

Agenda



ENVIRONMENT, HEALTH AND HOUSING COMMITTEE

Date:	Tuesday, 8 September 2015 at 6:15 pm
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	<p>Councillor Ben Aiken (Chairman) Councillor Viv Willder (Vice-Chairman)</p> <p>Councillors Maxine Chew, Delma Collins, Gail Goodman, Shirley Green, Roger Lloyd, Graeme Neale, Louis Rigby, Heather Speak, Richard Taylor, Thomas Threlfall.</p>

Public Platform

To hear representations from members of the public in accordance with council procedure rule 11.
To register to speak under Public Platform: see [Public Speaking at Council Meetings](#).

	PROCEDURAL ITEMS:	PAGE
1	Declarations of Interest: Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.	1
2	Confirmation of Minutes: To confirm the minutes, as previously circulated, of the meeting held on 9 June 2015 as a correct record.	1
3	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 24(c).	1
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Contact: Katharine McDonnell - Telephone: (01253) 658423 – Email: democracy@fylde.gov.uk

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<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

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DECISION ITEM



REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES	ENVIRONMENT, HEALTH AND HOUSING COMMITTEE DEVELOPMENT MANAGEMENT COMMITTEE	8 SEPTEMBER 2015 16 SEPTEMBER 2015	4

AFFORDABLE HOUSING PROVIDED THROUGH PLANNING OBLIGATIONS

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

The report proposes a review to the way that newly provided affordable housing is provided and let in Fylde Borough.

RECOMMENDATION

For Environment, Health and Housing Committee 8th September 2015

1. That the Development Management Committee be recommended to agree that future Sn 106 agreements entered into by Fylde Borough Council to secure affordable housing should reflect the occupancy restrictions as set out in the local lettings policy and that this be reviewed after a period of 5 years.

For Development Management Committee 16th September 2015

2. That future Sn 106 agreements entered into by Fylde Borough Council to secure affordable housing should reflect the occupancy restrictions as set out in the local lettings policy and that this be reviewed after a period of 5 years.

CORPORATE PRIORITIES

To Promote the Enhancement of The Natural & Built Environment (Place)	√	To Encourage Cohesive Communities (People)	√
To Promote a Thriving Economy (Prosperity)	√	To Meet Expectations of our Customers (Performance)	√

SUMMARY OF PREVIOUS DECISIONS

None in relation to this issue.

REPORT

Background information

1. The affordable or social housing stock in Fylde represents around 7% of the total housing stock and numbers approximately 2,500 dwellings. The social housing stock is predominantly rented stock with a very small number of shared ownership dwellings.
2. Over the past six years or so around 300 additional affordable dwellings have been added to the social housing stock through the planning process. These dwellings are secured through the use of planning obligations under the provisions of section 106 of the Town and Country Planning Act 1990 (s106 agreements). This additional stock represents about 12% of the current total stock of social housing. It can be seen therefore that the social housing stock comprises about 2,200 dwellings of established stock and about 300 dwellings of newly provided stock. Approximately 88% of total provision is established stock.
3. It is important to distinguish between established and newly provided stock when considering the current arrangements on how they are offered and let to future occupants.

Current letting arrangements

4. The letting arrangements for the majority of the stock, the established stock, are governed by the Local Lettings Plan. The Local Lettings Plan is a policy document that is considered and approved by members on a yearly basis and was most recently approved in March 2015.
5. The letting arrangements for the minority of the stock, the newly provided stock, are governed by the provisions of individual s106 agreements agreed between the council and the developer as part of the planning process.
6. Both arrangements have common provisions in that in every case where a vacancy arises the dwelling is always made available to a person with a connection to the Fylde Council area and as described in the local lettings plan or s106 agreement.
7. There are then differences in the way in which the letting processes continue. In the case of the majority of the stock, let under the terms of the local lettings plan, dwellings are initially made available to applicants with a Fylde connection through the priority bands A to F. If after a reasonable time an applicant with a Fylde connection is not readily available for the dwelling it can then be offered to an applicant with a wider Fylde Coast connection (Blackpool and Wyre authorities).
8. In the case of the minority of the stock, let under the terms of the relevant s106 agreement, dwellings are made available to applicants with a Fylde connection through the priority bands A to F. However, if an applicant with a Fylde connection is not readily available for the dwelling provision is not normally made in the agreement to offer the dwelling to an applicant with a wider Fylde Coast connection.
9. This more restrictive letting pool for affordable housing provided under section 106 agreements is increasingly making it difficult to attract social landlords to accept such stock, as set out below. The practice of imposing these tighter restrictions on affordable housing provided under section 106 agreements is not underpinned by any formal policy of the council, but rather reflects preferences expressed by members of the committee some years ago. This report invites the committee to reconsider its practice for future section 106 agreements in the light of the circumstances set out below.

