decision may appear to be a very significant one, however it does need to be seen in context. The Government is now bringing forward its Localism Bill and it is its clear intention that the Legal Decision will be rectified by way of an appropriate provision in this Bill. In short, whilst the High Court decision provides a short 'technical' reprieve for RSSs, it will be no more than this, and it must be therefore be assumed that the forthcoming legislation will confirm in more robust terms that RSSs will no longer play a role in determining local planning matters.

2.3 It must be assumed that the Secretary of State for Communities and Local Government intention to abolish RSS will be achieved when the Localism Bill becomes law later this year. Furthermore, by a similar logic, it must also be assumed that both his advice and that of the Minister of State for Decentralisation and Planning, referred to at paragraphs 1.3 and 1.4 above, must be attached considerable weight since they anticipate a situation that will be resumed once RSS is abolished later this year.

### 3. APPOINTMENT OF CONSULTANTS TO REVIEW THE RSS HOUSING REQUIREMENT FOR SEFTON

3.1 Given the above changing context and given how critical it is that the housing requirement figure is to establishing the robustness of emerging Core Strategies – a point constantly emphasised by the Planning Inspectorate at Core Strategy inquiries – it is vital that Sefton derives a robust housing requirement figure to replace the RSS housing figure that is to use the words of the CLG Chief Planner establishes ‘*the right level of housing provision in their area*’. The temporary reinstatement of RSS referred to above, in no way changes this requirement; it just postpones the date when the Government’s intentions will have formal legal effect.

3.2 Accordingly, given the specialist nature of this work (i.e. it requires the application of sophisticated and expensive computer software modelling, and a specialist understanding of demography to forecast population and household change at the local level), informal tender submissions were invited from three planning consultancies with a proven track record in undertaking this work, and very importantly defending it at public inquiries. After a rigorous selection process Nathaniel Lichfield and Partners (NLP) were appointed to undertake this work in November 2010.

3.3 The tender brief for the study required them to:

- (iv) Undertake a rigorous review of Sefton’s housing requirement figure, base dated at April 2003 (as was RSS and to ensure comparability) and looking forward to 2027 in the first instance and then longer term, by a further five years, to 2032. This work was required to be undertaken in a robust, transparent and defensible manner.
- (v) Linked to the above the appointed consultants were required to provide, by a best approximation approach, the borough housing requirement disaggregated by the six sub areas of Sefton, namely:

#### *Sub-area Wards*

Southport	Ainsdale, Birkdale, Cambridge, Dukes, Kew, Meols, Norwood
Formby	Harington, Ravenmoels
Maghull/Aintree	Molyneux, Park, Sudell
Crosby	Blundellsands, Church, Manor, Victoria

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Bootle  
Netherton

Derby, Linacre, Litherland  
Ford, Netherton and and Orrell, St Oswald

3.4 A copy of the full tender brief for this study is available for Members on request to inspect should they wish to do so.

#### 4. KEY HEADLINE FINDINGS OF THE NLP STUDY

2.21 Whilst NLP have still to submit their final report to the Council, which is expected within the next fortnight, they have provided details of their key headline findings. These headline findings, which will not change, are reported below.

2.22 The key findings of their report may be summarise as follows:

##### **(i) Review of Sefton's housing requirement figure**

2.23 NLP have undertaken a rigorous review and assessment of all available demographic, housing and employment data and evidence *'in order to provide an analytical review of the level of housing Sefton needs to plan for it to fulfil its role in providing housing to support these factors'*.

2.24 The study (to assist comparison) replicates the RSS timescale, from a base date of 2003 but looks forward to 2027 in the first instance (RSS only looked forward to 2021 and *'a limited period beyond 2021'*) to accord with the notional end date of Sefton's emerging Core Strategy, and then beyond this by five years to 2032.

2.25 As part of this process NLP have used their sophisticated HEaDROOM forecasting model, which is a bespoke computer-modelling framework, which has been developed over a number of years, for identifying robust locally generated housing requirements, based upon a detailed analysis of demographic, housing and employment data within an area. The forecasting model used by NLP is widely regarded as the market leader and has been found to be robust in an extensive number of RSS EiPs, development plan public inquiries and S78 planning appeals. In this regard, we are not aware of any instance where their derived housing requirement figure has been successfully challenged at public inquiry or similar.

2.26 It is important to emphasise that the HEaDROOM forecasting model does not look at housing needs in isolation of a wide range of influencing factors. For example in looking at 'demographic factors' it considers such factors as population growth, household formation rates migration and household vacancy rates. In terms of 'housing factors' and to derive a gross housing requirement, it considers such factors as the Strategic Housing Market Area Assessment (SHMA) findings on affordable housing and other requirements, local housing affordability rates, past housing delivery rates and requirements, housing renewal and replacement. In terms of 'economic factors' it looks at such factors as current and forecast employment levels, changes to the likely structure of the

local economy, commuting patterns. It then looks at policy factors including any visions for the future and capacity and delivery factors and constraints. It then, in turn, applies a series of 'checks' such as capacity, past housing delivery rates etc and infrastructure and other constraints, to derive a housing delivery figure.

2.27 As part of their work, NLP have tested eleven different scenarios (n.b. they will be reported in greater detail in the next committee report) as follows:

- (vi) a. Baseline scenario
- (vii) b. Natural change
- (viii) c. Zero net migration
- (ix) d. Past migration trends
- (x) e. Stable population
- (xi) f. 2008 based ONS population projections/2008 based CLG household projections
- (xii) g. Zero job growth
- (xiii) h. Past trends job growth
- (xiv) i. National rates of unemployment
- (xv) j. Past housing delivery trends
- (xvi) k. RSS housing delivery scenario

2.28 On the basis of the NLP work they have forecast a range of housing requirements ranging from a low of 294 per annum based on Scenario f to a high of 1,205 dwellings per annum based on Scenario g. However, it is clear that some of the above scenarios need to be regarded as no more than theoretical possibilities but are nevertheless useful to provide comparators to other more realistic options.

2.29 Using NLP's expert professional judgement and taking account all the factors used to derive the above scenarios and all the constraints on development delivery as shown by the available data etc, the evidence shows that the dwelling requirement for Sefton '*should sit around the 480 dwellings per annum mark to 2027/2032*'.

2.30 This conclusion is predicated on the basis that the level of housing delivery proposed would largely meet the scale of needs arising from the projected household growth in Sefton and would also enable the delivery of affordable housing in line with recent delivery rates and thereby contribute towards meeting the urgent housing needs identified in the SHMA.

2.31 Importantly, although it would imply a housing growth of at least 7,000 households, this level of housing development would not imply any population growth for Sefton. In fact it would result in a population decline for the Borough, from its present level of 273,000 to about 266,000 by 2027. Furthermore, total net migration loss would be an average of over 100 people per annum over the whole period. Arising from these factors there would also be local labour force contraction of about 18,000 people (primarily because of the ageing of the population) from its present level of 130,000.

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2.32 Given the above it is firmly suggested by NLP that a house-building rate of 480 dwellings per annum (net) could plausibly form the basis of one of the Core Strategy options. This option is clearly set out in a separate report on the matter, elsewhere on the agenda.

## **(ii) Borough housing requirement disaggregated by the six sub areas of Sefton**

2.33 As part of the tender brief for the above work (see para 3.3, bullet 2 above), NLP were asked to provide by a best approximation approach, a sub-area breakdown of the 480 dwellings per annum housing requirement. In this regard, the possibility of undertaking detailed sub-area based population and household projection work was ruled out on the basis of cost (estimated to be circa £25k) and on the basis that such an analysis would, because of the serious statistical difficulties involved in estimating local area migration patterns (which is a key element of local area population and household change). Given this, as a proxy for any disaggregation, NLP have derived an index based on a range of factors including: base population, past housing delivery rates, housing development in the pipeline, critical affordable housing need, site at risk of none delivery or delay and the extent of local constraints to housing delivery (infrastructure and environmental constraints included).

2.34 Arising from the above NLP have suggested a local level distribution of the 480 dwellings per annum based on:

Southport	35% of total figure (168 homes/annum)
Formby	7.5% of total figure (36 homes/annum)
Maghull/Aintree	12.5% of total figure (60 homes/annum)
Crosby	15% of total figure (72 homes/annum)
Bootle	15% of total figure (72 homes/annum)
Netherton	15% of total figure (72 homes/annum)

2.35 Southport delivering 35% of the total figure (i.e. 168 pa); Formby delivering 7.5% of the total figure (i.e. 36 per annum); Maghull/Aintree delivering 12.5% of the total figure (i.e. 60 per annum) and Crosby, Bootle and Netherton 15% each (i.e. 72 per annum).

2.36 Notwithstanding the above NLP recognise that, depending on the eventual policy stance adopted by Sefton through the Core Strategy process (and particularly with regard to Green Belt), the above suggested distribution may be difficult or impossible to achieve and for this reason needs to be regarded as a guide to possible provision at the local level and no more.

## **5. INITIAL COMMENTS OF THE PLANNING AND ECONOMIC DEVELOPMENT DIRECTOR**

- 5.1 I will reserve my full comments on this work until the study has been concluded and reported to Members in the next cycle.
- 5.2 Notwithstanding the above, Members may be aware that I have for some time held the view that the RSS housing requirement figure for Sefton of 500 dwellings per annum (net) remains broadly appropriate as a basis for assessing Sefton's housing requirements to 2032. However, the uncertainties caused by the impending abolition of RSS and the knowledge that at least one interested party had given formal notification that they intended to challenge the RSS housing figure if we retained it unaltered (including the possibility of commissioning an independent study), allied to the knowledge that the figure could have major longer terms implications for future land release, including potential Green Belt, led me to a firm conclusion that there was a need for an early independent review of Sefton's RSS housing requirement figure. The stance we are taking has been supported by Government/CLG advice and by Counsel advising the Council with regard to our emerging Core Strategy, the latter the more so because any Core Strategy examination will not be until mid 2012.
- 5.3 Arising from the above NLP were commissioned, late last year, to undertake an urgent review of the RSS housing requirement for Sefton. In my judgement this work is essential to being able to progress our Core Strategy. Furthermore, I am confident that it has been rigorously and robustly undertaken by the leading planning consultancy in this field, and their considered judgement is that a figure of 480 dwellings per annum (net) is the 'right' (see the answer to the first question at paragraph 1.3 above) housing requirement figure for Sefton.
- 5.4 It is interesting to note a concluding point that the 480 per annum figure almost exactly equates to the long-term building pattern over the last 29 years in Sefton (i.e. 483 per annum).

### **Recommendations**

That Planning Committee note this report and agree to receive a further more detailed report on the matter (together with Cabinet Member - Regeneration and Cabinet) in the next committee cycle.

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# Agenda Item 15

**REPORT TO:** Planning Committee  
Cabinet

**DATE:** 9 March 2011  
14 April 2011

**SUBJECT:** Proposed charging for Pre-Application Advice in Relation to  
Planning Applications

**WARDS AFFECTED:** All

**REPORT OF:** Director of Built Environment

**CONTACT OFFICER:** Sue Tyldesley, Telephone 0151 934 3569

**EXEMPT/  
CONFIDENTIAL:** No

**PURPOSE/SUMMARY:**

To seek approval of the Planning Committee to levy fees for pre-applications within the Planning Portfolio.

**REASON WHY DECISION REQUIRED:**

At the meeting of 26 February 2004, Cabinet requested that any other amendment to fees and charges be referred for approval prior to implementation. The commitment to pre-application charging is already in the budget for 2011/12.

**RECOMMENDATION(S):**

Planning Committee -

1. approves the proposed level of charges for consultation purposes.
2. requests Cabinet to approve the proposed level of charges for consultation purposes.

Cabinet -

1. Approves the proposed level of charges for consultation purpose.
2. grants delegated authority to the Planning & Economic Development Director to make minor adjustment to fee levels and other presentational changes as necessary.

**KEY DECISION:** NO

**FORWARD PLAN:** NO

**IMPLEMENTATION DATE:** Following the consultation exercise

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**ALTERNATIVE OPTIONS:**

That no fees be charged for pre-application advice

**IMPLICATIONS:**

**Budget/Policy Framework:** The 2011 budget includes a new income target for pre-application fees of £30,000

**Financial:** It is anticipated that, subject to approval of the fee levels contained herein, and following a consultation period, £30,000 additional income might be achieved through charging fees for pre planning application advice.

<b><u>CAPITAL EXPENDITURE</u></b>	<b>2010/ 2011 £</b>	<b>2011/ 2012 £</b>	<b>2012/ 2013 £</b>	<b>2013/ 2014 £</b>
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<b><u>REVENUE IMPLICATIONS</u></b>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

**Legal:**

**Risk Assessment:**

**Asset Management:**

**CONSULTATION UNDERTAKEN/VIEWS**

Finance Department FD678

**CORPORATE OBJECTIVE MONITORING:**

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		✓	
2	Creating Safe Communities		✓	
3	Jobs and Prosperity	✓		
4	Improving Health and Well-Being		✓	
5	Environmental Sustainability	✓		
6	Creating Inclusive Communities		✓	
7	Improving the Quality of Council Services and Strengthening local Democracy		✓	
8	Children and Young People		✓	

**LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT**

The Local Government Act 2007 “A Material World – Charging for Pre-application Planning Advice” Planning Advisory Service (PAS).  
 The Killian Pretty Review 2008

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## 1. Background

Provision of pre-application advice is a significant and valuable part of the development management service at Sefton but is increasingly time consuming. A time recording exercise in 2010 revealed that almost 15 % of planning officer time in the Development Management team is spent responding to pre-application queries with this figure rising to up to 37% for senior officers. A total of 1294 pre-application queries were received in 2010 and the average response time was just over 4 working days. The government is moving us towards a system whereby fees should be set to cover actual costs for planning applications. Whilst we are not yet ready to introduce local fees, Sefton is able to take advantage of the opportunity to charge for pre-application advice.

The Local Government Act 2003 and specifically Section 93 gives Local Planning Authorities discretionary power to charge for services such as pre-application advice. Where a fee is charged, it must be on a not for profit basis and over the course of each year, the income from charges for such services must not exceed the cost of providing them.

The Planning Advisory Service (PAS) produced a Paper in April 2007 entitled 'A Material World - Charging for Pre-Application Planning Advice'. The research included interviews with Local Authorities who were charging and those that had considered the idea but then dismissed it. The main findings to emerge were that:

- Charging improves the delivery of what is an essential but time consuming service and helps to ensure better quality application submissions;
- Charging helps filter out speculative and poorly thought out development proposals;
- Charging could, however, discourage development or risk harming a good working relationship with local agents;
- No authority interviewed charged for householder development and most exempt development affecting small business premises;
- Charging was largely accepted in principle on the basis that developers would receive in return, assured and timely access to the service/staff and carefully considered and constructive written advice at the end of the process;
- Charges need to be easily understood and administered

Since that time the Killian Pretty Review (November 2008) has noted the need to improve this "critically important" stage and encourages a more measured and consistent approach to pre-application fee charging

## 2. Advantages of pre-application engagement

In the current economic climate, charging for pre-application advice could be seen as a further burden on the applicant/developer. However, the importance of early consultation and front loading of applications so that all the issues are properly considered at application stage has been shown to be very valuable to both the council and the applicant.

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There are many reasons why applicants appreciate clear pre-application advice. In general pre –application discussions :

- Give applicants an opportunity to make changes to their proposals before they apply for planning permission to enable the application to move through the formal system more smoothly and quickly and without the need for multiple applications. Genuine development management approaches seek to work together with the applicant to resolve problems and find the optimum solutions on a site;
- Enable the applicants to identify at an early stage if a scheme is unlikely to be successful and save the cost of working up and submitting an unacceptable scheme.
- Reduce the time spent by professional advisors in working up a proposal by identifying at an early stage those issues and policies which need to be addressed
- Enable the applicant to carry out the necessary studies(which can take some time) an early stage and to identify the need for any specialist input so that the need for further information does not result in delay to validation or at a later stage
- Encourage applicant to carry out early community consultation thus enabling issues to be resolved and reducing the weight of unnecessary objection at application stage. (This is expected to become mandatory for larger schemes as part of the Localism Bill).

In general pre-application discussion can significantly reduce the costs of preparing an application and by providing a greater chance of success and less need for appeal reduce the costs associated with delay.

At an Agent's forum in Sefton last year, agents were asked for their views about what they would expect if there was a charge for pre-application enquiries. They were not negative about this but clearly expected a high quality of response and made the following suggestions :

Response within 2 weeks

Refund of charge on submission of planning application

Don't charge for householder developments

Need to specify response times according to type of enquiry

Staff must be empowered to respond on behalf of all Council areas involved

Should be given the same priority as an application

Discourage charging for anything other than major applications

Response within 30 days

Introduce a fast track service (for an increased cost)

Development Team response

Introduce a validation checklist for pre-applications

Differential charge for varying types of application

# Agenda Item 15

What is important to developers is that they are receiving timely, responsive, constructive and reliable advice. In turn, this can save developers significant resources by not pursuing schemes which are unacceptable or have to be modified once submitted.

There are also benefits to the Council in providing pre-application advice in that this can reduce the number of unacceptable applications, reduce the number of issues which need to be resolved at application stage and reduce the number of time consuming appeals. Indeed the experience of the development management team at Sefton is that pre-application consultation has been instrumental in bringing forward better quality development.

## 3. Charging

Introducing charges would have the following advantages for the Council:

- In line with the government's approach to planning fees, the customer would pay for the service, not the general council tax payer;
- Income can support the planning service and/or reduce the call on Council Tax as part of overall budget savings. Indeed it is anticipated that £30,000 could be generated by such charges in 2011/12 and this has been built in to the anticipated budget.
- On an operational basis charging for pre-application discussions would give them the higher priority on officer time which they deserve and thereby make them more effective for both applicant and the council. Whilst they remain non fee earning they cannot be given the same priority as that which is afforded to fee earning work.
- Applicants would be discouraged from making pre-application queries simply as a valuation exercise with no real prospect of implementation

On the other hand there are potential disadvantages

- The applicant might choose not to seek pre-application advice and problems may arise later which could have been avoided. This may result in poorer quality developments, more refusals and subsequent appeals;
- The charges for advice will require additional officer time in respect of the collection of fees and arrangement of meetings. Planning officers will need to give more time to preparing for meetings and provision of written minutes. This may impact on officers' ability to determine applications within the prescribed periods.

## 4. Fee charging elsewhere

It is evident that many authorities now charge for pre-planning advice. Many authorities in the South East adopt this approach along with several in the north including Leeds, Ashfield, High Peak and Derby. Strategic major developments charges range from £1,175 for a meeting and written response with Derby to £4,000 at Haringey Locally, the Merseyside

advice although some are researching the possibility. In Lancashire fees are charged by Chorley, Preston, Hyndburn, Ribble Valley and Wyre. Most significantly West Lancashire is shortly to introduce charging.

Setting the level of fees is a challenge and there is no degree of consistency nationally. However there are some similarities between Lancashire districts and given the proximity, the proposed charges at West Lancashire are highly relevant.

The local setting of planning application fees is to be based on a cost recovery basis and a time recording exercise is planned to get a more accurate analysis of costs. This is to be done on a joint basis with other local authorities in the North West. In due course this will also inform the costs of pre-application advice and will enable charging which more accurately reflects costs to be considered. Indeed as part of the local fee setting exercise it would be possible to consider discounted fees for applications where pre-application discussions had taken place and been paid for. This would be appropriate as applications that have been subject of detailed pre-application discussions normally take less work at determination stage.

Some authorities charge a nominal amount for a householder application but many do not. In Sefton there is clear advice in the 'house extensions SPG' which is often sufficient. However, in respect of householders and all other applications it would seem reasonable to charge for a site meeting as there are real additional costs in officer time.

## **5. Pre-application charging in Sefton**

It is proposed to bring in pre-application charging at the present time to cover the gap until local fee setting can properly consider the costs of the whole development management service

### **Service for applicants**

Under the proposed scheme, a prospective applicant would receive a guaranteed level of service and would be able to request follow up advice /meetings but at extra cost. The system would be administered carefully, so that the process is accountable and auditable and would be based on the system which the department already operates for pre-application letters. It would be customer focused and apply to pre-application discussions submitted from a defined date to be published on the Council's website. We would not withdraw from discussion on projects currently under discussion but would look to charge for additional advice.

In summary the applicant can expect that a response would be provided within an agreed timetable, normally 10 working days (unless otherwise agreed because additional information is required or more consultations are needed) and would be in a standard format to identify relevant policies and planning issues with appropriate internal consultations. The response would conclude with recommendations. The provision of external consultations would only be included if agreed in advance and an additional fee may be required.

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## **Fee levels**

Proposed costs are set out below and are based on likely time taken together with comparison with other authorities, especially those in Lancashire and proposals for West Lancashire in particular.

In order to be consistent, fair, and impartial the charging regime needs to apply to all pre-application inquiries. However, there should be certain exceptions where the development would benefit the Borough in terms of, for instance, the provision of 100% affordable housing or assisting a community or voluntary sector project where the social benefits of the scheme are paramount. Those exceptions would be set out in more detail in the service standard.

In the context of a significant development the cost of a pre-application advice should be money well spent. However, the sliding scale of charges seeks to ensure that costs are kept modest for smaller developments and small businesses.

## **Moving forward**

It will be necessary to undertake a consultation exercise for 4 weeks with local agents, statutory bodies, Ward Councillors, Parish Councils, other interested parties and members of the public before introducing the charges.

It will also be necessary to set out service standards to explain in full what we require from applicants and what they can expect from us. Whilst based on the comments above, this will need to be set out in a detailed formal document which would be published on the website.

## **6. Sustainability**

The introduction of pre-application charging will provide clarity for all those involved in the planning process.

## **7. Financial and resource implications**

At this stage it is difficult to predict actual income from this new scheme but an income of £30,000 has been budgeted for based on the numbers of pre-application queries received in recent years, and taking into account that charging may result in less inquiries and the present economic situation has reduced queries.

## **8. Risk Assessment**

There is a risk that giving more priority to pre-application work may temporarily affect the council's ability to maintain the current very high performance standards in relation to time periods for determination of planning applications. However this effect is not considered to be significant and will be compensated for by better quality applications in the future. There may also be an expectation that pre-application consultation will result in planning permission being granted. However, it will be made clear to applicants that all advice is given without prejudice and does not fetter the decision making powers of the Local Planning Authority and particularly the Planning Committee in coming to a decision in respect of the subsequent planning application.



## **9. Equality Impact Assessment**

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

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## PRE-APPLICATION ADVICE

### PROPOSED FEE SCHEDULE

	<b>FEE</b>
<b>Householders</b>	No fee  £50 if meeting requested
<b>Minor development</b> less than 3 dwellings <ul style="list-style-type: none"> <li>• all non-residential schemes with a floor space less than 500sqm or sites less than 0.5ha</li> <li>• adverts</li> <li>• change of use of building(s) with a floor space less than 500sqm or sites less than 0.5ha</li> <li>• single wind turbines/telecoms mast under 17m high</li> </ul>	£100 to cover one unaccompanied site visit and one letter;  £150 if meeting requested;  Hourly rate thereafter (£50 per hour)
<b>Intermediate development</b> 3 to 25 dwellings <ul style="list-style-type: none"> <li>• All non-residential schemes with a floor space between 500sqm and 2,000sqm or on sites between 0.5ha and 2ha</li> <li>• change of use of building(s) with a floor space between 500sqm and 2,000sqm or sites between 0.5ha and 2ha</li> </ul>	£200 to cover one site visit and one letter;  £250 if meeting requested;  Hourly rate thereafter (£50 per hour)
<b>Significant development</b> 26 or more dwellings <ul style="list-style-type: none"> <li>• All non-residential schemes with a floor space over 2,000sqm or on sites over 2ha</li> <li>• change of use of building(s) with a floor space over 2,000sqm or sites over 2ha</li> <li>• any scheme requiring an Environmental Impact Assessment</li> </ul>	£750 to cover up to one site visits and two meetings;  Hourly rate thereafter (£50 per hour)

# Agenda Item 16

**REPORT TO:** Cabinet

**DATE:** 14<sup>th</sup> April 2011

**SUBJECT:** Joint Waste Development Plan: Preferred Options 2 – New Sites Consultation

**WARDS AFFECTED:** Netherton and Orrell

**REPORT OF:** Director of Built Environment

**CONTACT OFFICERS:** Steve Matthews – Local Planning Manager  
0151 934 3559  
Alan Jemmett – Director, Merseyside Environmental Advisory Service 0151 934 4950

**EXEMPT/CONFIDENTIAL:** No

## **PURPOSE/SUMMARY:**

At the first stage of the Preferred Options for the joint Merseyside Waste Development Plan Document (Waste Plan), a number of sites in each Local Authority area were identified to accommodate waste management facilities. Some of these were withdrawn or not supported following consultation, including a site in Sefton.

This report identifies again a replacement site at Farriers Way (Atlantic Industrial Park) in Sefton for managing waste. It is proposed that this site will be included in the second Preferred Options stage of the Waste Plan.

This second stage will be called “New Sites Consultation”.

This report asks that the replacement site for Sefton be approved for consideration as part of a Merseyside-wide consultation starting in May 2011.

## **REASON WHY DECISION REQUIRED:**

To make sure that Sefton has identified a site which will be included in the second stage of the Preferred Options consultation of the Waste Plan. This is necessary to ensure that the Merseyside-wide Waste Plan is able to make progress within the tight timescale which has been agreed by all authorities with Government and which meets the requirements of legislation.

## **RECOMMENDATIONS:**

That Cabinet approve the inclusion of a site North of Farriers Way, Atlantic Park, Netherton, in the “Preferred Options 2: New Sites Consultation” report and approve a six-week public consultation, the “New Sites Consultation” starting in May 2011.

**KEY DECISION:** No

**FORWARD PLAN:** No

**IMPLEMENTATION DATE:** Following call-in after Cabinet on 14<sup>th</sup> April 2011

## **ALTERNATIVE OPTIONS:**

There has already been a lengthy process to identify suitable sites in Sefton. Other possibilities have been thoroughly investigated and it is concluded that this is the best site for the reasons set out in the report. There are no suitable alternative sites.

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## IMPLICATIONS:

### Budget/Policy Framework:

Failure to identify an appropriate site in Sefton to manage waste would prevent the Merseyside authorities from completing the Waste Development Plan, and Sefton would incur extra costs if there was delay in completing the Plan.

Delay in the process of preparing and adopting the Waste Plan and in the subsequent development of facilities required to reduce landfill could have significant harmful financial consequences for all the authorities.

The progression and adoption of the Plan will help provide greater certainty in Merseyside and Sefton in connection with the location of future waste related land uses.

Corporate Plan Strategic Objective 9 supports the development of a more sustainable waste management strategy.

### Financial:

<b><u>CAPITAL EXPENDITURE</u></b>	<b>2010/ 2011 £</b>	<b>2011/ 2012 £</b>	<b>2012/ 2013 £</b>	<b>2013/ 2014 £</b>
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<b><u>REVENUE IMPLICATIONS</u></b>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

### Legal:

None

### Risk Assessment:

A separate risk register is maintained for this project. Key risks identified is the breakdown of the joint commitment and approvals process required to progress the Waste Plan and; a soundness risk if the Waste Plan fails to provide waste management capacity to meet identified needs.

### Asset Management:

Not applicable

### CONSULTATION UNDERTAKEN/VIEWS

The Head of Corporate Finance & ICT has been consulted and has no comments on this report. FD735 /2011 The Head of Corporate Legal Services has been consulted and has no comments. LD 98/11

**CORPORATE OBJECTIVE MONITORING:**

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Creating Safe Communities		√	
3	Jobs and Prosperity	√		
4	Improving Health and Well-Being		√	
5	Environmental Sustainability	√		
6	Creating Inclusive Communities		√	
7	Improving the Quality of Council Services and Strengthening local Democracy	√		
8	Children and Young People		√	

**LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT**

Proposed profile for site North of Farriers Way, Atlantic Park, Netherton.  
Waste Management Uses considered for Farriers Way site.

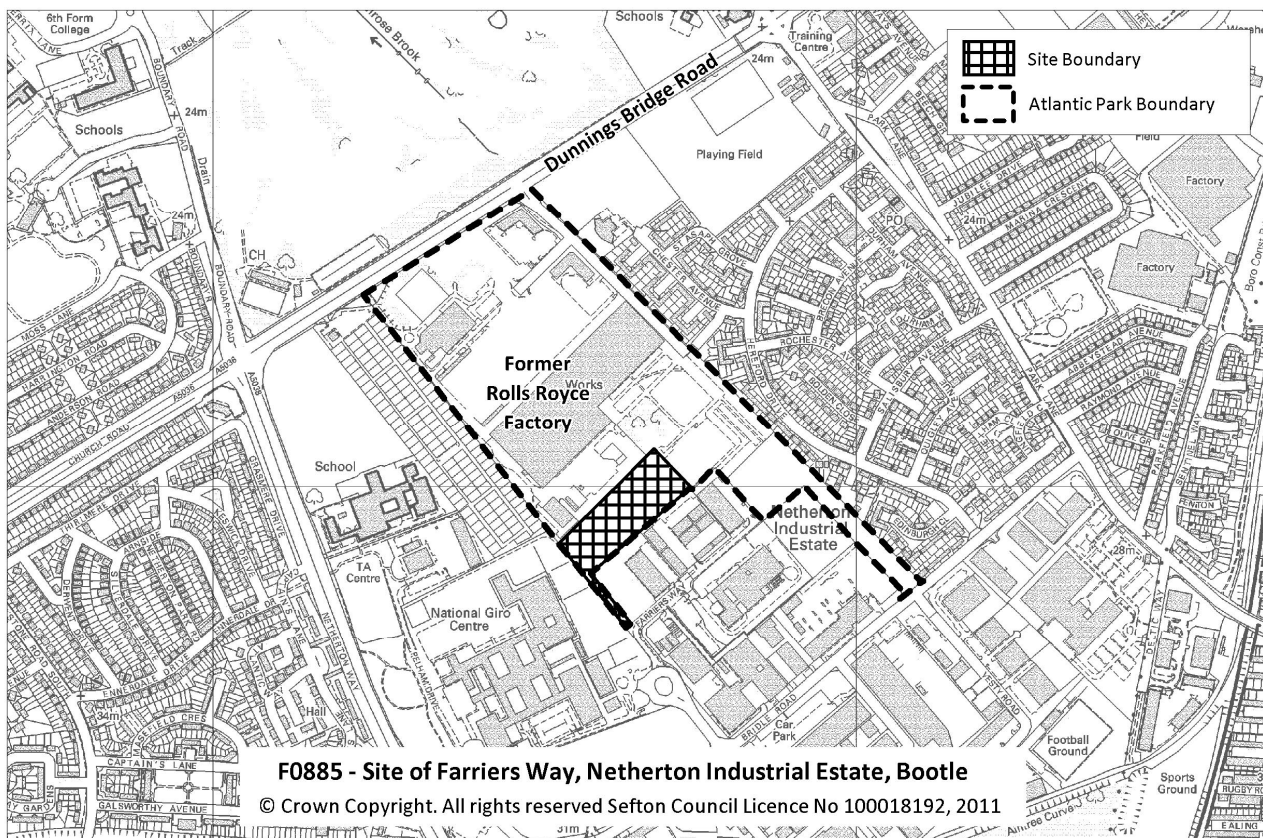
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## Background

1. In January 2011 members considered a report on proposed replacement sites for managing waste. These were to be included as new sites in the Merseyside Waste Development Plan Document (Waste Plan), replacing sites which had been deleted following consultation on the Preferred Options stage of the Waste Plan.
2. The recommended site in Sefton was at Farriers Way on Atlantic Park, Netherton. The site was not endorsed by Cabinet because of concerns over proposed waste use on the surrounding area.
3. At the Cabinet meeting in February 2011, members reaffirmed their commitment to finding a replacement site within Sefton. This report seeks approval of the outstanding site and will meet Sefton's requirement for identification of sites under the Waste Plan.

## Way forward

4. All the other alternative sites in Sefton are less suited to managing waste for reasons such as implications for neighbouring uses or impact from traffic. This left very little option and the Farriers Way site has therefore been looked at again. This site had been considered at an earlier stage of preparing the Waste Plan (the "Spatial Strategy and Sites" stage), but had been discounted as the site at that time was slightly larger and one of the landowners did not want his part of the site to be developed. The types of waste uses which have been proposed for this site have been re-examined to see whether the perceived issues might be able to be overcome.



5. The January report proposed that the types of waste management activity which might be suitable for this site could include a waste transfer station, primary treatment and re-processing. It is now proposed to revise this list of suitable uses and to reduce the type of waste activity which will be identified as suitable for the site. Waste transfer stations will be excluded from this list, leaving only two specific types of waste related use as proposals for inclusion - 'primary treatment' and 'reprocessing'.

Examples include:

- ◇ Primary treatment: involves initial treatment/ sorting of waste to take out as many materials which can be recycled as possible e.g. treatment to remove recyclable materials and manufacture of fuel from residue for use off-site;
  - ◇ Reprocessing: processing waste to produce a new usable product e.g. manufacturing new packaging materials from recovered shredded plastic.
6. For both types of activity, waste materials would be stored and treated within purpose-built buildings on site. These buildings would be similar to those found in many business parks, and would be built to the latest environmental standards.
  7. This site is to the rear of the former Rolls Royce building within the Atlantic Park development. It is more than 150 metres away from houses at the closest point. A variety of access routes are possible, including a direct access from Farriers Way (off Bridle Road), which is right away from these houses.
  8. Another point in favour of the Farriers Way site is that the landowner strongly supports these uses of this site. The combination of restricted waste operations along with potential controls over storage and access will mean that any impacts on the local environment and residents will be minimised, tightly controlled and regulated.
  9. The site is within a large and well-established employment site with a long history of intensive and heavy industrial processes. It is currently undergoing significant change and will bring forward a variety of new uses. In these circumstances, the support of the landowner is valuable and important.
  10. There is regular interest in this general area for waste related uses. Making progress with the Waste Plan, including identifying a specific site for managing waste, provides a clear framework for assessing other proposals for processing waste. It will be easier to resist waste uses which are not suitable if a site has been allocated for waste related uses.

### **What happens if Sefton does not agree a replacement site?**

11. If Sefton does not identify a replacement site the joint process with other Districts would stall. Even if agreement could be reached with other Districts, the Plan would be rejected by an Independent Planning Inspector.
12. Delay in agreeing a site, and agreeing the revised consultation document, would result in significant further costs to all Merseyside authorities (estimated to be an additional cost of £15,000 per month in 2012/13). The delay would also mean that all Merseyside authorities would be likely to be penalised financially through not complying with the Waste Framework Directive – this requires all local authorities to prepare a Waste Plan within a specific timescale. Furthermore, the Local Authority would find it more difficult to restrict waste uses not identified in the Waste Plan, creating additional

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uncertainty for local communities and businesses. Delay would also undermine Sefton's own Core Strategy and increase soundness risks to the emerging Local Development Frameworks of the other districts.

## **Consultation**

13. Subject to approval of the site at Farriers Way, it is planned to go ahead with a six week public consultation on the "Preferred Options 2: New Sites Consultation" report, starting May 2011.
14. This will include consultation meetings in the 4 Districts with the new (replacement) sites. Details of the events will be widely publicised and the events will be open to all.
15. The results of the consultation will be collated and reported to Members in each of the 6 Districts in advance of the next stage in preparing the Waste Plan, that is the Publication stage.



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**REPORT TO:** Cabinet Member – Technical Services  
Cabinet

**DATE:** 6 April 2011  
14 April 2011

**SUBJECT:** Local Sustainable Transport Fund

**WARDS AFFECTED:** All

**REPORT OF:** Alan Lunt – Director of Built Environment

**CONTACT OFFICER:** Dave Marrin – Traffic Services Manager – Ext. 4295

**EXEMPT/ CONFIDENTIAL:** No

## **PURPOSE/SUMMARY:**

To seek approval for Officers to pursue bids for inclusion in the Local Sustainable Transport Fund (LSTF) in partnership with the Merseyside Integrated Transport Authority (ITA) and West Lancashire District / Lancashire County Councils.

To seek approval for the submission of proposals to the Merseyside ITA for inclusion in a Merseyside LSTF Bid

To seek approval for the submission of a joint LSTF bid with West Lancashire District Council aimed at supporting the visitor economy in the area.

## **REASON WHY DECISION REQUIRED:**

LSTF Bid submissions require political commitment & support from the submitting authority. Bids for funding need Members approval so that the implications for service delivery can be taken into account in any submission.

## **RECOMMENDATION(S):**

It is recommended that the Cabinet Member endorses the approach being taken to submit a large bid (with a key component) through the Merseyside ITA and a to submit a separate small bid in partnership with West Lancashire District Council

It is recommend that Cabinet:

1. Approve the proposals to be submitted to the Merseyside Integrated Transport Authority for inclusion in a Merseyside Bid to the Local Sustainable Transport Fund; and
2. Approve the submission of a joint bid wit Local Sustainable Transport Fund with West Lancashire District Council.

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**KEY DECISION:** No

**FORWARD PLAN:** No

**IMPLEMENTATION DATE:** Immediately

**ALTERNATIVE OPTIONS:**

There are no alternative options

**IMPLICATIONS:**

**Budget/Policy Framework:** None

**Financial:** Specific comment on the financial implications is made in paragraph 3 of the report. This initial stage seeks to allow the Council to make a bid for funding through Merseytravel, based on some indicative project figures. There are no direct cost implications as a result of making this decision and should funding be secured through a successful bid, this should help enhance many projects already delivered by the Council.

<b><u>CAPITAL EXPENDITURE</u></b>	<b>2010 2011 £</b>	<b>2011/ 2012 £</b>	<b>2012/ 2013 £</b>	<b>2013/ 2014 £</b>
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<b><u>REVENUE IMPLICATIONS</u></b>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? No	When?			
How will the service be funded post expiry?				

**Legal:** None

**Risk Assessment:** None

**Asset Management:** None

**CONSULTATION UNDERTAKEN/VIEWS**  
**FD734 - THE HEAD OF CORPORATE FINANCE AND ICT HAS BEEN CONSULTED AND HER COMMENTS HAVE BEEN INCORPORATED INTO THIS REPORT**

**CORPORATE OBJECTIVE MONITORING:**

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community	✓		
2	Creating Safe Communities	✓		
3	Jobs and Prosperity	✓		
4	Improving Health and Well-Being	✓		
5	Environmental Sustainability	✓		
6	Creating Inclusive Communities	✓		
7	Improving the Quality of Council Services and Strengthening local Democracy		✓	
8	Children and Young People	✓		

**LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT**

None

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## **1.0 Information / Background**

- 1.1 The Department for Transport (DfT) has invited Local Transport Authorities in England (outside London) to make bids for inclusion in the Local Sustainable Transport Fund (LSTF).
- 1.2 The fund will finance a range of sustainable transport packages and could include:
  - Workplace & School Travel Plans
  - Walking and Cycling initiatives
  - Public Transport Improvements
  - Traffic Management initiatives
  - Road Safety / Road User Training
  - 20mph zones
  - Sustainable Transport Corridors
- 1.3 A total of £560m will be available over the 4 year period to 2014/15 with 2/3<sup>rd</sup> being revenue and 1/3<sup>rd</sup> Capital. The key aim of the fund is to support economic growth whilst reducing carbon emissions.
- 1.4 Major infrastructure provision will not be funded.
- 1.5 DfT is encouraging all Local Authorities to submit small (up to £5m) or large (over £5m) bids. However, it is anticipated that competition in the larger bid category will be strong and that few of the large bids would be fully supported.
- 1.6 There has been specific encouragement to the existing Cycle Town Authorities to submit bids which will build on existing good practice and experience.
- 1.7 Partnership bids between Authorities are also being encouraged as are bids which show strong partnership working with the Health and Voluntary Sectors.
- 1.8 In the case of Sefton, any bid must be supported by Merseytravel as the Merseyside Integrated Transport Authority (ITA).