The issue

10. The social housing stock in the area is owned and managed by Registered Providers of housing (RP) which are regulated by the Homes and Communities Agency. A typical RP is a multi-million pound organisation with a significant annual turnover. Their operations, particularly new

development activity, are heavily reliant on borrowings. Their borrowings are generated from the market place and are funded in the most part by income from rents.

11. As with any organisation that requires such funding it is essential that a robust business plan is put in place. The business plan will satisfy both the organisation and its funders that it is able to manage its income and debt and mitigate any risks highlighted in the plan. A robust business plan will also enable the RP to borrow at a more competitive rate.
12. The majority of an RP's income comes from the rents received from tenants. Any potential disruption to the rental income will, therefore, be highlighted as a significant risk in the business plan. Any barrier to the ease of letting a property and continuing to receive rental income will therefore be seen as a risk of disruption of income. Such a risk will need to be recognised in the business plan and mitigated against. If mitigation is not possible, such as is currently the case in Fylde with the restrictions in place in s106 agreements, the RP is more likely to prioritise its new development activity in areas where the risks are mitigated.
13. In recent times the financial pressure on the RPs active in Fylde has required a greater awareness of the potential risks of their business plans and their willingness to take on further development has lessened. The council's ability to deliver the necessary affordable housing is being significantly and adversely affected by the perceived risk attached to the restrictive nature of the s106 agreements currently in use.
14. At the time of writing there are at least 6 developments with planning permission and for which a RP cannot be found ready and willing to take the affordable housing to be delivered on the site. This situation is expected to worsen.
15. A modest number of intermediate or shared ownership affordable dwellings currently exist in Fylde. An additional number of such dwellings are planned for the future and it is likely that this purchased form of affordable housing will become more common. All of the issues discussed above will be applicable to this type of dwelling because they are normally provided in partnership with a RP or similar organisation.
16. There will, though, be additional concerns about the restrictive nature of the current s106 agreements that will impact on the purchasers of shared ownership type dwellings. The purchaser of the dwelling will require a mortgage to fund the proportion of the dwelling to be bought. The mortgage market is becoming increasingly aware not only of the financial means of the borrower but also of the potential risks to the security of its lending in the event of a default of the borrower. It is likely that the lender will see the restrictive nature of the current s106 agreements as a potential barrier to its ability to recover its monies and may be less inclined to lend.
17. If the mortgage market becomes less willing to lend against dwellings subject to a s106 agreement the future onward sale by a current occupier may also be adversely affected. This could result in an occupier becoming effectively trapped in the dwelling when needing to move.
18. The most recent budget announcement by the government has significantly changed the rent structure to be applied to the affordable housing sector. The announced rent reduction of -1% per annum needs to be compared to the previous formula of an inflation +1% position. The announced changes are to apply for 4 years and will lead to a minimum 12% decrease in forecast rental income. This change is very significant and RPs are actively reassessing their business plans in the light of the changes. The issues described above in relation to the restrictive nature of s106 agreements will only add to the pressure on RPs to prioritise their development activity into places with the lowest risk.

Conclusion

19. The only policy position in relation to allocation of affordable housing in the council area is as detailed in the Local Lettings Plan that is approved by members. The last approval to the plan was in March 2015. The more restrictive nature of the s106 agreements has been developed through custom and practice through the planning process at the Development Management Committee.
20. It should be possible to adopt a position where all affordable housing, however provided, should be offered and allocated in accordance with the currently adopted Local Lettings Plan. The s106 agreements would be drafted to reflect this position. This would result in a single policy position applicable to all affordable housing. It is proposed that this single policy position would apply for a period of five years which would then be reviewed.