## **2.0 Current Position**

- 2.1 Discussions have taken place with the ITA regarding bids in Merseyside and whilst initially the ITA was of the opinion that one large (over £5m) bid should be submitted the current view has changed a little. At their meeting of the 11<sup>th</sup> March the Merseyside Chief Executives endorsed the development of an ITA led bid but retained the option to pursue individual or partnership bids, in particular between Sefton and West Lancashire. Such a joint bid would then sit alongside the Merseyside bid.
- 2.2 The Merseyside bid will focus on working with employers to develop workplace travel plans and active workforce initiatives, providing travel advice, working with education and skills providers to develop safety skills and promote low carbon

travel choices. The suggestions from Sefton for inclusion in the Merseyside bid are attached as Annex A.

- 2.3 The Sefton / West Lancs bid would focus on supporting and promoting the visitor economy of the area and would cover the Sefton Coast from Waterloo to Southport and inland to incorporate northern and western parts of West Lancashire including Ormskirk and Burscough. The area contains many attractions such as the Iron Men, Southport, Marshside RSPB Reserve, Martin Mere, Leisure Lakes, Mere Sands Wood, etc. Many visitors arrive by car and the bid will concentrate on promoting and developing opportunities for enjoying the attractions of the area by sustainable transport and by promoting these transport options (primarily walking and cycling) as attractions in themselves. It is anticipated that the bid will total £2m - £3m. The bid proposal is attached as Annex B.
- 2.4 Members will note that much of the funding available is revenue and so many of the proposals will be targeted at promotion, publicity and support services rather than new infrastructure.
- 2.5 There is a requirement for match funding, although specific levels are not indicated in the bidding guidance. Match funding will be found through LTP contributions, developer contributions, staff time and input from partner organisations either directly or in kind.

### **3.0 Financial Implications**

- 3.1 The funding bids described in this report relate to both Capital and Revenue spending.
- 3.2 In respect of Revenue and Capital, indicative costs towards the Merseytravel bid are shown within tables in Annex A below, with some 'match' budgets shown alongside. It is important to note that the 'match' element shown for these bids is not like that prescribed under say a European funding bid, where spend must be accurately matched by real resources either in cash or kind, but rather, the broad guidance for creating the bid, seeks the comfort of the Local Authority demonstrating it's indicative future commitment towards delivering projects of this nature, largely because it already has a commitment to delivering in these areas. These figures are there to support the bid.
- 3.3 The revenue match bids therefore in respect of the Business and Economy; Working with Employers and Enabling People projects can be delivered through existing projects over the next 4 years, projects which are currently 100% funded by Sefton @ work and the Invest Sefton programmes within the Economic Development Department and which fit in well with the proposed projects tied up in the Merseytravel bid.
- 3.4 The two projects shown as Education and Skills package and Local Environment and Accessibility package, show 'match' from other known external funding sources over the next two years, coming essentially from PCT; Cycle Touring

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and Sustrans as well as LTP revenue funding. Although some of these sources of funding may not be estimated easily in later years, the figures have been scaled down from 2013/14. There are also some 'in kind' contributions from the Fire Service and Police in partnership with Sefton, along with some small elements of revenue budget from Road Safety. Again, this funding is shown as indicative of future commitments towards schemes which fit in well with the Merseytravel bid.

- 3.5 The bid in respect of partnership with West Lancashire Council shown in Annex B below, is matched largely by local contribution rather than known resources, for example, cycle hire income; Sefton Coast marketing and Eco centre resources and through the visitor economy. Match figures for these cannot be readily shown at this stage.
- 3.6 It is important to note that both sets of bids rely on sources of external funding to back up the Council's commitment to project delivery, and that these figures are therefore indicative of that commitment. All capital match funding / local contributions will be provided from Local Transport Plan capital resources issued annually by the Department for Transport.

## **4.0 Next Steps**

- 4.1 Small bids must be submitted by 18<sup>th</sup> April 2011 with successful Authorities being notified in June 2011 and the funds becoming available in July 2011
- 4.2 The deadline for expressions of interest for large bids is 6<sup>th</sup> June 2011. Any bids made in this way will not receive funding until July 2012. However, by April 18<sup>th</sup> 2011 Authorities can also submit a key component bid as part of a larger bid. The key component element must be less than £5m and would fund initiatives to be delivered from July 2011.

## ANNEX A

### Merseyside Local Sustainable Transport Fund (LSTF) Key Component Bid Pro-forma for scheme promoters

#### **Business & Economy Package**

1. Based on the list of preferred options for the bid, please indicate which of the following categories your scheme falls within (please tick all that apply):-

<b>Training and travel support</b> e.g. WorkWise type activity or travel training for the mobility impaired	✓
<b>Working with employers</b> e.g. staff travel planning, home working	✓
<b>Cycling as a mode of active travel</b> e.g. cycle routes, cycle training, cycle promotions	✓
<b>Improving information on bus services</b> e.g. use of new technology to for service information	
<b>Working with the local community</b> e.g. new methods of community involvement in the delivery of practical measures	✓

2. In no more than 50 words, please describe the nature of your proposed scheme, activity or intervention.

An integrated and targeted package of measures aimed at improving business efficiency and performance will target employers, their workforces and our workless communities. Delivered in conjunction with existing business assistance and employment services it will work with businesses to address their travel issues, assist people into employment and provide new walking and cycling infrastructure at key employment locations.

3. Who will deliver your scheme or intervention (e.g. charitable body, local authority, private sector, voluntary sector (please name all that apply))

The scheme will be delivered by Sefton Council through its existing delivery arrangements of business and employment support, Invest Sefton, Sefton@Work and the Neighbourhood Travel Team. Additional links with the business community will be provided through Sefton Chamber of Commerce and Sefton Economic Forum. Community engagement for the delivery of the employability services will be provided through Sefton CVS and other partners within the Sefton Local Strategic Partnership.

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4. Please give indicative costs for your intervention, with information on its capital/revenue breakdown, and the levels of match funding that you are able to provide, using the table below:-

***Please note that the term ‘match’ is somewhat misleading in this instance. The LSTF does not require like for like match, but identifies a need for a local contribution. The figures provided below relate to the expected local contribution that would be available, whether in monetary terms or ‘in kind’ (as time commitment).***

Year 1 (2011/12)				Year 2 (2012/13)			
Revenue		Capital		Revenue		Capital	
£ LSTF	£ match	£ LSTF	£ match	£ LSTF	£ match	£ LSTF	£ match
60,000	180,000	20,000	10,000	150,000	310,000	110,000	50,000
Year 3 (2013/14)				Year 4 (2014/15)			
Revenue		Capital		Revenue		Capital	
£ LSTF	£ match	£ LSTF	£ match	£ LSTF	£ match	£ LSTF	£ match
150,000	320,000	110,000	50,000	105,000	120,000	80,000	50,000

**Total revenue            £ 465,000 (approx 60%)**  
**Total capital            £ 320,000 (approx 40%)**

5. Please state what specific activity will take place in year one (i.e. during 2011/12 financial year)

Early actions will be undertaken across a range of activities:

- A “Sustainable Transport” business engagement strategy will be defined and agreed with partners as part of the wider Sefton Sustainable Economic Development strategy and themed business events will be undertaken.
- A Business Travel Advisor will be appointed and will engage with employers through the existing Invest Sefton business network to identify travel related concerns and issues for local business and initiate working programmes with employers to address these concerns.
- Establishment of a business travel grant scheme to assist employers with introducing initiatives or infrastructure in support of workplace travel plans.
- There will be engagement with growth employers on bespoke support programmes for local recruitment and retention will commence, with early activity centred on employers within the Dock estate.
- Protocol and referral agreements with the Neighbourhood Travel Team and partners will be refreshed and agreed and the Travel Team will continue to



assist people into employment.

- A delivery plan for specialist support for Low Carbon economy sectors will be prepared and agreed with key partners. Early activity will incorporate retraining of skilled tradespeople and development of sustainable transport solutions with the sectors.
- The Single Regeneration Framework for North Liverpool and south Sefton will be finalised and agreed by Liverpool and Sefton Cabinets and work commenced on identifying sustainable transport actions into the key developments.
- Potential infrastructure improvement schemes at key employment locations will be evaluated and preliminary design of suitable schemes will be undertaken as a basis for consultation with employers at the selected locations and with the associated local communities.

In year one (Sept 2011 to March 2012), we expect to be able to deliver :

- 60 business engagements on sustainable transport issues
- 10 in depth support actions for companies in the Low carbon economy sectors
- 10 employer-designed recruitment /retention pathways to promote access for local workless people
- 50 workless residents assisted to get a job, receiving a full package of transport advice and guidance and financial assistance to access public transport or other solutions ( eg. Cycling) as appropriate
- Preliminary design of two infrastructure improvement schemes at key employment locations

6. Please indicate what support exists for your bid (e.g. voluntary, community, partnership, in-kind)

These proposals have been the subject of local negotiations with representatives from across all sectors in Sefton, including the voluntary, community and faith sectors, health, economic development, and local business representatives. There is specific support from the existing business support structures within Sefton, i.e. Invest Sefton and Sefton@Work who will also facilitate engagement with the Chamber of Commerce, Sefton Economic Forum, Sefton CVS and service providers. The local contribution is mainly provided through the extensive existing programmes of business support and access to employment offered through Invest Sefton and Sefton@Work. There will also be LTP contributions towards the infrastructure improvement schemes.

7. What are the legacy benefits of your proposals beyond the 4 year timescales of the LSTF (e.g. how will the activity continue beyond the LSTF timescales)

We believe we are well placed to provide a wide range of legacy benefits after the expiry of the grant as follows.

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- Professional development of a broader range of business-facing advisory and support staff to build better practice related to sustainable transport solutions for business growth and integrate transport considerations within existing support programmes.
- Incorporating excellence on carbon reduction into a wide range of economic and community-based activities.
- Building capacity and self sufficiency within existing businesses to address transport issues e.g. through workplace travel plans, and assist with the retention of staff.
- The roll-forward of the most successful elements of our transport interventions into forthcoming actions under the Single Regeneration Framework for North Liverpool/South Sefton to capitalise on growth opportunities related to the working Port, a key Transformational Action for Merseyside.
- Infrastructure improvements will remain beyond the life of the project providing improved access for pedestrians and cyclists to key employment locations.

8. Please indicate in which area your scheme will provide benefit:-

Knowsley	
Liverpool	
St Helens	
Sefton	✓
Wirral	
County-wide	

Please return to Allan Stevenson, Merseyside LTP Support Unit  
([allan.stevenson@merseytravel.gov.uk](mailto:allan.stevenson@merseytravel.gov.uk)) by **4pm Friday 18<sup>th</sup> March 2011**

Please direct any queries to Huw Jenkins (0151 330 1110)  
And Barbara Wade (0151 330 1852)

**Thank you**

**Merseyside Local Sustainable Transport Fund (LSTF) Key Component Bid**  
**Pro-forma for scheme promoters**

## Working with Employers

***Note that this proposal is a sub-set of the larger, integrated Business and Economy package submitted by Sefton Council. The preference is to include these actions within the wider package, but it can be considered separately if desired.***

5. Based on the list of preferred options for the bid, please indicate which of the following categories your scheme falls within (please tick all that apply):-

<b>Training and travel support</b> e.g. WorkWise type activity or travel training for the mobility impaired	✓
<b>Working with employers</b> e.g. staff travel planning, home working	✓
<b>Cycling as a mode of active travel</b> e.g. cycle routes, cycle training, cycle promotions	✓
<b>Improving information on bus services</b> e.g. use of new technology to for service information	
<b>Working with the local community</b> e.g. new methods of community involvement in the delivery of practical measures	

6. In no more than 50 words, please describe the nature of your proposed scheme, activity or intervention.

An integrated and targeted package of measures aimed at improving business efficiency and performance will target employers and their workforces. Delivered in conjunction with existing business assistance and employment services it will work with businesses to address their travel issues, including development of workplace travel plans, and provide new walking and cycling infrastructure at key employment locations.

7. Who will deliver your scheme or intervention (e.g. charitable body, local authority, private sector, voluntary sector (please name all that apply))

The scheme will be delivered by Sefton Council through its existing delivery arrangements of business and employment support, Invest Sefton and Sefton@Work. Additional links with the business community will be provided through Sefton Chamber of Commerce, Sefton Economic Forum and other partners within the Sefton Local Strategic Partnership.

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8. Please give indicative costs for your intervention, with information on its capital/revenue breakdown, and the levels of match funding that you are able to provide, using the table below:-

***Please note that the term ‘match’ is somewhat misleading in this instance. The LSTF does not require like for like match, but identifies a need for a local contribution. The figures provided below relate to the expected local contribution that would be available, whether in monetary terms or ‘in kind’ (as time commitment).***

Year 1 (2011/12)				Year 2 (2012/13)			
Revenue		Capital		Revenue		Capital	
£ LSTF	£ match	£ LSTF	£ match	£ LSTF	£ match	£ LSTF	£ match
60,000	80,000	20,000	10,000	80,000	160,000	110,000	50,000
Year 3 (2013/14)				Year 4 (2014/15)			
Revenue		Capital		Revenue		Capital	
£ LSTF	£ match	£ LSTF	£ match	£ LSTF	£ match	£ LSTF	£ match
70,000	120,000	110,000	50,000	60,000	80,000	80,000	50,000

**Total revenue**      **£ 270,000** (approx 46%)  
**Total capital**      **£ 320,000** (approx 54%)

9. Please state what specific activity will take place in year one (i.e. during 2011/12 financial year)

Early actions will be undertaken across a range of activities:

- A “Sustainable Transport” business engagement strategy will be defined and agreed with partners as part of the wider Sefton Sustainable Economic Development strategy and themed business events will be undertaken.
- A Business Travel Advisor will be appointed and will engage with employers through the existing Invest Sefton business network to identify travel related concerns and issues for local business and initiate working programmes with employers to address these concerns.
- Establishment of a business travel grant scheme to assist employers with introducing initiatives or infrastructure in support of workplace travel plans.
- There will be engagement with growth employers on bespoke support programmes for local recruitment and retention will commence, with early activity centred on employers within the Dock estate.
- The Single Regeneration Framework for North Liverpool and south Sefton will be finalised and agreed by Liverpool and Sefton Cabinets and work commenced on identifying sustainable transport actions into the key developments.

- Potential infrastructure improvement schemes at key employment locations will be evaluated and preliminary design of suitable schemes will be undertaken as a basis for consultation with employers at the selected locations and with the associated local communities.
- Establishment of business networks based at key employment locations in Sefton including Atlantic Park Netherton, Southport Business Park, A565 route corridor (Waterloo and Crosby)
- Roll out awareness campaign via the established Invest Sefton network.

6. Please indicate what support exists for your bid (e.g. voluntary, community, partnership, in-kind)

These proposals have been the subject of local negotiations with representatives from across all sectors in Sefton, including the voluntary, community and faith sectors, health, economic development, and local business representatives. There is specific support from the existing business support structures within Sefton, i.e. Invest Sefton and Sefton@Work who will also facilitate engagement with the Chamber of Commerce, Sefton Economic Forum, Sefton CVS and service providers. The local contribution is mainly provided through the extensive existing programmes of business support offered through Invest Sefton and Sefton@Work. There will also be LTP contributions towards the infrastructure improvement schemes.

7. What are the legacy benefits of your proposals beyond the 4 year timescales of the LSTF (e.g. how will the activity continue beyond the LSTF timescales)

We believe we are well placed to provide a wide range of legacy benefits after the expiry of the grant as follows.

- Professional development of a broader range of business-facing advisory and support staff to build better practice related to sustainable transport solutions for business growth and integrate transport considerations within existing support programmes.
- Incorporating excellence on carbon reduction into a wide range of economic and community-based activities.
- Building capacity and self sufficiency within existing businesses to address transport issues e.g. through workplace travel plans, and assist with the retention of staff.
- The roll-forward of the most successful elements of our transport interventions into forthcoming actions under the Single Regeneration Framework for North Liverpool/South Sefton to capitalise on growth opportunities related to the working Port, a key Transformational Action for Merseyside.
- Infrastructure improvements will remain beyond the life of the project providing improved access for pedestrians and cyclists to key employment locations.

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8. Please indicate in which area your scheme will provide benefit:-

Knowsley	
Liverpool	
St Helens	
Sefton	✓
Wirral	
County-wide	

Please return to Allan Stevenson, Merseyside LTP Support Unit  
([allan.stevenson@merseytravel.gov.uk](mailto:allan.stevenson@merseytravel.gov.uk)) by **4pm Friday 18<sup>th</sup> March 2011**

Please direct any queries to Huw Jenkins (0151 330 1110)  
and Barbara Wade (0151 330 1852)

**Thank you**

**Merseyside Local Sustainable Transport Fund (LSTF) Key Component Bid**  
**Pro-forma for scheme promoters**

## Enabling People

***Note that this proposal is a sub-set of the larger, integrated Business and Economy package submitted by Sefton Council. The preference is to include these actions within the wider package, but it can be considered separately if desired.***

10. Based on the list of preferred options for the bid, please indicate which of the following categories your scheme falls within (please tick all that apply):-

<b>Training and travel support</b> e.g. WorkWise type activity or travel training for the mobility impaired	✓
<b>Working with employers</b> e.g. staff travel planning, home working	
<b>Cycling as a mode of active travel</b> e.g. cycle routes, cycle training, cycle promotions	✓
<b>Improving information on bus services</b> e.g. use of new technology to for service information	
<b>Working with the local community</b> e.g. new methods of community involvement in the delivery of practical measures	✓

11. In no more than 50 words, please describe the nature of your proposed scheme, activity or intervention.

This targeted package of measures is aimed at making people more employable by expanding their travel horizons, developing independence enabling them to obtain and retain employment. Delivered in conjunction with existing employment services it will assist key groups such as long term unemployed, NEETS, Incapacity Benefit Claimants, ex-offenders and recovering drug users with both seeking and securing employment.

12. Who will deliver your scheme or intervention (e.g. charitable body, local authority, private sector, voluntary sector (please name all that apply))

The scheme will be delivered by Sefton Council through its existing delivery arrangements of employment support Sefton@Work and the Neighbourhood Travel Team. Additional links will be provided through Job Centre Plus and other agencies. Community engagement for the delivery of the employability services will be provided through Sefton CVS and other partners within the Sefton Local Strategic Partnership.