IMPLICATIONS	
Finance	The report recommends a review of the Council's policy which governs the letting (by registered providers) of the affordable housing which has been secured as part of planning permissions granted. There are clear indications from such providers that if the policy is not reviewed the provision of affordable housing will be less attractive to them and consequently the provision of affordable housing is likely to reduce or cease in the future.
Legal	There are no direct legal implications arising from the report
Community Safety	There are no direct community safety implications arising from the report
Human Rights and Equalities	There are no direct human rights and equalities implications arising from the report
Sustainability and Environmental Impact	There are no direct sustainability and environmental implications arising from the report
Health & Safety and Risk Management	There are no direct health and safety or risk management implications arising from the report

LEAD AUTHOR	TEL	DATE	DOC ID
John Cottam	01253 658690	August 2015	

LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Cabinet agenda/minutes	25 th March 2015	http://www.fylde.gov.uk/meetings/details/1192
Policy Development Scrutiny Committee	12 th March 2015	http://www.fylde.gov.uk/meetings/details/1219
Fylde Borough Council Area Lettings Plan 2015-16	March 2015	http://www.fylde.gov.uk/council/planning-policy--local-plan-/local-development-framework/evidence-base/housingstrategy/

DECISION ITEM



REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	ENVIRONMENT, HEALTH AND HOUSING COMMITTEE	8 SEPTEMBER 2015	5

PROPOSED COMPULSORY PURCHASE OF PROPERTY TO DELIVER AFFORDABLE HOUSING

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

The council made a compulsory purchase order to acquire 93 St Albans Road, St Annes. The order has now been advertised and no objections have been received. The order needs to be confirmed to become effective. The secretary of state has empowered the council to confirm the order, and the committee is asked to agree to do so.

RECOMMENDATIONS

1. Confirm the Fylde Borough Council (93 St Albans Road, Lytham St Annes) Compulsory Purchase Order 2015.

CORPORATE PRIORITIES (delete v which are not relevant)

To Promote the Enhancement of The Natural & Built Environment (Place)	v	To Encourage Cohesive Communities (People)	v
To Promote a Thriving Economy (Prosperity)		To Meet Expectations of our Customers (Performance)	

SUMMARY OF PREVIOUS DECISIONS

On 4th July 2012, the Portfolio Holder for Finance and Resources in consultation with the Portfolio Holder for Planning and Development approved the following:

1. The portfolio holder agrees to the request from New Fylde Housing for s106 affordable housing monies to support the purchase of 93 St Albans Rd St Annes as phase one of a comprehensive scheme of improvement to the property.
2. The portfolio holder approves a revenue budget increase for 2012-13 of £85,000 to fund the payment to New Fylde Housing fully funded from the s106 affordable housing monies held by the council.

Cabinet, 25 June 2014:

1. Seek further to engage with the property owner with a view to acquiring the property voluntarily as mandated by previous decisions
2. If a voluntary sale is not achieved within a reasonable time, make a compulsory purchase order to acquire 93 St Albans Road, St Annes for the purposes of part II of the Housing Act 1985 for redevelopment to deliver 2/3 affordable housing units.

REPORT

THE PROPERTY

1. On 25 June 2014, Cabinet authorised the making of a compulsory purchase order in respect of 93 St Alban's Road, Lytham St Annes, if engagement with the owner had not brought about a voluntary sale in a reasonable time.
2. The property is an unoccupied three storey mid terraced house whose very poor condition has generated many complaints from members of the public. Previous engagement with the owner had failed to produce any improvement. Officers were satisfied that the condition of the property would continue to deteriorate under its present ownership, notwithstanding the powers of the council to serve statutory notices.

THE ORDER

3. Further efforts to engage with the owner of the property to bring about a voluntary sale were unsuccessful. The Fylde Borough Council (93 St Albans Road, Lytham St Annes) Compulsory Purchase Order 2015 was therefore made on 7 May 2015.
4. Legislation requires that compulsory purchase orders be advertised and notice given of them. They do not become effective until confirmed by the relevant secretary of state. However, the secretary of state may empower the order-making authority to confirm it instead¹.
5. There were no objections to the order and the secretary of state has empowered the council to confirm it. Accordingly, the committee is asked to confirm the order.
6. Confirming the order will give the council the legal ability to purchase the property compulsorily. It does commit the council to going ahead with the purchase.

THE FUTURE OF THE PROPERTY

7. As set out in the statement of reasons, which accompanies the order:

"The Council's proposals are intended to secure that the Order Land provides one or two net additional units of affordable housing accommodation. The Order Land, which is unoccupied and in an extremely poor state of repair, does not presently contribute towards meeting the acknowledged shortfall in both market and affordable housing provision in the Council's district. The Council proposes to transfer the Order Land to an identified Registered Provider of Social Housing, which will repair and improve the house to provide two or three 1 and 2-bedroom affordable flats."

8. The compensation, or purchase price, for compulsorily purchased property is based on the open market value of the property taken, together with the claimant's entitlement to compensation for disturbance and either a 'Home Loss Payment' or a 'Basic Loss Payment'. The Upper Tribunal (Lands Chamber) would fix the amount if not agreed. Using the general vesting declaration

¹ Acquisition of Land Act 1981, section 14A

procedure, the acquisition of the property could be completed before compensation is settled.

9. Once the order is confirmed, the council will again seek to engage with the owner of the property to avoid the need to use the compulsory powers given by the order. If this is unsuccessful, a further report will be brought before Members at the appropriate committee seeking authority to make a general vesting declaration to vest the property in the council. That report set out the financial components of the scheme and seek necessary budgetary approvals and will also seek formal approval of the onward transfer of the property to a registered provider of social housing.

IMPLICATIONS	
Finance	This report seeks approval to confirm the compulsory purchase order in respect of 93 St Albans Road, St Annes. If the acquisition route is by compulsory purchase the total costs to the council are likely to be in excess of the £85,000 market value previously estimated which would be increased by the amount of any disturbance and loss payments. Additionally if the compulsory purchase goes ahead a further report will be prepared for consideration by the Finance and Democracy Committee which will outline the financial implications and seek the necessary approvals.
Legal	The compulsory purchase order, once confirmed, will give the council the authority to acquire the property compulsorily. A general vesting declaration would be the most appropriate means of effecting that authority.
Community Safety	There are no direct community safety implications arising from the report
Human Rights and Equalities	There are no direct human rights and equalities implications arising from the report
Sustainability and Environmental Impact	There are no direct sustainability and environmental implications arising from the report
Health & Safety and Risk Management	There are no direct health and safety or risk management implications arising from the report

LEAD AUTHOR	TEL	DATE	DOC ID
Ian Curtis	01253 658506	17 August 2015	

LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Fylde Borough Council (93 St Albans Road, Lytham St Annes) Compulsory Purchase Order 2015	7 May 2015	Town Hall, Lytham St Annes
Statement of reasons	7 May 2015	Town Hall, Lytham St Annes

DECISION ITEM



REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES	ENVIRONMENT, HEALTH AND HOUSING COMMITTEE	8 SEPTEMBER 2015	6

THE SMOKE AND CARBON MONOXIDE ALARM (ENGLAND) REGULATIONS 2015

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

The Smoke and Carbon Monoxide (England) Regulations (The regulations) will come into force on 1st October 2015. The regulations require the installation, in tenanted residential properties in the private rented sector, of suitably sited smoke detectors and, in some case, carbon monoxide detectors. Enforcement of the regulations is a duty of the local housing authority which is Fylde Borough Council.

RECOMMENDATION

1. That the council's functions under The Smoke and Carbon Monoxide Alarm (England) Regulations be delegated to the Director for Development Services.

CORPORATE PRIORITIES

To Promote the Enhancement of The Natural & Built Environment (Place)		To Encourage Cohesive Communities (People)	√
To Promote a Thriving Economy (Prosperity)		To Meet Expectations of our Customers (Performance)	