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13. Please give indicative costs for your intervention, with information on its capital/revenue breakdown, and the levels of match funding that you are able to provide, using the table below:-

**Please note that the term 'match' is somewhat misleading in this instance. The LSTF does not require like for like match, but identifies a need for a local contribution. The figures provided below relate to the expected local contribution that would be available, whether in monetary terms or 'in kind' (as time commitment).**

Year 1 (2011/12)				Year 2 (2012/13)			
Revenue		Capital		Revenue		Capital	
£ LSTF	£ match	£ LSTF	£ match	£ LSTF	£ match	£ LSTF	£ match
30,000	100,000			90,000	150,000		
Year 3 (2013/14)				Year 4 (2014/15)			
Revenue		Capital		Revenue		Capital	
£ LSTF	£ match	£ LSTF	£ match	£ LSTF	£ match	£ LSTF	£ match
90,000	200,000			50,000	40,000		

**Total revenue            £ 260,000**  
**Total capital            £            0**

5. Please state what specific activity will take place in year one (i.e. during 2011/12 financial year)

Early actions will be undertaken across a range of activities:

- Protocol and referral agreements with the Neighbourhood Travel Team and partners will be refreshed and agreed and the Travel Team will continue to assist people into employment.
- Additional resources will be provided to existing employability programmes to extend both the numbers of people assisted and the level of assistance.
- Specific interventions including journey plans, travel training, travel passes (for interview, training or jobs) and bicycles will be delivered to individuals from key groups such as long term unemployed, NEETS, Incapacity Benefit Claimants, ex-offenders and recovering drug users with both seeking and securing employment.

In year one (Sept 2011 to March 2012), we expect to be able to deliver :

- Advice and information provided to at least 400 people.
- 50 workless residents assisted to get a job, receiving a full package of transport advice and guidance and financial assistance to access public transport or other solutions ( eg. cycling) as appropriate



6. Please indicate what support exists for your bid (e.g. voluntary, community, partnership, in-kind)

These proposals have been the subject of local negotiations with representatives from across all sectors in Sefton, including the voluntary, community and faith sectors, health, economic development, and local business representatives. There is specific support from the existing business support structures within Sefton, i.e. Sefton@Work who will also facilitate engagement with Sefton CVS and service providers. The local contribution is mainly provided through the extensive existing programmes of access to employment services offered through Sefton@Work and the Neighbourhood Travel Team.

7. What are the legacy benefits of your proposals beyond the 4 year timescales of the LSTF (e.g. how will the activity continue beyond the LSTF timescales)

We believe we are well placed to provide a wide range of legacy benefits after the expiry of the grant as follows.

- Professional development of a broader range of advisory and support staff to build better practice related to sustainable transport solutions for access to employment.
- Building capacity and independence within the local population to widen travel horizons and increase confidence in travelling by sustainable modes, leading to increased numbers of people retaining employment, enhanced local economic activity and a reduction in benefit claimants.
- Improved employability and confidence among target groups, such as long term unemployed, NEETS, Incapacity Benefit Claimants, ex-offenders and recovering drug users.
- Travel advice and assistance is expected to be integrated into the ongoing programme of providing assistance into employment.

8. Please indicate in which area your scheme will provide benefit:-

Knowsley	
Liverpool	
St Helens	
Sefton	✓
Wirral	
County-wide	

Please return to Allan Stevenson, Merseyside LTP Support Unit  
[allan.stevenson@merseytravel.gov.uk](mailto:allan.stevenson@merseytravel.gov.uk) by **4pm Friday 18<sup>th</sup> March 2011**

Please direct any queries to Huw Jenkins (0151 330 1110)  
 and Barbara Wade (0151 330 1852)

**Thank you**

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## Merseyside Local Sustainable Transport Fund (LSTF) Key Component Bid Pro-forma for scheme promoters

### Education and Skills Package

14. Based on the list of preferred options for the bid, please indicate which of the following categories your scheme falls within (please tick all that apply):-

<b>Training and travel support</b> e.g. WorkWise type activity or travel training for the mobility impaired	✓
<b>Working with employers</b> e.g. staff travel planning, home working	
<b>Cycling as a mode of active travel</b> e.g. cycle routes, cycle training, cycle promotions	✓
<b>Improving information on bus services</b> e.g. use of new technology to for service information	
<b>Working with the local community</b> e.g. new methods of community involvement in the delivery of practical measures	✓

15. In no more than 50 words, please describe the nature of your proposed scheme, activity or intervention.

Travel to education is a major journey purpose and this package will provide a seamless sustainable transport transition starting at nursery and extending to further education and training. It will deliver safe and sustainable transport options, with an emphasis on key life events and transitions. It will contribute to reducing congestion and carbon emissions due to the school run by encouraging alternative modes of travel.

16. Who will deliver your scheme or intervention (e.g. charitable body, local authority, private sector, voluntary sector (please name all that apply))

The scheme will be delivered by Sefton Council by extending its existing delivery arrangements for sustainable travel to education and skills. The Council will also work with NHS Sefton on the expansion and extension of existing programmes in Sefton schools, which will be fully engaged with the programme. Colleges and training organisations will also participate fully in the project. Community engagement for the delivery of initiatives around schools and colleges will be provided through local politicians, Sefton CVS and other partners within the Sefton Local Strategic Partnership.

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17. Please give indicative costs for your intervention, with information on its capital/revenue breakdown, and the levels of match funding that you are able to provide, using the table below:-

**Please note that the term ‘match’ is somewhat misleading in this instance. The LSTF does not require like for like match, but identifies a need for a local contribution. The figures provided below relate to the expected local contribution that would be available, whether in monetary terms or ‘in kind’ (as time commitment).**

Year 1 (2011/12)				Year 2 (2012/13)			
Revenue		Capital		Revenue		Capital	
£ LSTF	£ match	£ LSTF	£ match	£ LSTF	£ match	£ LSTF	£ match
60,000	235,000	20,000	25,000	255,000	115,000	100,000	30,000
Year 3 (2013/14)				Year 4 (2014/15)			
Revenue		Capital		Revenue		Capital	
£ LSTF	£ match	£ LSTF	£ match	£ LSTF	£ match	£ LSTF	£ match
295,000	85,000	100,000	30,000	255,000	85,000	50,000	25,000

**Total revenue            £ 865,000 (approx 76%)**  
**Total capital            £ 270,000 (approx 24%)**

5. Please state what specific activity will take place in year one (i.e. during 2011/12 financial year)

The interventions identified below are targeting schools, colleges, training providers with an emphasis on transition and on developing safe sustainable and independent travel.

Early interventions that will start or be developed from existing programmes in the first year include the following:

- Child pedestrian training
- Cool steps walking programme
- Bikeability level 3 cycle training
- Bike It programme
- Young peoples cycle forum, 3 meetings in year 1
- Road safety education package
- Bike Clubs
- How to get to guides – specifically for colleges and training providers
- Personalised journey plans and travel assistance
- Travel training for people with learning or mobility difficulties
- Pre-driver training programme

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- Preliminary design of pedestrian and cycle facilities in and around schools
- Identification of potential 20mph zones around schools or colleges

6. Please indicate what support exists for your bid (e.g. voluntary, community, partnership, in-kind)

These proposals have been the subject of discussions with local organisations and service providers across Sefton. There is specific support for these initiatives through NHS Sefton, Leisure Services and Childrens Services through existing programmes to support more active lifestyles, improve safety and encourage sustainable travel to schools, colleges and training providers. The local contribution is mainly provided through the extensive existing programmes of activity. There will also be LTP contributions towards the infrastructure improvement schemes.

7. What are the legacy benefits of your proposals beyond the 4 year timescales of the LSTF (e.g. how will the activity continue beyond the LSTF timescales)

Specific benefits of the proposals are as follows :

- Embedding sustainable travel as a travel option at an early age thus encouraging continued use of walking and cycling into adult life.
- Embedding road safety awareness at an early age to reduce the number of child road accident casualties
- A blue print for future transition work to be continued with support from schools and colleges.
- Sustained assess to further and higher education, leading to greater confidence and travel independence and improved employability.
- Developing capacity and experience within the education and skills sector so that transport access becomes an integral part of the information provided to children and their parents in taking up opportunities for education and skills.

8. Please indicate in which area your scheme will provide benefit:-

Knowsley	
Liverpool	
St Helens	
Sefton	✓
Wirral	
County-wide	

Please return to Allan Stevenson, Merseyside LTP Support Unit  
([allan.stevenson@merseytravel.gov.uk](mailto:allan.stevenson@merseytravel.gov.uk)) by **4pm Friday 18<sup>th</sup> March 2011**

**Merseyside Local Sustainable Transport Fund (LSTF) Key Component Bid**  
**Pro-forma for scheme promoters**

## Local Environment & Accessibility

18. Based on the list of preferred options for the bid, please indicate which of the following categories your scheme falls within (please tick all that apply):-

<b>Training and travel support</b> e.g. WorkWise type activity or travel training for the mobility impaired	✓
<b>Working with employers</b> e.g. staff travel planning, home working	
<b>Cycling as a mode of active travel</b> e.g. cycle routes, cycle training, cycle promotions	✓
<b>Improving information on bus services</b> e.g. use of new technology to for service information	
<b>Working with the local community</b> e.g. new methods of community involvement in the delivery of practical measures	✓

19. In no more than 50 words, please describe the nature of your proposed scheme, activity or intervention.

The extent of walking and cycling within local areas is significantly affected by local accessibility and environmental conditions. This package of mainly infrastructure improvements is aimed at improving safety, accessibility and air quality at specific locations in Sefton. Depending on the local issues and problems the nature of the interventions could include walking and cycling routes, reduction to traffic speeds and volumes, educating road users and improving access to key services.

20. Who will deliver your scheme or intervention (e.g. charitable body, local authority, private sector, voluntary sector (please name all that apply))

The scheme will be primarily delivered by Sefton Council, with specific input from local Area Committees. Community engagement for the delivery of initiatives in local areas will be provided through local politicians, Sefton CVS and other partners within the Sefton Local Strategic Partnership. The Council's Environmental Protection Department will be actively engaged in the delivery of initiatives in Air Quality Management Areas, also in conjunction with NHS Sefton. The Police and Fire and Rescue services will also be working with the Council on the delivery and enforcement of road safety and driver behaviour initiatives.

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21. Please give indicative costs for your intervention, with information on its capital/revenue breakdown, and the levels of match funding that you are able to provide, using the table below:-

**Please note that the term ‘match’ is somewhat misleading in this instance. The LSTF does not require like for like match, but identifies a need for a local contribution. The figures provided below relate to the expected local contribution that would be available, whether in monetary terms or ‘in kind’ (as time commitment).**

Year 1 (2011/12)				Year 2 (2012/13)			
Revenue		Capital		Revenue		Capital	
£ LSTF	£ match	£ LSTF	£ match	£ LSTF	£ match	£ LSTF	£ match
30	45	20	10	80	40	150	100
Year 3 (2013/14)				Year 4 (2014/15)			
Revenue		Capital		Revenue		Capital	
£ LSTF	£ match	£ LSTF	£ match	£ LSTF	£ match	£ LSTF	£ match
80	20	150	100	80	20	50	50

**Total revenue            £ 270,000 (approx 42%)**  
**Total capital            £ 370,000 (approx 58%)**

5. Please state what specific activity will take place in year one (i.e. during 2011/12 financial year)

The interventions identified below are aimed at improving the safety and accessibility of local areas as a way of supporting and encouraging sustainable and independent travel, within the local areas. This will benefit the local community and locally based businesses.

Early interventions that will take place in the first year include the following:

- Feasibility study of 20mph zones and identification of priority areas, including the start of consultation with local communities
- Establishment of a driver education package, aimed at improving driver behaviour and encouraging safer driving habits
- Extended and continued delivery of locally based child safety training
- Enhanced road safety publicity campaigns in conjunction with local police and fire and rescue services, e.g. through CSOs
- Preliminary design of infrastructure improvements in priority areas
- Identification of priority locations for implementation of local accessibility improvements and development of improvement packages

- Continue delivery of already designed local accessibility improvements

6. Please indicate what support exists for your bid (e.g. voluntary, community, partnership, in-kind)

These proposals have been the subject of discussions with local organisations and service providers across Sefton. Local safety is a top priority for Sefton’s politicians and there is specific support for these initiatives through NHS Sefton. Discussions are also being pursued with the Police and Fire and Rescue services about participating in the delivery of local safety initiatives. The local contribution is mainly provided through existing programmes of activity and there will also be LTP contributions towards the infrastructure improvement schemes. There is also a specific contribution towards initiatives in air quality management areas aimed at improving air quality.

7. What are the legacy benefits of your proposals beyond the 4 year timescales of the LSTF (e.g. how will the activity continue beyond the LSTF timescales)

Specific benefits of the proposals are as follows :

- Establishment of a driver education package which can be easily updated and amended year on year and delivered in association with local Police and Fire and Resuce services.
- Sustained reductions in traffic accident casualties in areas subject to 20mph zones as well as an increased culture of walking and cycling for short journeys
- Sustained improved accessibility, especially for pedestrians, to key locations which have been subject to local accessibility improvements
- Improved air quality in areas where measures have been introduced to reduce emissions, e.g. through reducing congestion.

8. Please indicate in which area your scheme will provide benefit:-

Knowsley	
Liverpool	
St Helens	
Sefton	✓
Wirral	
County-wide	

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Thank you

**ANNEX B**

## **LOCAL SUSTAINABLE TRANSPORT FUND PROPOSED SEFTON COUNCIL/WEST LANCASHIRE DC JOINT BID**

The Government has invited bids for the Local Sustainable Transport Fund from local transport authorities in England. Sefton Council has been exploring options for possible bids as part of the Merseyside ITA bid, as an independent bid or in partnership with the neighbouring authority of West Lancashire. At their meeting on the 11<sup>th</sup> March, the Merseyside Chief Executives endorsed the development of a Merseyside ITA led bid, but retained the option to pursue individual or partnership bids if appropriate. In particular, bids between Sefton and West Lancashire and between St Helens, Halton and Warrington were identified as potential joint bids. At the Merseyside Strategic Transport and Engineering Group (MSTEG) meeting on the 14<sup>th</sup> March, the approach to a Merseyside bid was confirmed and it was acknowledged that potential cross-boundary bid would sit alongside any Merseyside bid. The Merseyside ITA (Merseytravel) stated that they would be willing to endorse a joint, cross-boundary bid that would compliment the Merseyside bid.

On this basis, Sefton Council is proposing to prepare a LSTF Bid in partnership with West Lancashire District Council, with a focus on supporting and promoting the visitor economy in the area. The bid will cover an area extending along the Sefton coast between Waterloo and Southport and inland to incorporate the northern and western parts of West Lancashire, including Ormskirk and Burscough Bridge. This will enable features and sites to be included in the bid area, such as the Iron Men at Crosby, National Trust Reserve in Formby, the resort town of Southport, Marshside RSPB reserve, Martin Mere, Leisure Lakes, Mere Sands Wood, Rufford Old Hall, the Leeds and Liverpool Canal and the Trans Pennine Trail. The area proposed for the bid and the sites and features listed attract large numbers of visitors every year, making a significant contribution to the local economy of the area. Many of these visitors arrive by car and travel through and around the area by car. The bid will concentrate on promoting and developing the opportunities for enjoying the attractions of the area by sustainable transport and by presenting sustainable transport options (primarily walking and cycling) as an attraction in themselves.

Details of the bid are being developed between Sefton Council and West Lancashire DC and will include some infrastructure improvements in specific locations, but will mainly concentrate on improving the leisure offer in the area, providing stronger links between different visitor attractions/locations and improving the information available to people to improve the awareness of sustainable travel opportunities to and between the different visitor locations in the area. This will provide direct benefit to the local economy both by improving the visitor experience, extending the time visitors spend in the area and by attracting new visitors. This approach is consistent with the strategic commitment to the visitor economy by both local authorities.

The bid will be a small bid (<£5m), probably up to about £2-3m in total. It is hoped to be able to submit the bid as part of the first tranche of bids, by the 18<sup>th</sup> April. A significant element of the bid and which is important to the Department for Transport is to build on



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the experience of Southport Cycling Town, a key part of which was support for the visitor economy. This bid will extend the scope of the Cycling Town project to a wider area and to other sustainable modes. The bid will need to be endorsed by both Merseytravel (Merseyside ITA) and Lancashire County Council.

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# Agenda Item 18

**REPORT TO:** Cabinet

**DATE:** 14<sup>th</sup> April 2011

**SUBJECT:** Unauthorised Encampment Policy

**WARDS  
AFFECTED:** All

**REPORT OF:** Director for Built Environment

**CONTACT  
OFFICER:** Neil Davies, Strategy Manager  
934 4837

**EXEMPT/  
CONFIDENTIAL:** No

**PURPOSE/SUMMARY:**

To seek approval to a new policy which sets out the Council's approach to dealing with unauthorised Gypsy & Traveller encampments, in collaboration with other agencies.

**REASON WHY DECISION REQUIRED:**

The Director for the Built Environment does not have authority to approve new policies

**RECOMMENDATION(S):**

Cabinet approve the Unauthorised Gypsy & Traveller Encampment Policy set out in this report

**KEY DECISION:** No

**FORWARD PLAN:** No

**IMPLEMENTATION DATE:** Immediately following the call in period for the minutes of this meeting

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**ALTERNATIVE OPTIONS:** Not to have an Unauthorised Encampment Policy would result in such encampments being unchallenged by the Council and an absence of Council support for a minority group who are often excluded from receiving public services.

**IMPLICATIONS:**

**Budget/Policy Framework:** This is a new Policy for Members to consider

**Financial:** Undertaking the requirements of the policy will be performed by existing Council officers, and there are no additional expenditure implications.

<u><b>CAPITAL EXPENDITURE</b></u>	<b>2009 2010 £</b>	<b>2010/ 2011 £</b>	<b>2011/ 2012 £</b>	<b>2012/ 2013 £</b>
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u><b>REVENUE IMPLICATIONS</b></u>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

**Legal:** The policy includes legal provisions the Council may adopt to remove unauthorised encampments from Council land

**Risk Assessment:** Failure to deal with unauthorised encampments risks:

- Failure to provide appropriate welfare support to members of the Gypsy & Traveller community.
- Potential conflicts with local residential communities
- Damage to land and property.

**Asset Management:**

Unauthorised encampments often occur on Council owned land or property. Hence it is in the Council's interests to take appropriate action to deal with these encampments and try to protect its assets.

**CONSULTATION UNDERTAKEN/VIEWS**

Consultation has been undertaken with the agencies who are represented on the Gypsy & Traveller Steering Group, which involves various Council departments, health services, Police, Fire Service, and Equalities Partnership.

The Acting Head of Corporate Legal Services has been consulted and has no further comments to make on this report. LD 96/11.

**CORPORATE OBJECTIVE MONITORING:**

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community	√		
2	Creating Safe Communities	√		
3	Jobs and Prosperity		√	
4	Improving Health and Well-Being	√		
5	Environmental Sustainability	√		
6	Creating Inclusive Communities	√		
7	Improving the Quality of Council Services and Strengthening local Democracy	√		
8	Children and Young People	√		

**LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT**

Cabinet Report, Future Housing Needs of Gypsies & Travellers, 26<sup>th</sup> February 2009.

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## **1. Background :**

The Council provides a site for Gypsy & Travellers at Formby, but does not provide a transit site for those moving through the borough seeking a short stay. As a result there are incidences when some gypsies & travellers set up unauthorised encampments.

## **2. Unauthorised Encampment Policy :**

2.1 Attached to this report is the proposed Policy for dealing with Unauthorised Encampments. The prime aim of the policy is to manage unauthorised encampments in a supportive, effective and efficient way, addressing the support needs and rights of gypsies and travellers and balancing these with the rights of the settled community.

2.2 The Government has previously issued 'Guidance on Managing Unauthorised Encampments', which the proposed policy seeks to address, with the Council taking the lead role, but identifying the roles other public agencies can play in support of this. The proposed policy seeks to set out a clear and consistent way of response.