SUMMARY OF PREVIOUS DECISIONS

No previous decisions

REPORT

1. The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 (The regulations) will come into effect on 1st October 2015.

2. The regulations apply to premises that are occupied under a residential tenancy or licence. It is estimated that there are more than 6,500 units of rented accommodation in the Fylde Council area to which these regulations will apply. They require the provision of a smoke alarm on each storey of the premises on which there is a room that is used as living accommodation. They also require the installation of a carbon monoxide alarm in any room of the premises which is used as living accommodation and contains a solid fuel combustion appliance. It is also a requirement of the regulations that any alarm that is required to be fitted is checked at the start of a new tenancy to ensure it is properly working.
3. The regulations apply to the relevant landlord of the premises and there are a number of types of tenancies that are excluded from the regulations. The exclusions include; properties for which the landlord is a registered provider of social housing, accommodation that is shared with the landlord, hostels and refuges, student halls of residence, care homes, hospitals hospices and other healthcare accommodation.
4. The duty to enforce the regulations is given to the local housing authority which for this area is Fylde Borough Council. Any enforcement action needs to be taken under procedures as laid out in the regulations. If a breach of the regulations is found the council must serve a remedial notice on the landlord and the notice must include details of the breach and the remedial actions required to remedy the breach. Twenty eight days must be allowed for the landlord to take action and the notice must also advise the landlord of the right to make representations against the notice. It must also advise of the penalty charge that may also be imposed.
5. If the landlord fails to take all reasonable steps to comply with the remedial notice it becomes a requirement of the regulations that the council must itself take the remedial action that the landlord has failed to carry out. The council is also obliged to take all reasonable steps to arrange remedial action within 28 days of the need to do so.
6. If a landlord fails to comply with a remedial notice the council may require, by notice, the landlord to pay a penalty charge which may not exceed £5,000.
7. The penalty charge notice must contain prescribed information including; the amount of the penalty charge and the reasons for its imposition, the amount of work that the council has carried out at the premises, the time within which payment must be made or within which the landlord may ask for a review of the penalty charge. The notice may also offer a reduction of the penalty charge for prompt payment within 14 days. If the landlord on whom a penalty charge notice is served makes a representation the council must consider those representations and decide whether to vary the notice. The landlord may exercise a right of appeal to the First Tier Tribunal against the council's decision in relation to the penalty charge.
8. In setting the level of the penalty charge the council must prepare and publish a statement of principles which it proposes to follow. It may revise the statement of principles from time to time but must follow the most recently prepared and published statement of principles at the time when the breach of regulations took place.
9. The regulations do not apply to houses in multiple occupation or other residential premises, which are required to have a licence under parts 2 or 3 of the Housing Act 2004. The regulations require that the council must include in the mandatory conditions attached to such licences, similar requirements as imposed by the regulations on other occupied tenanted premises.
10. The statement of principles which is to be followed in determining the amount of a penalty charge will be prepared and published by the Director of Development Services. The statement will include; the level of the penalty having regard to factors such as the turnover

and scale of the operation of the landlord, the expected awareness of the requirements of the regulations particularly in the time immediately following their introduction, the amount and costs of remedial work undertaken by the council.

IMPLICATIONS	
Finance	There may be additional expenditure incurred by the requirement to take remedial action in the event of non-compliance. Any additional expenditure can be recovered by the imposition of a penalty charge. Additional income may also be provided if penalty charges are levied at a level which is above the actual costs incurred. It is estimated that there are more than 6,500 units of rented accommodation to which the regulations will apply. The impact on staff time and workload is as yet unknown.
Legal	A duty to enforce The Regulations is placed on the council.
Community Safety	None
Human Rights and Equalities	None
Sustainability and Environmental Impact	None
Health & Safety and Risk Management	None

LEAD AUTHOR	TEL	DATE	DOC ID
John Cottam	01253 658690	July 2015	

LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	ENVIRONMENT, HEALTH AND HOUSING COMMITTEE	8 SEPTEMBER 2015	7

ANTI-SOCIAL BEHAVIOUR POLICY

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

The report asks the committee to adopt a policy on anti-social behaviour. The policy sets out how the council will undertake its responsibilities under the Anti-Social Behaviour, Crime and Policing Act 2014.

RECOMMENDATION

1. Adopt the Anti-Social Behaviour Policy attached to the report

CORPORATE PRIORITIES

To Promote the Enhancement of The Natural & Built Environment (Place)	√	To Encourage Cohesive Communities (People)	√
To Promote a Thriving Economy (Prosperity)	√	To Meet Expectations of our Customers (Performance)	√

SUMMARY OF PREVIOUS DECISIONS

Policy Development Scrutiny Committee, 10 September 2014: Made a number of recommendations relating to the Anti-Social Behaviour, Crime and Policing Act 2014, including the development of an Anti-Social Behaviour Policy, which follows the guidance provided by the Home Secretary, to be submitted to members for approval and publication.

Cabinet, 24 September 2014: Accepted the above recommendation.

REPORT

1. In September last year, the former Policy Development Scrutiny Committee considered a comprehensive report setting out the mechanisms available to tackle anti-social behaviour under the Anti-Social Behaviour, Crime and Policing Act 2014.

2. The report noted that the introduction of the new mechanisms provided an opportunity for the creation of a formal policy covering the council's approach to anti-social behaviour. The policy has now been developed in draft and is presented for adoption by the committee.

IMPLICATIONS	
Finance	There are no financial implications arising directly from this report.
Legal	The new policy sets out a high level summary of how the council will meet its responsibilities under the Anti-Social Behaviour, Crime and Policing Act 2014,
Community Safety	There are no implications arising directly from this report.
Human Rights and Equalities	There are no implications arising directly from this report.
Sustainability and Environmental Impact	There are no implications arising directly from this report.
Health & Safety and Risk Management	There are no implications arising directly from this report.