2.3 A new element of the policy is to identify a Council Co-ordinator role; which will be performed by officers within the Private Sector Housing Team. Where an unauthorised encampment occurs, the Council Co-ordinator will visit and liaise with the gypsies & travellers, undertake a site risk assessment, then liaise with other support agencies as appropriate, and also liaise with the land owner (or in the case of Council owned land, liaise with the land owning department). The policy sets out a clear distinction between the role of the Co-ordinator and the role of the land owner. It will be for the land owner (or Council land owning department) to take legal action to remove an unauthorised encampment, when this is deemed the appropriate course of action.

## **SEFTON JOINT AGENCY AGREEMENT FOR RESPONDING TO AND SUPPORTING UNAUTHORISED GYPSY AND TRAVELLER ENCAMPMENTS**

### **POLICY STATEMENT**

The policy statement below outlines some of the key points that this policy is based on and addresses:-

- Gypsies and Travellers are not the only groups to be involved in unauthorised camping. The purpose of focusing this agreement on the gypsy and traveller community is in recognition of the particular needs of this community and the discrimination suffered. The agreement will ensure that their needs are part of the solution to any problems arising from unauthorised encampments.
- The agreement ensures a joint agency approach to any encampment with key partners having specific roles. This joint approach will ensure the needs of gypsies and travellers and the settled community are balanced and will reflect compliance with applicable law, best practice and Government guidance.
- The agreement will be reviewed annually by the corporate Gypsy and Traveller Steering Group and will address any issues arising from the use of the agreement at its regular meetings. The work of the Steering Group in relation to this will be supported by the operational group.
- It is recognised by partners that currently there are around five or six unauthorised sites a year, this is not a large number but this policy will ensure the needs of gypsies and travellers and the settled community and the responsibilities of all partners are acted on appropriately.

Other associated documents:-

- Sefton's Gypsy and Traveller strategy
- Merseyside Police Gypsy and Traveller Policy and Procedure

The parties below agree to the policy statement and to work to support the effective delivery of the guidelines in this agreement.

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## CONTENTS

1. Aims of the Policy
2. Who does the Policy relate to?
3. Introduction
4. Local Data and information
5. Strategy for additional site provision
6. Process to be followed when unauthorised encampments occur.
7. Roles and Responsibilities
8. Strategy for communicating the protocol widely
9. Holistic Approach / Link to other Policies
10. Animal Welfare
11. Summary



## AIMS OF THE POLICY

1. To manage unauthorised encampments in a supportive, effective and efficient way, addressing the support needs and rights of gypsies and travellers and balancing these with the rights of the settled community.
2. To consider the needs of all parties including residents, gypsies and travellers, landowners and local businesses in every situation.
3. To set out recommended courses of action which local authorities, the police and other partner agencies should follow to provide an effective response to unauthorised camping in their area.
4. To develop best practice in terms of the engagement of gypsies and travellers and the settled community when unauthorised encampments occur.

## 2. WHO DOES THE POLICY RELATE TO?

This protocol relates to all travelling groups and all unauthorised encampments in Sefton.

This will include:-

- Romanies of England and Wales
- Romanies who have come from Europe.
- Irish Travellers
- Scottish Travellers
- Show and Fairground Travellers
- New Travellers
- Bargees

In communication where possible the term accepted by the group in question will be used. It is important to note that unauthorised developments are outside the scope of this agreement.

## 3. INTRODUCTION

The first joint agreement on unauthorised sites was developed in 2006 by the Gypsy and Traveller Strategy Group, but it is accepted that this does not now cover the full range of issues that need to be addressed by such an agreement.

In line with Government 'Guidance on Managing Unauthorised Camping Guidelines' the local authority will take the lead in managing unauthorised camping.

Merseyside Police will take the lead only where urgent action is needed e.g. in the use of the Criminal Justice and Public Order Act (CJPOA) s. 61.

The police will look to the local authority to identify 'acceptable' sites when there are no available pitches in the area.

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## FIVE KEY PRINCIPLES

- The joint agency group recognises their statutory and moral responsibility to work together for the safety and well being of gypsies and travellers and the settled community.
- Gypsies and Travellers and the settled community are entitled to live free from crime, harassment and intimidation.
- Gypsies and Travellers must have equitable access to services
- A travelling way of life is legitimate
- All offensive behaviour in any unauthorised encampment situation will be treated in the same manner within the rule of law.

## 4. LOCAL INFORMATION AND DATA

### Current and Proposed Sites

In Sefton there is one fifteen pitch site in Formby. The work on the accommodation needs assessment has recommended increasing this with another 15 permanent pitches and 5 transit pitches.

It is known that a significant percentage of gypsies and travellers live in houses, however little is known about this group and the only direct contact is through Children Schools and Families

### Unauthorised Sites

The accommodation needs assessment has identified that gypsies and travellers do move through Sefton as is identified above. This has resulted in the recommended Transit site provision. Some of the movement relates to Appleby Fair and some relates to movement into North Wales and/ or to visit relatives.

## 5. STRATEGY FOR ADDITIONAL SITE PROVISION

In relation to the future housing needs of Gypsies and Travellers, a report on this matter was considered by Sefton's Cabinet on 26<sup>th</sup> February 2009. This report summarised the findings of the Merseyside Gypsy and Traveller Accommodation Needs Assessment together with the emerging requirements of the Partial Review of Regional Spatial Strategy. The report examined the likely implications for Sefton in relation to future additional permanent and transit pitch provision and meeting the housing and support needs of Gypsies and Travellers and Travelling Showpeople. It also sought delegated authority for the relevant directors to make representations on behalf of Sefton Council to the Regional Spatial Strategy Partial review consultations and subsequent Examination in Public.

At the time of the report the interim draft Partial Review of the Regional Spatial Strategy was subject to a consultation period running until early March 2009. It indicated a minimum additional permanent residential pitch requirement for Sefton for the period 2007 to 2016 of 30 pitches, (i.e. 30 over and above the existing 16 pitches provided at

present = 46 pitches in total) plus 5 transit pitches and 5 pitches for travelling show people.

During July 2010, the coalition Government expressed its intention to abolish Regional Spatial Strategies. The requirement to provide additional pitches is therefore, not a requirement of government but the outcome of the review assists in identifying the requirement to meet the housing need of the Gypsy and Traveller community.

Timescales for setting out Sefton's overall strategy for providing additional sites for gypsies and travellers as part of the Local Development Framework (LDF) were set out in the 26<sup>th</sup> February Cabinet report. The adoption date for the LDF is expected to be during 2013, and this will be preceded by consultations. Preparation of an Allocations Development Plan Document for the specific allocation of sites will commence in 2010.

Sefton's short-term strategy for meeting the housing requirements of gypsies and travellers is to use the findings of the Strategic Housing Land Availability Assessment (SHLAA) to identify suitable sites. A site search and appraisal process will commence in 2010, using the list of sites in the SHLAA.

## **6. PROCESS TO BE FOLLOWED WHEN UNAUTHORISED ENCAMPMENTS OCCUR**

An unauthorised encampment is any encampment that takes place on land outside of the existing approved formal Gypsy and Traveller site at Formby, in the borough of Sefton.

When there is an unauthorised encampment there will be a clear and consistent response that will be implemented in consultation with all relevant partners.

The response will follow the points outlined below:-

- The Council Co-ordinator shall be the person so identified at the material time as having initial responsibility for responding to unauthorised encampments.
- When an unauthorised encampment is identified by any source, the Council Co-ordinator will be informed to enable them to coordinate the response.
- A visit to the site by the Council Co-ordinator will be arranged as soon as practicable and in no more than two days from first report to the coordinator. This will always include a person coordinating the agreement from the council, but may include other partners such as health and education as appropriate. (This will probably be led by information that may be received from another local authority the group has passed through).
- On the first site visit the Co-ordinator will ascertain from the Travellers their purpose and when they intend to leave the site.
- On the site the Council Co-ordinator will undertake a site risk assessment and on returning from the site complete as much of the information on the Merseyside gypsy and traveller unauthorised site form as is possible. This form will be circulated to all relevant partners on the contact list.
- An activity log will be commenced by the Co-ordinator identifying all relevant details of site visits and actions taken.

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- The Co-ordinator will be responsible for alerting key partners such as Health, Educational Welfare and others (as appropriate) as well as liaising with the local community as required and appropriate.
- From the information circulated the named partners will coordinate a response to any identified need.
- The Council Co-ordinator will identify the site owner and ensure that they are made aware of the presence of Gypsies / Travellers on the site in question
- The Council Co-ordinator will advise any non Local Authority landowner of their rights and obligations in respect of the encampment and offer the assistance of the Council to assist removal where appropriate.
- Landowners should normally negotiate with the Gypsy / Traveller encampment in respect of intended departure date. If negotiations fail then in the case of Local Authority owned land, court action or the use of police powers will be considered with the support of Legal Services. All partners will be informed if this process is taken forward
- It shall at all times be the responsibility of the Landowner to instigate proceedings to ensure the departure of the unauthorised encampment. In the case of Council owned land the land holding Department will be responsible for instigating proceedings. The role of the Council Co-ordinator will be to ensure that an effective risk assessment is undertaken and that the welfare of the Gypsy / Traveller community AND the local community, are considered.

## **Considerations to be taken into account in delivering the above process**

- **Initial Contact.** All partners to work with occupants/ landowner etc. showing dignity and respect for those involved. The purpose of the visit is to gather initial basic information and check accuracy of public reports etc.
- **Unauthorised Camping on the Public Highway.** All encampments on the highway are technically an obstruction. The first visit will identify whether the obstruction is actual e.g. will cause real problems due to the volume of traffic etc. or technical. If the obstruction is actual then the process for moving occupants on will commence immediately, if possible through negotiation with the occupants, and as appropriate supported by the police. If the obstruction is technical then the procedure above will be followed.
- **Co-ordinator** – The coordinator will keep records of all decisions made and the reasons for these. Records will also be kept of any complaints and response made. This information will form an important basis of the annual review of the agreement, and ensure the lessons from each encampment can be learned.
- **Urgent action will be taken to remove unauthorised encampments on sites that impact upon:-**
  - Local Amenities e.g. school car park, parks / leisure services facilities affected.
  - Disruption to the local economy as a result of occupying a shopping centre car park.
  - Significant actual disruption to the local community.
  - Actual obstruction of a public highway.

Action will only be taken to remove unauthorised encampments where there are no serious implications for the welfare of any person in the encampment.

The process to be undertaken by the Land holding Department is that which is attached at **Appendix 2**.

**Contact with the Local Community** – This will include as appropriate:-

- Involvement of local councillors
- Briefing Corporate Communication staff in advance of media enquiries
- Information available on the Sefton website explaining the joint agency response

## **ROLES AND RESPONSIBILITIES**

- **Council Coordinator**– Provision of coordinating role and ensure that the policy is cascaded through all relevant departments including the customer contact centres. Provide information on range of council services available, eg leisure services/ libraries etc.
- **Landowner** – Responsible for instigating legal action to remove any unauthorised encampment in consultation with the Council Co-ordinator
- **Merseyside Police** – Provision of named officer with deputy, share all relevant information and undertake role in terms of maintaining public order, prevention and detection of crime, and where necessary support the move on from the site. In practice, unauthorised encampments which require a police input should be reported through the Duty Critical Incident room – 0151 777 3960
- **NHS Sefton** – Provision of a named officer and deputy to support the assessing and delivery of any health needs, communicate information to partners within agreed information sharing protocols. Address safeguarding issues as appropriate
- **Children Schools and Families** – Education Welfare will assess educational needs and liaise with the Complementary Education Service to provide services as appropriate, share information with partners in line with agreed information sharing protocols. Address safeguarding issues as appropriate.
- **Environmental Protection Officer & Operational Services** – To provide advice & services on sanitation, refuse collection services as appropriate.
- **Corporate Legal Services** – To support the coordinator in legal action when this is required to move travellers on from the site.
- **Fire Service Contact** – To support the addressing of any fire safety hazards or risks related to the site and support the occupants in addressing these with any other relevant services. (Note, MF&RS have their own Gypsy and Travellers Policy, which recognises that operational crews may be the first to discover a Gypsy and Traveller unauthorised encampment, particularly if the encampment is established during the hours of darkness. In such instances they will gather initial information and cascade it to partner organisations, including Council officers).

**See Appendix Three for List of Named Contacts**

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## **COMMUNICATION OF THE AGREEMENT**

The strategy will be communicated in the following ways:-

- Publish agreement on all partner websites.
- Cascade through relevant sections and departments and named contacts for partners support relevant teams in delivery of the agreement and developing a response to any new or emerging issues.
- Consult as appropriate on any changes or developments with staff, community and gypsies and travellers.

## **MONITORING THE AGREEMENT**

The agreement will be monitored through the Sefton Gypsy and Traveller Steering Group, who will review all encampments and delivery on the agreement. They will review this Policy every 3 years. This will be carried out using information provided by the coordinator and all partners.

Any issues from an individual encampment can be brought to the next meeting of the Steering Group by any partner in the agreement.

## **HOLISTIC APPROACH**

This agreement recognises that unauthorised encampments are linked to a range of policy areas including:-

- Homelessness policy
- Policies relating to land use
- Community Cohesion
- Environmental Protection
- Health Provision
- Children Schools and Families

The success of this agreement will be based on these policy areas having clearly addressed the needs of gypsies and travellers in the development of the respective areas of work, so that a clear agency response can be made when an unauthorised encampment occurs.

## **ANIMAL WELFARE**

Any concerns relating to animal welfare should be passed to the local branch of the RSPCA and/or Merseyside Police with a request that they investigate.

It should be noted that since July 2009 there is a requirement for horses to have a passport.

## APPENDIX ONE

### **Agreement with Gypsies and Travellers on First Visit**

The Council Co-ordinator will be responsible for raising this agreement with the gypsies and travellers and can take paper copies but will ordinarily discuss the agreement with the occupants.

### **What can Gypsies and Travellers expect from all agencies including the Council / Police etc.**

- Staff will be courteous and respectful and work to support the meeting of any immediate needs.
- Information on the needs of the occupants will be sought and addressed.
- Information on the encampment will be shared with other partners including health, education, police, and council departments.
- There will be contact with the encampment through the coordinator and depending on decisions made, may involve discussions on how occupants can be supported in leaving.
- Any reports of hate crimes committed against the gypsies and travellers will be acted on by the police and other partners as appropriate.
- Agencies will work together to meet the needs of the people on the site within the time that the site remains.

### **What do the agencies expect from the Gypsies and Travellers:-**

- To treat staff who work with the occupants are treated courteously and with respect.
- The occupants keep the agencies informed of any needs or developing issues
- The site will be kept clean and clear (this will be supported through the provision of services such as skips etc. to the site).
- Payments will be made up front for the provision of skips any sanitation or water provided on a weekly basis.
- As far as possible the occupants will keep the agencies informed of any plans to move on from the site.

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## APPENDIX TWO

### Sefton Council

#### **Procedure for Handling Gypsy & Traveller Incursions on Council Land**

This procedure sets out the actions that officers will take when reports of gypsy /traveller incursions are reported on Council land and provide a balanced, consistent approach to ensuring that all necessary welfare and legal requirements are met prior to the removal of any incursion.

##### Stage 1

##### **Initial Reporting / Visual Assessment**

On receiving a report of travellers being present on Council land a senior officer of the land holding Department will immediately attend at the site. The purpose of this visit will be to assess the accuracy of information provided and to ascertain the situation.

Officers are NOT to directly make contact with any persons present and should be accompanied at this visit by another witnessing officer.

Required actions:

1] Officers attending site will take photographs of the incursion and confirm whether the infringement is on Council land. If necessary, this will need to be confirmed with the council's Asset Manager.

2] A written note should be made by the senior officer of the number of caravans and vehicles present, the number of people / animals evident and any activity taking place at site.

3] Officers should also make a visual assessment of how the travellers gained unauthorised access onto the land, making note of any damaged gates, fencing, posts having been removed.

##### Stage 2

##### **Contact Visit / Assessment**

On having established that an illegal incursion has occurred on Council land the investigating senior officer will report his / her findings to the Director of the relevant Department and make immediate arrangements (without delay) for a formal return to the incursion site.



## **Required Actions:**

- 1] The Investigating Officer must be accompanied by a second witnessing officer on this visit to make contact with persons involved in the illegal incursion.
- 3] Merseyside Police must be contacted to accompany officers at this visit and a note made of the police officers name and number and details of what time attendance was made at site. Detailed notes should also be taken of the number of caravans, vehicles, persons / animals present on site and any activities taking place there.
- 4] In accompaniment with the Police, the Investigating Officer will seek to make direct contact with any person(s) present at the site and will make known to them that they are occupying Council land and that permission to be present on the land is not given.
- 5] If those persons present are willing to do so, officers will seek to discuss with them what their intentions are and how long they intend to be present and whether there are any immediate welfare requirements.
- 6] Officers will serve written notice at this meeting and will either attach to each caravan (or hand to each individual, as necessary) the template letter shown as **sub-Appendix 1**.

## Stage 3

### **Welfare Requirements**

The law requires that the Council give due consideration to the welfare needs of the traveller community whenever an incursion occurs and the relevant Service Director will seek advice and guidance in determining the appropriateness of the departments response.

- 1] The Council's Children Schools and Families Services and Sefton Equalities Partnership will be asked to offer guidance on child protection and other welfare needs, and Health Services will be asked about health needs, prior to making a formal decision about taking legal redress to remove the incursion from Council land.
- 2] Agencies will be asked to notify the relevant Service Director of any issues or actions from their individual assessments that give rise to concern.
- 3] Officers will continue to monitor the inclusion on a daily basis for the period and note any changes to the number of caravans or vehicles brought onto site or other changes that may affect the well being of those present or effects on the local community, highway safety, etc.
- 4] Officers may continue to maintain direct dialogue with persons on site but in all instances no direct contact within persons present must be made unless a second witnessing officer and the Police are present to accompany the visit.

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## Stage 4

### **Negotiation & Response**

The Council will seek to secure the land as soon as is practically possible and to removing any incursion. However, in achieving this the relevant Service Director may consider it advantageous to consider a period of temporary stay whilst negotiations are ongoing.

1] It is reasonable to allow an unauthorised encampment to remain for a specified maximum period if it is evident that the incursion can be ended by negotiated means. In determining the need for a temporary negotiated stay the relevant Service Director will consider the following factors in determining a decision:

- The size of the encampment relevant to the land (area and/or numbers of vehicles).
- The duration of any negotiated stay requested by Travellers.
- The health, safety, education and welfare needs of the Travellers.
- The proximity of the encampment to any sensitive or potentially hazardous sites.
- Proximity to roads where a highway danger may be ensue.
- The social and environmental behaviour of the Travellers.
- Any known previous behaviour by those Travellers.
- Any known and immediate welfare issues that may affect the securing of a court order.

Environmental factors will also need to be considered and the following questions are pertinent:

- Is the incursion on a site of special scientific interest (SSSI) where an encampment endangers a sensitive environment or wildlife?
- Is it by a school or playing fields (especially in term time or where pitches are currently being hired)?
- Does the incursion affect use of a park and its facilities?
- Is the incursion directly affecting users of recreation facilities?

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- What is the proximity of the incursion to residential properties and the effects on the local community?
- Is the incursion on a site where pollution from vehicles or dumping could damage ground water or watercourses?
- Is the site suffering from contamination or other serious ground pollution?

2] As part of any agreement to temporarily remain on site the Service Director (or a senior manager nominated by him/ her) would expect Travellers to:

- Agree to the duration of their stay.
- Provide a named contact where possible.
- Keep groups small - up to 6 caravans may be acceptable, dependent on the location of the encampment.
- Be accountable for their behaviour towards the local community and each other.
- Respect the environment, the surrounding area and property and the reasonable expectations of the local settled community.
- Not create a hazard to road safety or otherwise create a health and safety hazard.
- Not to dump or inappropriately dispose of household, human or trade waste.
- To dispose of all refuse in any containers supplied by or as directed by officers.
- To keep all animals under control.
- Leave the site by the time agreed and in the condition it was upon arrival.
- Not to re-occupy the same area of land within a period of 12 months.

## Stage 5

### **Securing Repossession**

Should an illegal incursion not end by an agreed period the Service Director will seek legal redress through the Legal & Administration Department to secure the land under section 77 of the Criminal Justice and Public Order Act 1994 and / or any other act or byelaw appropriate. Failure of the travellers to move from the land or alternatively the return to the specific site within 3 months is a criminal offence.

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1] A Senior Officer (again in the presence of a witnessing officer and accompanied by the Police) will return to the incursion site and serve written notice as shown in **sub-Appendix 2**.

2] The time of period notified within this notice is subject to change but in determining the time of notice given the Service Director will consider any period of time that has already been occurred on site.

3] Officers will take detailed records when notice is served, taking photographs and making detailed notes of the time and date notice was served and who was present at the time of notice.

4] If at the expiry of this period of notice the encampment is still present the Council's Legal & Administration Department will be asked to seek a Court Order securing lawful repossession of the land and the Council's rights as occupier and the removal of vehicles, property and people from the land pursuant to section 78 of the Criminal Justice and Public Order Act 1994.

5] The Service Director will seek advice from Legal & Administrative Department in the correct execution of the eviction process and where appropriate in the use of bailiffs, which can be used once a possession order has been granted and 24 hours notice of the intention to enter have been given.

## Stage 6

### **Reinstatement & Prevention**

At the point at which an illegal incursion has ended it will be necessary to immediately re-secure the land from possible future incursions. During the period when the land is occupied officers should assess and cost the practicalities of preventative work and these should be completed as soon as possible following the site being vacated.

1] It will be necessary for officers to also inspect the site to assess for the need for any reinstatement works. Particular attention should be paid to the removal of waste or anything that has the potential to affect public health.

2] A specific risk assessment should be completed for works to reinstate land following repossession. Consideration should also be given to temporarily closing the land from public use and access until such times as any hazards and waste are removed.

## Stage 7

### **Review**

These procedures should be subject to continuous review and reference should always be made to any corporate protocols and guidance issued by the Council.

## Sub-Appendix 1

Note: This letter must NOT name individuals but be serve to 'all occupants'

### Corporate Legal Services

Town Hall  
Lord Street  
Southport  
PR8 1DA

To the Occupiers of  
**Name of Location**

Date: **DATE HERE**

Our Ref:

Your Ref:

**DELIVERED BY HAND**

**Please contact:**

**Contact Number:** 0151 934 ....

**Fax No:** 0151 934 ....

e-mail: [graham.Bayliss@leisure.sefton.gov.uk](mailto:graham.Bayliss@leisure.sefton.gov.uk)

To all occupants of vehicles on **NAME OF SITE HERE**,

**RE: NAME OF SITE HERE BELONGING TO SEFTON METROPOLITAN BOROUGH COUNCIL**

I wish to advise you that you are currently in occupation of the above-mentioned Land without licence or consent of the Council that owns the Land, which is located in the Metropolitan Borough of Sefton.

On behalf of the Council, I direct all those persons who are residing in vehicles to leave the Land and to remove their vehicles and any other property that they have on the Land no later than 12 noon on **DATE HERE**.

Should you abide by this direction then I shall not take any further action. However, should any occupants fail to leave, I shall have no alternative but to take action Pursuant to Section 77 of the Criminal Justice and Public Order Act 1994.

Yours faithfully,

**Head of Corporate Legal Services**

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## Sub-Appendix 2

### CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994

#### SECTION 77

#### DIRECTION

**To:** All occupants of caravans and vehicle(s) of land at: **LOCATION** (the land) which is shown on the attached plan.

It appears to the Sefton Metropolitan Borough Council which is the local Authority for the area in which the land is situated that persons are residing in vehicle(s) on land occupied without the owners consent.

#### **The Sefton Metropolitan Borough Council now Directs:**

All persons residing in vehicles on the land to remove their vehicles and other property forthwith.

#### **WARNING:**

Failure to comply with this direction or re-enter the land with a vehicle(s) within the period of **THREE MONTHS** of the date hereof is a criminal offence.

Dated this

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Head of Corporate Legal Services

## APPENDIX 3 - LIST OF NAMED CONTACTS

### GENERAL CONTACTS

#### **Council Co-ordinator**

Clare Taylor, Private Sector Housing team, Neighbourhoods and Investment Programmes Department  
0151 934 2273

#### **Education (including Child Safeguarding issues)**

Steve Jones or Pat Finch, Sefton Complementary Education Service  
01704 395945 or 0151 934 5945

#### **Merseyside Police**

Sarah Allardes 0151 777 3655

#### **Corporate Legal Services**

Jane Beatty 0151 934 2026

#### **Environmental Protection**

Steve Smith, Public Health Team  
0151 934 4025

#### **Operational Services**

Gary Berwick  
0151 934 6134

#### **Merseyside Fire & Rescue Service**

Jim Martin, MF&RS HQ 0151 296 4000

#### **NHS/Health**

Sandra Davies Specialist Health Visitor 0151 922 1174 or Jane Perry Link Nurse Co-ordinator for Children Out of School 01704 835 515

#### **Health and Social Care/Adult Safeguarding**

Robina Critchley 0151 934 4900

#### **Planning Enforcement Officer**

Sue Tyldesley 0151 934 3569

### OPERATIONAL CONTACTS

#### **Council Co-ordinator**

Clare Taylor, 0151 934 2273

#### **Education (including Child Safeguarding issues)**

Julie Palin, 0151 934 3149, Senior Education Welfare Officer

#### **Merseyside Police**

Duty Critical Incident Officer 0151 777 3960

#### **Corporate Legal Services**

N/A – see General Contacts

#### **Environmental Protection**

Sefton Plus 0845 140 140

#### **Operational Services**

Paul Hay  
0151 934 6135

#### **Merseyside Fire & Rescue Service**

Station Officer at the nearest Fire Station

#### **NHS/Health**

Report health emergencies via 999; non emergencies via local health centre, clinic or GP surgery.

#### **Health and Social Care/Adult Safeguarding**

Report any concerns via Sefton Plus on 0845 140 0845

#### **Planning Enforcement Officer**

Sefton Plus 0845 140 0845

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<p><b>Leisure &amp; Tourism Department</b> Dave Thompson 0151 934 2366</p> <p><b>Coast and Countryside Dept</b> Dave McAleavy</p> <p><b>Children Schools and Families</b> Ivan Guy 0151 934 3429</p>	<p><b>Leisure &amp; Tourism Department</b> Dave Thompson 0151 934 2366</p> <p><b>Coast and Countryside Dept</b> Mark Sephton, 07974 783267</p> <p><b>Children Schools and Families</b> Ivan Guy 0151 934 3429</p>
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# Agenda Item 19

**REPORT TO:** Cabinet Member - Technical Services  
Cabinet

**DATE:** 6<sup>th</sup> April 2011  
14<sup>th</sup> April 2011

**SUBJECT:** Renewal of Highway and Drainage Maintenance  
Contracts

**WARDS AFFECTED:** All

**REPORT OF:** P. Moore, Environmental and Technical Services  
Director

**CONTACT OFFICER:** Stephen Birch           Tele: 0151 934 4225  
Paul Scott                    Tele: 0151 934 4238

**EXEMPT/CONFIDENTIAL:** NO

**PURPOSE/SUMMARY:**

To advise members on the progress for the renewal of the existing highway and drainage maintenance contracts.

To seek approval from Members to extend a number of existing service contracts, for a period not exceeding 6 months, to provide continuity for maintenance works until the new contractual arrangements are in place.

**REASON WHY DECISION REQUIRED:**

All the contracts referred to within the report are due to end on 31 March 2011. A renewal of all highway and drainage maintenance contracts is in progress, with the aim of being in place from early July 2011. To enable the continued implementation of highway and drainage maintenance operations it is proposed that the existing contracts are extended for an interim period not exceeding 6 months, to provide continuity for maintenance works until the new contractual arrangements are in place.

**RECOMMENDATION(S):**

That the Cabinet Member Technical Services:

1. Notes the contents of the report and supports the recommendations for Cabinet.

That Cabinet:

1. Notes the progress for the renewal of the highway and drainage maintenance contracts.
2. Approves the extension of the contracts referred to within the report for a period not exceeding 6 months, to provide continuity for maintenance works until the new contractual arrangements are in place.
3. Approves the waiving of Contract Procedure Rule No. 3 as regards Invitation to Tender to allow the extension of the contracts.

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**KEY DECISION:** No

**FORWARD PLAN:** Not Applicable

**IMPLEMENTATION DATE:** Immediately following Call-in period.

**ALTERNATIVE OPTIONS:** None

## **IMPLICATIONS:**

**Budget/Policy Framework:** None.

**Financial:** The existing contractors noted above have agreed to the extension of their contracts. Discussions are ongoing to confirm whether the contractors would like indexation of rates for the extended period.

**Legal:** Since the value of the extensions to the contracts may exceed £30,000 in value, it will be necessary to seek authority to waive Contracts Procedure Rule No. 3 as regards the invitation of tenders.

**Risk Assessment:** No Significant Risks Associated With This Report.

**Asset Management:** Not Applicable

## **CONSULTATION UNDERTAKEN/VIEWS**

**FD715/2011** – The Head of Corporate Finance & ICT has been consulted and has no comments on this report.

**LD85-11** – The Head of Legal Services has been consulted and his comments have been incorporated in the report.

**CORPORATE OBJECTIVE MONITORING:**

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Creating Safe Communities	√		
3	Jobs and Prosperity	√		
4	Improving Health and Well-Being	√		
5	Environmental Sustainability	√		
6	Creating Inclusive Communities		√	
7	Improving the Quality of Council Services and Strengthening local Democracy	√		
8	Children and Young People		√	

**LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT**

Cabinet Member: Technical Services Report 11<sup>th</sup> August 2010  
 Cabinet Report 8<sup>th</sup> July 2010  
 Cabinet Member: Technical Services Report 30<sup>th</sup> June 2010

# Agenda Item 19

## **BACKGROUND**

1. As detailed in the Cabinet Member Technical Services Report of 11<sup>th</sup> August 2011 a procurement exercise is currently in progress to replace the existing 13 highway and drainage maintenance contracts with 10 revised contracts. This exercise is being undertaken in accordance with EU procurement regulations.
2. In addition to the contracts noted in the above mentioned report an exercise is also underway to renew the existing Contract for Pumping Station Term Maintenance which is due to expire on 31 March 2011. The existing contractor is Site Electrical Ltd. This contract will be renewed in accordance with Contract Procedure Rule 5 (Tendering According to Approved List).
3. With regard to the 10 revised highway and drainage maintenance contracts these were advertised in the Official Journal of the European Union and the local press in November 2010. As a result 81 expressions of interest were received. Pre-Qualification Questionnaires (PQQ's) were sent to these organisations of which 44 were returned.
4. These PQQ's have now been assessed and the companies' financial status has been investigated. This has led to a total of 52 Tender Documents being issued in March 2011 which are due for return on 26 April 2011.
5. The returned tenders will be assessed on a price/quality basis in the ratio 85% price/15% quality.
6. To allow for the assessment, approval and mobilisation periods it is anticipated the revised contracts will be in place from early July 2011. Actual dates may vary on a contract by contract basis to allow more critical contracts to be implemented earlier.
7. Tender documentation for the Contract for Pumping Station Term Maintenance is currently under preparation. As this does not have to comply with EU Procurement Regulation timescales it is also anticipated this renewed contract will be in place in early July 2011.
8. Contract Procedure Rule 3 requires that all contracts exceeding £30,000 in value are tendered. However, given the exceptional circumstances and the need to continue undertaking maintenance works Contract Procedure Rule 3 should be waived.
9. To enable the continuing maintenance of highway and drainage systems it is proposed that the existing contracts are extended for the interim period (not exceeding 6 months) until the new contracts are brought into effect.

## **RECOMMENDATIONS**

10. That the Cabinet Member notes the contents of the report and supports the recommendations for Cabinet.
11. That the Cabinet note the progress for the renewal of the highway and drainage maintenance contracts.
12. That the Cabinet approve the extension of the following existing Service Contracts for a period not exceeding 6 months to provide continuity for maintenance works until the new contractual arrangements are in place.

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<b>Existing Contract</b>	<b>Contractor</b>
SC8 Road Markings	L&R Roadlines
SC10 Weed Control	RM Services
SC17 Grounds Maintenance	Veolia Environment Ltd
SC7 Footway reconstruction, Patching & Carriageway Resurfacing	Dowhigh Ltd.
Drainage – Highway & Land Drainage	King Construction Grisedale Contractors Ltd Foundation Utilities
Gully Cleansing	Grisedale Contractors Ltd
Pumping Station Term Maintenance	Site Electrical Ltd.

13. That Contract Procedure Rule No. 3 as regards Invitations to Tender is waived to allow the extension of the contracts.

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# Agenda Item 20

**REPORT TO:** Cabinet Member – Environmental  
Cabinet Member – Technical Services  
Cabinet

**DATE:** 6<sup>th</sup> April 2011  
6<sup>th</sup> April 2011  
14<sup>th</sup> April 2011

**SUBJECT:** Flood and Coastal Erosion Risk Management

**WARDS  
AFFECTED:** All

**REPORT OF:** Peter Moore  
Environmental & Technical Services Director

**CONTACT  
OFFICER:** Graham Lymbery  
Project Leader - Coastal Defence  
0151 934 2959

**EXEMPT/  
CONFIDENTIAL:** No

**PURPOSE/SUMMARY:**

To seek approval for amendments to the Staffing Establishment in order to make adequate provision for undertaking new statutory duties relating to Flood Risk Management.

**REASON WHY DECISION REQUIRED:**

With effect from April 2011 the Council will be the designated Lead Local Flood Authority. This new role brings with it substantial new duties and some adjustment to the staffing establishment is considered necessary in order to adequately deliver these duties without impacting on other key frontline service delivery.

**RECOMMENDATION(S):**

That the Cabinet Member Environmental and Cabinet Member Technical Services:

1. Note the content of the report and endorse the recommendations to Cabinet.

That Cabinet:

1. Consider the impact of the new duties, together with existing flood defence and coastal defence responsibilities;
2. Note Sefton's specific grant allocations within the Local Government Finance Settlement of £120,600 in 2011/12 and £157,900 in 2012/13.
3. Approve the allocation of £70,000 out of the above funding to the Flood and Coastal Erosion Risk Management function, from April 2011/12, to enable adequate delivery of the new duties, through the creation of 1.0 FTE new post. This post will provide a redeployment opportunity for staff under risk of redundancy as a result of the Council's budget savings in 2011/12.

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**KEY DECISION:** No

**FORWARD PLAN:** No

**IMPLEMENTATION DATE:** Following the expiry of the “call-in” period for the Minutes of the Cabinet Meeting

**ALTERNATIVE OPTIONS:** The Council could choose not to allocate additional funding for the delivery of the additional duties. This would place the Council at risk of failing to discharge its duties under the Flood Risk Regulations 2009 and the Flood and Water Management Act 2010 and severely reduce the Council’s ability to understand, plan and manage the risks from flooding and coastal erosion. Failure to comply with the new duties could result in infraction proceedings under the European Commission Floods Directive.

## **IMPLICATIONS:**

**Budget/Policy Framework:** The Council recently identified Flood Defence and Coastal Protection as frontline services.

### **Financial:**

The Government has provided funding in the form of a Specific Grant to meet the cost of carrying out the Authority’s new duties in relation to local flood risk management. Revenue grant allocations for 2011/12 and 2012/13 were announced in December 2010 as part of the Local Government Finance Settlement. Sefton’s grant allocations are £120,600 in 2011/12 and £157,900 in 2012/13. Funding for 2013/14 is not expected to be announced until December 2012. It will be necessary to review the level of service in 12 months time when the remaining provisions are fully enacted and again in 2013 when the future funding levels are known.

There are no capital financial implications arising from this report however the Government are proposing a different approach to funding new capital projects with effect from 1<sup>st</sup> April 2012 which may require additional local investment depending on the levels of benefits, outcomes and local need.



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<b><u>CAPITAL EXPENDITURE</u></b>	<b>2010/11 £</b>	<b>2011/12 £</b>	<b>2012/13 £</b>	<b>2013/14 £</b>
Gross Increase in Capital Expenditure	Nil	Nil	Nil	Nil
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<b><u>REVENUE IMPLICATIONS</u></b>				
Gross Increase in Revenue Expenditure	65k	65k	65k	65k
Funded by:				
Sefton funded Resources	65k	65k	65k	65k
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?	N/A			

- Legal:** The new duties are mandatory statutory duties placed on the Council as the Local Lead Flood Authority.
- Risk Assessment:** The new duties placed upon the Council set out a clear approach to the management of flood risk and the development of plans to address this risk.
- Asset Management:** The new duties placed upon the Council set out a clear approach to the management of flood risk which includes the assessment and maintenance of flood defence assets.

## **CONSULTATION UNDERTAKEN/VIEWS**

**FD714 /2011** - The Head of Corporate Finance & ICT has been consulted and her comments have been incorporated into this report.

**LD 00047/11** - The Head of Corporate Legal Services has been consulted and any comments have been incorporated into this report.

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## CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		✓	
2	Creating Safe Communities	✓		
3	Jobs and Prosperity	✓		
4	Improving Health and Well-Being	✓		
5	Environmental Sustainability	✓		
6	Creating Inclusive Communities		✓	
7	Improving the Quality of Council Services and Strengthening local Democracy	✓		
8	Children and Young People		✓	

### LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

Report to Cabinet Member Environmental, 12<sup>th</sup> January 2011, and Cabinet Member Technical Services on 26<sup>th</sup> January 2011, *Local Flood Risk Management*.

Report to Cabinet, 17th December 2009, *Watercourse Maintenance and Flooding Working Group – Addressing the Recommendations*.

Report to Cabinet, 25th November 2009, *Climate Change and Inland Flooding in Sefton*.

Report to Cabinet, 1<sup>st</sup> October 2009, *Watercourse Maintenance and Flooding Working Group – Final Report*

Report to Overview And Scrutiny Committee (Regeneration And Environmental Services), 15<sup>th</sup> September 2009, *Watercourse Maintenance & Flooding Working Group - Final Report*.

## Background

1. Flood and Coastal Erosion Risk Management is a significant issue for Sefton given its long coast and extensive areas of low lying land, approximately 90% of its area relies on pumped drainage. Understandably in this context Flood Defence and Coastal Protection were categorised as front-line services in the recent service-prioritisation process. Mechanisms are well established for the management of flood risk from the sea and rivers, new legislation now aims to manage flood risk from all sources including sewers, surface water and ground water and places a responsibility on the Council to take the lead in this process.
2. In August 2009 the Overview and Scrutiny Committee (Regeneration and Environmental Services) approved and referred to Cabinet the report of the Watercourse Maintenance and Flooding Working Group. Cabinet considered the report in October and December 2009 and resolved that approval be given to the proposed action to implement the recommendations set out in the report.
3. In November 2009 Cabinet also considered a report, *Climate Change and Inland Flooding in Sefton*, which set out the effects that climate change may have on inland flooding in Sefton and identified changes and improvements which, if implemented, would reduce these effects now and in the future. Cabinet resolved that: the report be noted; the proposals set out in the report be supported; and the provision of revenue growth of £122K in drainage budgets, in particular for land drainage, be considered further during the 2010/11 budget process. No growth was subsequently provided for in the budget setting process.
4. On 8<sup>th</sup> March 2011 Overview and Scrutiny Committee (Regeneration and Environmental Services) reviewed progress against the report referred to in paragraph 2 above and resolved to “*recommend to Cabinet that the funding of £121,000 [referred to in paragraph 19 below] be ring-fenced for flood and water management duties*”.
5. There are a number of current issues/pressures that necessitate a review of the delivery of these functions in order to develop a more comprehensive and holistic approach to Flood and Coastal Erosion Risk Management, including:
  - Existing responsibilities for flood defence and coastal protection within Sefton;
  - Sefton’s lead role in delivering the North-West Regional Coastal Monitoring Programme;
  - The Client/Project Sponsor role overseeing work contracted to Capita Symonds;
  - New mandatory statutory duties placed on the Council as Lead Local Flood Authority (LLFA).

### Existing Responsibilities for Flood Defence and Coastal Protection

6. The Coastal Defence Team, within the Environmental & Technical Services Department, is currently resourced with 2 full-time-equivalent (FTE) staff for undertaking the Council’s existing responsibilities relating to coastal erosion and

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coastal flood risk management, including: understanding/planning for risk and implementing the responses to risk. The team also takes the lead on developing a coast-wide response to coastal change, including impacts of climate change. Key activities at present for the team include the delivery of coastal defences at Hightown and implementing the recommendations of the recently adopted Shoreline Management Plan.

## North West Regional Coastal Monitoring Programme

7. As coastal processes are not contained within administrative boundaries, the coastal authorities in the North-West of England and North Wales work together on key strategic activities. One such activity is the delivery of a coordinated monitoring programme. The programme for England is 100% grant-funded by the Environment Agency and although separate to the Welsh programme is coordinated with it. Sefton has acted as the lead authority for the current three-year programme (2008/9-2010/11): applying for and administering the grant-funding; distributing funding to other local authorities for them to undertake work; and procuring and supervising delivery of regional activities on behalf of the partnership (including bathymetric surveys, deployment of wave buoys and aerial photography). This activity, together with some additional EU-funded project work, is currently delivered by 3.5 FTE staff fully funded from this source.
8. Sefton has recently received confirmation from the Environment Agency that the next five-year programme (2011/12-2015/16) has been approved (see Annex 1), it is intended that Sefton will again act as lead authority for this programme with associated staff costs funded from the programme.

## Client/Project Sponsor Role for Drainage

9. At the time of the Major Service Review (MSR), October 2008, the drainage engineering service formerly delivered by the Council was externalised and contracted to Capita Symonds. Whilst the service is commonly referred to as drainage its roles include: dealing with inland flooding from ordinary watercourses; work with the Environment Agency in relation to flooding from main rivers; dealing with flooding from other sources when it occurs; maintaining the highway drainage network; and other associated activities.
10. In implementing the MSR a decision was made to keep the retained Client function as small as possible and no specific provision was made for a Client/Project Sponsor role relating to the drainage service as described. This was subsequently recognised as a significant gap that needed addressing to ensure appropriate direction and best value from service delivery, as well as to maximise potential for securing external investment in this area of work (e.g. from DEFRA and Environment Agency). In September 2009 the Client/Project Sponsor role was assigned to the Coastal Defence Team, as suitable expertise existed within that team, but no provision was made at that time for additional resource within the Team.

## New Lead Local Flood Authority Duties

11. Implementation of the Flood Risk Regulations 2009 established the Council as a Lead Local Flood Authority (LLFA). These regulations enact provisions of the European Commission Floods Directive (Directive 2007/60/EC) on the assessment and management of flood risks and aim to reduce the likelihood and consequence of flooding through the identification of areas at risk of flooding (from all sources) and the development of Flood Risk Management Plans. Along with this general duty to provide a leadership role in relation to flooding from all sources the Flood and Water Management Act 2010, passed by Government in spring 2010 but with a phased commencement, also places significant specific new duties on Local Authorities and requires a strategic approach to the management of flood risk, with the key steps and timetable for action set out within the Act. Key elements of the new duties include:
- The development of a Preliminary Flood Risk Assessment;
  - Taking the lead for local flood risk;
  - Reporting back on our actions via Scrutiny and Review Committee;
  - Investigating flood events;
  - Developing and maintaining an asset register;
  - Consenting works on ordinary watercourses;
  - Being the approving body for Sustainable Urban Drainage Systems.
12. If the LLFA does not carry out its duties as identified in the Act then it is at risk of: complaints to the Local Government Ombudsman; legal action for the breach of statutory duty taken by anyone who suffers loss by the Council's failure to carry out the duty; the Minister directing that another authority carry out the flood and coastal risk management function (if this happens it is assumed that all funding allocated from government will be passed to the other authority); and it could result in fines being imposed on the UK Government by Europe (again it would be reasonable to assume that the Government would take some action against the Council in these circumstances).
13. In addition to these legal implications, there are high financial and social implications associated with flooding (e.g. flood damage and emergency response), failure to manage flood risk could incur significantly greater costs than managing it. Failure to undertake these duties would lead to an increase in flood risk in the borough. Members will be aware of recent international, national and local incidents (e.g. urban flooding in Bootle and the breach in the River Alt embankment at Lunt Meadows) compliance with the new duties will improve our understanding, management and response to such risks.

## **Proposed Future Approach to Flood and Coastal Erosion Risk Management**

14. With a minor revision to the current delivery of flood defence and coastal protection functions and the allocation of limited additional resource it is considered possible to develop a more comprehensive and holistic approach to Flood and Coastal Erosion Risk Management (FCERM) that would address the issues/pressures identified within paragraph 2 above. Flood and Coastal Erosion Risk Management can be broadly split up into six activities:

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- *Understanding Risk* – including knowing what assets there are and their condition, monitoring natural processes and analysis of this data, researching gaps in understanding. This underpins all other elements of FCERM.
- *Planning our response to risk* – including strategies/plans and the associated consultation/studies required to develop them. These plans and strategies will set out the response to risk and the principal approaches for the next four activities.
- *Maintain and improve assets* – where it is cost effective to do so.
- *Public awareness* – the assets we build and maintain can only reduce the risk not remove it and in some circumstances it is not cost effective to protect properties at risk from flooding. This risk needs to be communicated to the public so that they can take appropriate action, from registering for flood warnings to implementing resilience measures to their property. Similarly, the public need to be advised of the risk from coastal erosion.
- *Avoid inappropriate development* – this relates to the location of development and the nature/form of the development and is an extremely cost effective approach to risk management.
- *Emergency Planning* – there will always be residual risk and plans need to be in place to deal with the consequences when these risks materialise.

15. It is proposed that this more comprehensive approach to FCERM be delivered through a restructured (and re-designated) Coastal Defence Team, supplemented by the addition of 1 FTE core-funded post, to enable it to adequately undertake the existing functions of the team, the Client/Project Sponsor role for drainage engineering works and the bulk of the new duties identified above.

16. Ensuring understanding of risk is reflected in development plans and decisions to avoid/control inappropriate development would be undertaken within the Planning service. The Planning service would also manage the consents for work to ordinary watercourses and approval of Sustainable Urban Drainage Systems (SUDS). Whilst it is felt that the new requirements may necessitate additional resource within the planning service, the responsibilities relating to SUDS have not yet been enacted and the full impact is not yet fully understood. It is therefore proposed to review the impact and capacity to deliver the new duties within existing resources over the next 12 months.

17. Whilst every effort would be made to secure external funding for any specific studies necessary (where such funding is available) limited provision for additional non-staff-related revenue expenditure will be necessary for this purpose and potentially for additional technical advice relating to consent for work to ordinary watercourses and Sustainable Urban Drainage Systems.

## Financial Implications

18. The approach proposed within this report has been developed within the context of the current significant reduction in Council funding. Whilst detailed guidance on some of the new duties (e.g. approval of Sustainable Urban Drainage Systems) is still to be issued by the Government the proposal has been developed on the basis of identifying the minimum resource required and the most cost-effective deployment of that resource to deliver against the new duties and the other issues/pressures identified in paragraph 5.
19. Within this overall picture of reducing resource, in recognition of the significant new duties, the Government have provided a non ring-fenced Specific Grant within Sefton's Local Government Finance Settlement for 2011/12 and 2012/13 (£121,000 in 2011/12 and £158,000 in 2012/13). This specific grant has not so far been allocated within the MTFP and budget setting processes.
20. The cost of the above proposal, subject to some further detailed work (e.g. Job Evaluation assessments reflecting the new responsibilities), would be approximately £65,000. Recruitment to the additional 1 FTE core-funded post would be through redeployment of "at risk" staff, providing some mitigation against savings-related redundancy. It will be necessary to review the level of service in 12 months time when the remaining provisions, referred to in paragraph 16, are fully enacted and again in 2013 when the future funding levels are known.

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# Agenda Item 21

**REPORT TO:** Cabinet Member - Environmental  
Cabinet

**DATE:** 06 April 2011  
14 April 2011

**SUBJECT:** Environmental Portfolio Fees and Charges 2011/12

**WARDS AFFECTED:** All

**REPORT OF:** Peter Moore  
Environmental & Technical Services Director  
0151 934 4018

**CONTACT OFFICER:** David Packard  
Assistant Director - Environmental Protection  
0151 934 4016

**EXEMPT/  
CONFIDENTIAL:** No

**PURPOSE/SUMMARY:**

For Cabinet to agree revised fees and charges for the Environmental Portfolio for 2011/12.

**REASON WHY DECISION REQUIRED:**

**Changes to fees and charges requires a Cabinet decision**

**RECOMMENDATION(S):**

That the Cabinet Member – Environmental notes the report.

That Cabinet agree the fees and charges for the Environmental portfolio for 2011/12 as attached in Annex A

**KEY DECISION:** No.

**FORWARD PLAN:** No

**IMPLEMENTATION DATE:** N/A

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**ALTERNATIVE OPTIONS:**

Fees remain unchanged

**IMPLICATIONS:** N/A

**Budget/Policy Framework:** N/A

Financial:

<b>CAPITAL EXPENDITURE</b>	<b>2009/ 2010 £</b>	<b>2010/ 2011 £</b>	<b>2011/ 2012 £</b>	<b>2012/ 2013 £</b>
Gross Increase in Capital Expenditure	-	-	-	-
Funded by:	-	-	-	-
Sefton Capital Resources	-	-	-	-
Specific Capital Resources	-	-	-	-
<b>REVENUE IMPLICATIONS</b>				
Gross Increase in Revenue Expenditure	-	-	-	-
Funded by:	-	-	-	-
Sefton funded Resources	-	-	-	-
Funded from External Resources	-	-	-	-
Does the External Funding have an expiry date? Y/N				
How will the service be funded post expiry?				

**Legal:** None

**Risk Assessment:** None

**Asset Management:** Not relevant

**CONSULTATION UNDERTAKEN/VIEWS**

The Head of Corporate Finance & ICT has been consulted and her comments have been incorporated into this report. **FD716 /2011**

**CORPORATE OBJECTIVE MONITORING:**

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Creating Safe Communities		√	
3	Jobs and Prosperity		√	
4	Improving Health and Well-Being		√	
5	Environmental Sustainability		√	
6	Creating Inclusive Communities		√	
7	Improving the Quality of Council Services and Strengthening local Democracy		√	
8	Children and Young People		√	

**LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT**

LGA Guidance

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## **Background**

1. Cabinet will be aware that each year those fees and charges relating to the Councils functions are reviewed and increased (where appropriate) to reflect service changes, current service costs, national guidance or inflation.
2. In 2004, Cabinet requested that any amendment to fees and charges be referred to Cabinet for approval prior to implementation.
3. A number of previously charged services have now ceased as a result of the Councils prioritisation and budget setting exercise and no longer appear on the list.
4. Annex A attached to this report provides a list of those fees and charges relevant to the Environmental Portfolio proposed for 2011/12.
5. Fees have been increased either on the basis of increased direct cost to the Council, in line with national guidance, or where national guidance does not exist in line with the Retail Price Index (of approx 4.5%).

## **Dog warden Services**

6. The proposed fees for the release of dogs held at RSPCA kennels, directly reflects the amount charged by the RSPCA for housing captured stray dogs.

## **Pest Control**

7. The formerly charged services of pest control for the treatment of wasps, ants and commercial premises will no longer be provided and no fee is therefore to be set. Treatment for public health pests in domestic premises (being rats, mice, cockroaches, bedbugs and fleas) will continue without charge.

## Annex 1

### Environmental Charges 2011/12

Service area.	2010/11	New Charge 2011/12
<b>Dog Warden Service</b>		
Seizure and detention of dogs – release fee for dogs collected from RSPCA within 48 hrs	£35.00 (£37)	<b>£40.00</b>
Seizure and detention of dogs – release fee for dogs collected from RSPCA after 48 hrs	£85.00 (£90)	<b>£95.00</b>
<b>HMO Licensing</b>		
Annual licence fee per unit (up to six units per premise)	£32.00	<b>£34.00</b>
Annual licence fee per unit (above six units per premise)	£10.00	<b>£11.00</b>
<b>Red Rose Caravan Park, Broad Lane Formby</b>		
Single Pitch per week	£57.30	<b>£60.00</b>
Double Pitch per week	£63.40	<b>£66.25</b>
Single let as a double per week	£60.70	<b>£63.50</b>
<b>Trading Standards</b>		
Weights and Measures Inspector – examination time verification etc	£51.13	<b>£53.00</b>
Weights and Measures Technical Officer – examination time verification etc	£30.66	<b>£32.00</b>
<b>Poisons Act</b>		
Initial registration	£31.72	<b>£33.00</b>
Re Registration	£16.72	<b>£17.50</b>
Change of details of registration	£8.55	<b>£9.00</b>

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# Agenda Item 22

**REPORT TO:** Cabinet

**DATE:** 6<sup>th</sup> April 2011

**SUBJECT:** Network Management Fees and Charges 2011/12

**WARDS AFFECTED:** All

**REPORT OF:** Peter Moore – Environmental and Technical Services Director

**CONTACT OFFICER:** Jeremy McConkey  
Network Manager  
0151 934 4222

**EXEMPT/CONFIDENTIAL:** No

**PURPOSE/SUMMARY:**

To seek approval of the Cabinet to revise fees and charges levied by Network Management in accordance with the Transformation process.

**REASON WHY DECISION REQUIRED:**

Any revision to fees and charges must be approved by Cabinet prior to implementation

**RECOMMENDATION(S):**

That Cabinet approve the revised fees and charges for 2011/12 set out in Annex A of the report

**KEY DECISION:** No

**FORWARD PLAN:** No

**IMPLEMENTATION DATE:** 1<sup>st</sup> May 2011

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**ALTERNATIVE OPTIONS:**

Maintaining the existing fees and charges will not address the requirements identified to members in the prioritisation and transformation process

**IMPLICATIONS:**

**Budget/Policy Framework:** Proposals will have a positive effect on budgets  
**Financial:**

<b><u>CAPITAL EXPENDITURE</u></b>	<b>2010/ 2011 £</b>	<b>2011/ 2012 £</b>	<b>2012/ 2013 £</b>	<b>2013/ 2014 £</b>
Gross Increase in Capital Expenditure	Nil	Nil	Nil	Nil
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<b><u>REVENUE IMPLICATIONS</u></b>				
Gross Increase in Revenue Expenditure	Nil	Nil	Nil	Nil
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

**Legal:** The Council has the legal right to set fees and charges as outlined in this report.

**Risk Assessment:** Failure to revise the fees and charges will have a detrimental effect on requirements approved by Members as part of the 2011/12 budget setting process.

**Asset Management:** The fees and charges assist the Council in delivery of the statutory network management duty

The Head of Corporate Finance & ICT has been consulted and has no comments on this report. **FD736/2011**



**CORPORATE OBJECTIVE MONITORING:**

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Creating Safe Communities	√		
3	Jobs and Prosperity		√	
4	Improving Health and Well-Being	√		
5	Environmental Sustainability	√		
6	Creating Inclusive Communities		√	
7	Improving the Quality of Council Services and Strengthening local Democracy	√		
8	Children and Young People		√	

**LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT**

# Agenda Item 22

## Background

- 1 Cabinet will be aware that the Council has a statutory Network Management duty imposed by central Government. This duty states:

*“It is the duty of a local traffic authority to manage their road network with a view to achieving, as far as may be reasonably practicable having regard to their other obligations, policies and objectives, the following objectives:*

  - a) *Securing the expeditious movement of traffic on the authority’s road network;*
  - and,*
  - b) *Facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority”*
- 2 Part of this duty is to maintain, as far as possible, a free flowing highway network. In order to do this, there is a need to either ban everything from the highway or to regulate and manage all circumstances which affect the availability of the road network for the highway user. To ban everything would not be practical and would have a severely detrimental effect on the economy. However to regulate such activities creates a cost for the Council which should be mitigated by charging companies and individuals for the space and duration a temporary obstruction is proposed to occupy the highway and also set a charge for non-compliance with Council requirements. Cabinet have in previous years approved charges for temporary works and obstructions such as skips, scaffolding/hoardings, cranes, open air cafés etc. Within existing resource availability, enforcement action is taken against those who fail to comply with Council requirements to apply for permits and licences to occupy the highway.
- 3 The transformation and prioritisation process identified the desire to ensure that the costs of providing this service are met by fees and charges, specifically saving CM42 requires the generation of an additional £30,000 income, over and above the projected income levels for 2010/11, in order to achieve this it is necessary to increase the level of fees and charges applied. Members should be aware that the income can not be guaranteed as it determined by the level of demand from third parties to temporarily occupy the highway.

## Proposals

- 4 It is proposed to revise existing fees and non-compliance charges and also to introduce new initiatives which will help the authority to more fully comply with the statutory network management duty. The new initiatives will also increase the opportunity for businesses and individuals to apply for permits where previously they were unable to and were therefore the subject of enforcement action with no alternative solution.
- 5 In general terms, the fees and charges proposed reflect the extent to which the particular occupancy of the highway causes potential disruption to the highway user. With the greater potential disruption leading to a higher charge so as to discourage unnecessary or prolonged occupancy. This approach is consistent with the approach to charges for Traffic Management Act noticing. The penalties for non-compliance are set at such a level as to encourage compliance.

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- 6 The proposed list of revisions and additional initiatives are attached at Annex A. Members will see that it is proposed to increase the charges for builders skip permissions, scaffolding and hoardings, open air cafés (this increase has been agreed previously and is included for information) cherry pickers/cranes and the administration costs added to the construction costs for the installation of a vehicle crossing.
- 7 New charges are proposed for the placement on the highway of containers of building materials, storage/welfare containers and advertising 'A' boards. In the case of building materials, they will have to be completely contained on a pallet or within a bulk "Builders Bag", loose material will not be permitted.
- 8 Members should be aware that fees and charges are compared through a benchmarking initiative with our Merseyside colleagues and whilst there are variances, they are generally comparable.
- 9 It is hoped that collectively these initiatives and revisions will meet the target agreed as part of the budget setting process.

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## Annex A - Network Management Duty - Licensing Charge Increases

Licensing Activity	Criteria	Current Charge 2010/2011	Charge 2011/2012
Builders Skip Permissions	Permission per week per skip	£10	£12
	Illegal Placement per occurrence	£50	£60
	Permission in a high amenity area per week per skip*	£10	£24
Scaffolding / Safety Hoardings Licenses	First week / Subsequent weeks (<10m)	£50 / £15	£100 / £50
	First week / Subsequent weeks (>10m & <20m)	£75 / £25	£125 / £60
	First week / Subsequent weeks (>20m & <30m)	£100 / £35	£150 / £75
	First week / Subsequent weeks (>30m & <50m)	£150 / £45	£200 / £100
	First week / Subsequent weeks (>50m)	£200 / £55	£250 / £125
Open Air Cafes	RPI Increase per table per annum	£58.50	£61.25
Cherry Pickers / Cranes	Licence Fee / Daily Inspection Charge	£75 / £75	£100 / £100
Vehicle Crossing Fee	Per crossing installed	£30	£55
Building Materials*	Per container per week	£0	£10
	Illegal Placement per occurrence	£0	£30
Storage Containers / Welfare Facilities*	Permission per week per container	£0	£100
	Illegal Placement per occurrence	£0	£500
Portable 'A' Boards*	Permission per annum per board (Initial Licence 1 year / Renewal per annum)	£0	£100 / £50
	Non compliance per occurrence	£0	£25
* New charges for 2011/12			

# Agenda Item 23

**REPORT TO:** Cabinet

**DATE:** 14 April 2011

**SUBJECT:** Consultation on proposals to introduce a  
Community Right to Buy and Community Right to  
Challenge

**WARDS AFFECTED:** All

**REPORT OF:** Assistant Chief Executive

**CONTACT OFFICER:** Peter Cowley, Principal Solicitor  
(0151 934 2250)  
Sue Holden, Head of Corporate Improvement  
(0151 934 4722)

**EXEMPT/CONFIDENTIAL:** No

**PURPOSE/SUMMARY:**

To advise the Cabinet Member of a consultation by the Department for Communities and Local Government on proposals to introduce a Community Right to Buy and Community Right to Challenge and to set out the draft responses to the consultation paper.

**REASON WHY DECISION REQUIRED:**

To bring the consultation paper to the attention of the Cabinet Member and Cabinet.

**RECOMMENDATION(S):**

That the report be noted.

**KEY DECISION:** No

**FORWARD PLAN:** No

**IMPLEMENTATION DATE:** Following the expiry of the "call-in" period for the minutes of the meeting.

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## ALTERNATIVE OPTIONS:

Not applicable.

## IMPLICATIONS:

**Budget/Policy Framework:** None at this stage

**Financial:** None at this stage

**Legal:** None at this stage

**Risk Assessment:** Not applicable

**Asset Management:** None at this stage

## CONSULTATION UNDERTAKEN/VIEWS

The Interim Head of Corporate Finance & Information Services has been consulted and has no comments on this report. **FD675 /2011**

## CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Creating Safe Communities		√	
3	Jobs and Prosperity		√	
4	Improving Health and Well-Being		√	
5	Environmental Sustainability		√	
6	Creating Inclusive Communities		√	
7	Improving the Quality of Council Services and Strengthening Local Democracy		√	
8	Children and Young People		√	

## LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

None under the meaning of the Act

## **1.0 BACKGROUND**

- 1.1 The Department for Communities and Local Government is currently consulting on proposals to introduce a Community Right to Buy alongside the consultation on the Community Right to Challenge.
- 1.2 The consultation runs from 4 February 2011 to 3 May 2011. Following the consultation, the responses will be published on the DCLG's website within three months of the closing date.

## **2.0 PROCESS FOR RESPONDING TO THE CONSULTATION PAPER**

- 2.1 At its meeting on 22<sup>nd</sup> March 2011, the Overview and Scrutiny Management Board requested an opportunity to comment on the consultation responses. Any comments received by 6<sup>th</sup> April 2011 will be circulated at the meeting.

## **3.0 RECOMMENDATION**

- 3.1 That the consultation responses be approved for submission.

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## Community Right to Challenge

### Consultation response form

We are seeking your views on the following questions on the Government's proposals to introduce a Community Right to Challenge.<sup>1</sup> **If possible, we would be grateful if you could please respond by email.**

Please email: [crtchallenge@communities.gsi.gov.uk](mailto:crtchallenge@communities.gsi.gov.uk)

Alternatively, we would be happy to receive responses by post. Please write to:

Community Right to Challenge Consultation Team  
Department for Communities and Local Government  
5/A3 Eland House  
Bressenden Place  
London SW1E 5DU

**The deadline for submissions is 5pm on Tuesday 3 May 2011.**

### (a) About you

#### (i) Your details

Name:	Samantha Tunney
Position:	Assistant Chief Executive
Name of organisation (if applicable):	Sefton MBC
Address:	Bootle Town Hall, Oreil Road, Bootle
Email:	sue.holden@sefton.gov.uk
Telephone number:	01519344722

<sup>1</sup> DCLG (2011) Proposals to introduce a Community Right to Challenge: Consultation paper. see: [www.communities.gov.uk/corporate/publications/consultations](http://www.communities.gov.uk/corporate/publications/consultations)



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**(ii) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?**

Organisational response

Personal views

**(iii) Please tick the *one* box which best describes you or your organisation:**

Voluntary sector or charitable organisation

Relevant authority (i.e. district, London borough, county council)

Parish council

Business

Other public body (please state)

Other (please state)

**(iv) Do your views or experiences mainly relate to a particular type of geographical location?**

City

London

Urban

Suburban

Rural

Other (please comment)  Suburban  
and  
Rural

**(vi) Would you be happy for us to contact you again in relation to this consultation?**

Yes

No

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## (b) Consultation questions

### Section 2 – Which services should not be subject to challenge?

Q1. Are there specific services that should be exempted from the Community Right to Challenge?

Yes

No

If Yes, why?

Local Authority Services that respond to emergencies such as collapsing buildings, chemical or oil spills and the planning service which provides impartial and consistent advice to the public.

Q2. Are there any general principles that should apply in considering which services should be exempt?

Explanation/comment:

### Section 3 - Relevant bodies and relevant authorities

Q3. We are minded to extend the Community Right to Challenge to apply to all Fire and Rescue Authorities. Do you agree?

Yes

No

Explanation/comment:

Under the Fire and Rescue Services Act, firefighters who attend fires and road accidents are required to be employees of the Fire and Rescue Authority under the Fire and Resue Services Act 2004.

Q4. Should the current definition of relevant authority under the Community Right to Challenge be enlarged in future to apply to other bodies carrying out a function of a public nature? If yes, which bodies?

Yes

No

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Explanation/comment:

Other public bodies to ensure that those services that can be delivered by employees or voluntary groups are challenged thereby creating a level playing field across the local public sector.

## Section 4 - When a relevant authority will consider Expressions of Interest

Q5. Should regulations specify a minimum period during which relevant authorities must consider Expressions of Interest?

Yes

No

Explanation/comment:

This is important to ensure openness and transparency with regard to equity across potential providers. The minimum period needs to take into consideration the commissioning cycles for services and enable local authorities to manage the expressions of interest appropriately.

Q6. If a minimum period is to be specified, what should this be?

Explanation/comment:

Eight weeks

## Section 5 - Information to be included in an Expression of Interest

Q7. Do you agree with the proposed information to be included in Expressions of Interest?

Yes

No

Explanation/comment:

.

Q8. Is there further information you believe should be provided as part of Expressions of Interest?

Explanation/comment:

We would like to also see in the expression of interest a declaration regarding to any legal proceedings the relevant body may be involved in and / or have been involved in. We would also like to see the addition of a requirement to disclose any " disputes or grievances".

## Section 6 - Period for a relevant authority to reach a decision on an Expression of Interest

Q9. Should regulations specify a minimum period during which a relevant authority must reach a decision on an Expression of Interest?

Yes

No

If yes, what should this be?

Eight weeks

Q10. Should regulations specify a maximum period during which a relevant authority must reach a decision on an Expression of Interest?

If yes, what should this be?

Twelve weeks

## Section 7 – When an Expression of Interest may be modified or rejected

Q11. Do you agree with the above listed grounds whereby an Expression of Interest may be rejected?

Yes

No

Explanation/comment:

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Q12. Are there any other grounds whereby relevant authorities should be able to reject an Expression of Interest?

Explanation/comment:

No

## Section 8 – Period between accepting an Expression of Interest and initiating an exercise for the provision of a contract for that service

Q13. Should minimum periods between an Expression of Interest being accepted and a relevant authority initiating a procurement exercise be specified in regulations?

Yes

No

If yes, what should the minimum period be?

The delay in procurement the periods should follow the Alcatel European timeframe and have a minimum of 10 days as per Alcatel and a maximum of 15 days so as not to delay the procurement.

Q14. Should maximum periods between an Expression of Interest being accepted and a relevant authority initiating a procurement exercise be specified in regulations?

Yes

No

If yes, what should the maximum period be?

see above

## Section 9 – Support and guidance

Q15. What support would be most helpful?

Explanation/comment:

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Q16. Are there issues on which DCLG should provide guidance in relation to the Community Right to Challenge?

Explanation/comment:

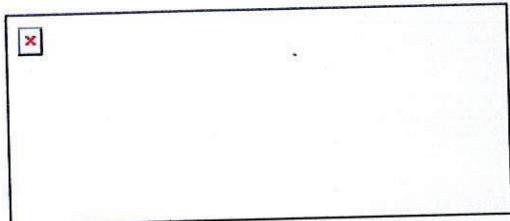
## (c) Additional questions

Do you have any other comments you wish to make?

**END**

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## Community Right to Buy

### Consultation response form

We are seeking your views on the following questions on the Government's proposals to introduce a Community Right to Buy – Assets of Community Value.<sup>1</sup> **If possible, we would be grateful if you could please respond by email.**

Please email: [crtbuy@communities.gsi.gov.uk](mailto:crtbuy@communities.gsi.gov.uk)

Alternatively, we would be happy to receive responses by post. Please write to:

Community Right to Buy Consultation Team  
 Department for Communities and Local Government  
 5/A3 Eland House  
 Bressenden Place  
 London SW1E 5DU

**The deadline for submissions is 5pm on Tuesday 3 May 2011.**

### (a) About you

#### (i) Your details

Name:	PETER COWLEY
Position:	PRINCIPAL SOLICITOR
Name of organisation (if applicable):	SEFTON MBC
Address:	TOWN HALL, LORD ST. SOUTHPORT PR8 1DA
Email:	peter.cowley@sefton.gov.uk
Telephone number:	0151-934-2250

<sup>1</sup> DCLG (2011) Proposals to introduce a Community Right to Buy – Assets of Community Value: Consultation paper.  
 see: [www.communities.gov.uk/corporate/publications/consultations](http://www.communities.gov.uk/corporate/publications/consultations)

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(ii) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational response	<input checked="" type="checkbox"/>
Personal views	<input type="checkbox"/>

(iii) Please tick the *one* box which best describes you or your organisation:

Voluntary sector or charitable organisation	<input type="checkbox"/>
Local authority (i.e. district, London borough, county council)	<input checked="" type="checkbox"/>
Parish council	<input type="checkbox"/>
Business	<input type="checkbox"/>
Landowner	<input type="checkbox"/>
Land conveyancer	<input type="checkbox"/>
Other public body (please state)	<input type="checkbox"/>
Other (please state)	<input type="checkbox"/>

(iv) Do your views or experiences mainly relate to a particular type of geographical location?

City	<input type="checkbox"/>
London	<input type="checkbox"/>
Urban	<input checked="" type="checkbox"/>
Suburban	<input type="checkbox"/>
Rural	<input type="checkbox"/>
Other (please comment)	<input type="checkbox"/>

(vi) Would you be happy for us to contact you again in relation to this consultation?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

## (b) Consultation questions

### Section 3 – Definition of Asset of Community Value

Q1. Do you agree that the regulations should give local authorities the power to decide what constitutes an asset of community value based on a broad definition of 'local community benefit' and a list of excluded assets?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

If No, why not?

REGULATIONS SHOULD SPECIFY WHAT CONSTITUTES AN ASSET OF COMMUNITY VALUE IN ORDER TO PROVIDE CLARITY AND CONSISTENCY

Q2. If yes, (a) do you agree with the factors listed above that the local authority should take into consideration when deciding whether a piece of land or building is an asset of community value?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

Further comments:

(b) Should these be set out in regulations?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Further comments:

Q3. We envisage that the definition of 'land of community value' would not include a piece of land or a building which the nominator suggests has a potential use as opposed to former or current use – do you agree?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

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If No, why not?

--

Q4. Are there other areas that you believe should be explored further to strengthen the Community Right to Buy?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

If Yes, what?

MEANS BY WHICH ASSETS MAY BE PROTECTED FROM DEMOLITION
--

Q5. Do you agree that all residential property should be excluded from being listed as an asset of community value, except where the accommodation is tied to the asset of community value or is integral to the working of the asset?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

If No, why not?

--

Q6. Are there other types of land or buildings that should be excluded from being listed as assets of community value?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

If yes, what?

VILLAGE GREENS AND COMMONS AS THESE ARE OTHERWISE PROTECTED
---

## Section 4 – Ways in which assets may be nominated and listed

Q7. Do you agree that the nomination process should be open to any group or individual and that they should have a 'local connection'?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

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If No, why not?

SHOULD BE A GROUP WITH A LOCAL CONNECTION

Q8. How else could an individual or group be defined as having a 'local connection'?

IN REGULATIONS

Q9. Are there other process(es) by which an asset of community value should be listed?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

If Yes, what?

## Section 5 – Information to be included in community nominations

Q10. Should (a) the regulations specify the minimum information that should be included in a community nomination?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Further comments:

(b) Or should this be left to the local authority's discretion?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Further comments:

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Q11. If you think the regulations should specify the contents of a community nomination, is there other information that should be included?

No

## Section 6 – The procedure for listing assets

Q12. Do you agree that owners should be informed before the local authority makes a decision whether to list the asset or not?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

If No, why not?

Q13. Should the local authority be required to follow any other procedures when deciding whether to list an asset?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

If Yes, what?

## Section 7 – Notification about inclusion and removal of a listed asset

Q14. Is there anyone else (other than the owner, occupier and nominator) the local authority should inform of inclusion or removal of a community asset from the list?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

If Yes, who?

PARISH COUNCIL AND AREA COMMITTEE

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Q15. Is there other information (other than that listed in paragraph 7.3) that should be included in the notification of inclusion of an asset on the list?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

If Yes, what?

Q16. Do you agree that an asset should be removed from the list of assets of community value once the local authority knows that it has been sold as a result of a relevant disposal?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

If No, why not?

IT REMAINS AN ASSET OF COMMUNITY VALUE

Q17. Should local authorities be able to remove an asset from the list if it is no longer considered to be of community value?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Further comments:

Q18. Is there other information that should be included in the notification of removal of an asset from the list of assets of community value?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

If Yes, what?

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Q19. Are there other ways (in addition to those listed in paragraph 7.11) in which an unknown landowner, or an owner whose current address is not known, might be contacted and notified that their land has been included on or removed from the list of assets of community value?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

If Yes, what?

## Section 8 – Content and publication of the list of assets of community value and the list of land nominated by unsuccessful community nominations

Q20(a). Do you agree that local authorities should decide the most appropriate ways to publicise the lists and bring them to the attention of the community and other interested parties, beyond what is set out in the Bill?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

(b) If not, what further requirements should be set out in regulations?

WAYS TO PUBLICISE SHOULD BE SET OUT IN REGULATIONS INCLUDING POSTING ON WEBSITE, NOTIFICATION TO PARISH COUNCILS & AREA COMMITTEES

## Section 9 – Right of appeal for landowners

Q21. Do you agree with the suggested period (28 days) for requesting an internal review?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

If No, why not?



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Q22. Is there any other information (in addition to what is listed in paragraph 9.3) the owner should provide?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

If Yes, what?

Q23. Do you agree with the proposed timescale of 6 weeks for the local authority to complete the internal review?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

If No, why not?

Q24. Do you agree that the review should normally be undertaken by an officer in the local authority who is equal in rank to or more senior than the officer who took the decision to list the asset and who was not involved in the original decision-making?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

If No, why not?

Q25. Do you think that the landowner should be entitled to an oral hearing as part of the internal review?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

If Yes, in what circumstances?

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Q26. Should anything else be included in the internal review process?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

If Yes, what?

Q27. Should formal provision be made for landowners to appeal to a court or tribunal if they are dissatisfied with the outcome of the local authority's internal review?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Further comments:

TO TRIBUNAL EG. LANDS TRIBUNAL

## Section 10 – Length of the windows of opportunity and protected period

Q28. Do you agree with the proposed length of the interim period (6 weeks)?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

If No, why not?

Q29. Are there any other kinds of groups that should be allowed to make a request to be treated as a potential buyer during the interim window of opportunity period, thereby triggering the full period?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

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If Yes, who?

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Q30. Do you prefer option (a) 3 months; or option (b) 6 months; or option (c) other?

3 months	<input checked="" type="checkbox"/>
6 months	<input type="checkbox"/>
Other	<input type="checkbox"/>

If 'other', how long should the full window of opportunity be?

--

Q31. Do you agree with the proposed length of the protected period (18 months)?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

If No, why not?

SHOULD BE LONGER EG. 3 YEARS
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## Section 11 – Exempt disposals and permitted sales within the full window of opportunity

Q32. To what extent should we allow for cases of partial occupation (as set out in paragraph 11.3)?

Comment:

ALLOW FULLY.
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Q33. Are there other disposals (in addition to those listed in paragraph 11.4) that should be exempt?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

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If Yes, what?

Q34. Are there other circumstances (in addition to those in paragraph 11.6) under which sales should be permitted within the window of opportunity?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

If Yes, what?

Q35. Do you agree with the list of groups in paragraph 11.7 that could be eligible to purchase an asset during the window of opportunity?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

If No, why not?

## Section 12 – Compensation for landowners

Q36. Do you agree with the proposal in paragraphs 12.3 and 12.4 (that compensation should be based on costs incurred as a result of the procedural requirements of the scheme)?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

If No, why not?

SHOULD BE BASED ON REASONABLE COSTS

Q37. Do you agree that compensation claims should be considered and paid for by the local authority?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

If No, why not?

SHOULD BE CENTRALLY FUNDED

Q38(a). Do you agree that only private landowners should be entitled to claim compensation?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

If No, why not?

PUBLIC BODIES SHOULD BE ABLE TO CLAIM ALSO.

(b) What do you think the definition of 'private landowner' should be?

SHOULD NOT BE RESTRICTED TO PRIVATE LANDOWNERS

Q39. Do you agree with the proposed time limit of 90 days for making a compensation claim?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

If No, how long do you think the time limit should be?

60 DAYS

Q40. Do you agree with the proposal in paragraph 12.8?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

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If No, why not?

Q41. Do you agree with the proposal in paragraph 12.10?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

If No, why not?

Q42(a). Should landowners be entitled to appeal against a local authority's decision about compensation?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

(b) If Yes, on what basis?

WHERE AUTHORITY HAS ACTED UNREASONABLY

## Section 13 – Enforcement of the regulations

Q43. Do you agree that an enforcement regime is required?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

If Yes:

Q44. Do you have any comments on the process of enforcement?

WILL BE COSTLY AND UNWIELDY

Q45. Are there alternative approaches to enforcement that you would propose?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

If Yes, what?

THROUGH USE OF REGISTRATION OF LOCAL LAND CHARGES

## Section 14 – Support and Guidance

Q46. What support would be most helpful?

FINANCIAL SUPPORT TO FUND ADDITIONAL ADMINISTRATION

### (c) Additional questions

Do you have any other comments you wish to make?

THE ADDITIONAL ADMINISTRATION WILL PLACE A CONSIDERABLE BURDEN ON ALREADY-STRETCHED LOCAL AUTHORITY RESOURCES.

**END**

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