LEAD AUTHOR	TEL	DATE	DOC ID
Ian Curtis	01253 658506	18 August 2015	

LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Draft Anti-Social Behaviour Policy	August 2015	Town Hall, Lytham St Annes

Attached documents

1. Draft Anti-Social Behaviour Policy



**Fylde Council Anti-Social Behaviour Policy
September 2015**

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Policy Title	Anti-Social Behaviour Policy
Date of Approval	
Effective Date	August 2015
Date for Review	August 2016
Policy Officer	Bryan Ward

1 INTRODUCTION

Our vision is:

'Improving the quality of life for all those who live in, work or visit the Borough of Fylde'

Working with partners where appropriate, we have powers to address certain types of anti-social behaviour including:

- Abandoned vehicles
- Aggressive and dangerous dogs
- Dog barking/fouling/straying dogs
- Fly tipping
- Graffiti
- Harassment and intimidation
- Litter and rubbish
- Noise nuisance
- Rowdy and inconsiderate behaviour
- Vehicle related nuisance and inappropriate vehicle usage

This policy sets out our approach to tackling anti-social behaviour in the Fylde area.

2 PARTNERS

We work with a wide range of partners to tackle anti-social behaviour. These include:

- Lancashire Constabulary
- Lancashire Fire and Rescue Service
- Lancashire County Council
- NHS Fylde and Wyre Clinical Commissioning Group

We also work with other agencies from both the statutory and voluntary sector who can contribute to tackling anti-social behaviour.

3 DEFINITION OF ANTI-SOCIAL BEHAVIOUR

The term "anti-social behaviour" describes the everyday nuisance, disorder and crime that has a huge impact on victims' quality of life.¹

Many different behaviours may be classed as anti-social dependant on the severity and frequency of the behaviour. Below are some examples:

¹ Explanatory note to the Anti-Social Behaviour, Crime and Policing Act 2014, para.6

Personal

- Intimidation
- Harassment
- Abuse
- Graffiti on property
- Vandalism that is targeted
- Noisy neighbours

Nuisance

- Ball games
- Noise
- Skateboarding
- Lewd/indecent behaviour
- Overnight camping
- Barking dogs
- Drug/alcohol misuse
- Street drinking
- Begging

Environmental

- Dog fouling
- Fly tipping
- Littering
- Graffiti
- Fast food litter
- Rubbish
- Cars being offered for sale
- Criminal damage
- Vandalism

4 PRINCIPLES UNDERLYING THIS POLICY

Our residents should not be expected to tolerate anti-social behaviour. Therefore, working with partners where appropriate:

- We will support residents to report incidents.
- We will carefully assess each complaint of anti-social behaviour to decide what support and further action is appropriate.
- We will try to provide ongoing support to victims
- We will take or facilitate appropriate action against perpetrators.

Sometimes it is only possible to pursue a complaint to a resolution if a complainant is prepared to work with us. This may mean providing additional information, completing diary sheets or engaging in some activity or intervention recommended by us.

6 LEGISLATIVE FRAMEWORK

There is a wide range of legislation that contributes to tackling anti-social behaviour, including:

Environmental Protection Act 1990
 Crime and Disorder Act 1998
 Anti-Social Behaviour Act 2003
 Clean Neighbourhoods and Environment Act 2005
 Equality Act 2010
 Anti-Social Behaviour, Crime and Policing Act 2014

In compiling this policy, we have had regard to the requirements of:

Human Rights Act 1998
 Data Protection Act 1998
 Equality Act 2010

5 INFORMATION SHARING

Where necessary, we will share information about complaints with partner agencies for the purposes of investigation and intervention. Information sharing will be done in line with the Safer Lancashire Information Sharing Protocol².

We have a legal duty to pass on to other agencies any information that we receive that suggests that:

- A crime has been committed
- A crime is going to be committed
- Someone (either an adult or a child) is being harmed, or is at a risk of being harmed

6 RECEIVING A REPORT OF ANTI-SOCIAL BEHAVIOUR

We will accept complaints of anti-social behaviour in person, on the telephone or online. If you make a complaint, officers will contact you within three working days in order to take the details so we can assess what needs to be done.

The process chart at Appendix 1 shows how we will deal with a complaint of anti-social behaviour.

If we decide to investigate a complaint of anti-social behaviour, an investigating officer will write a report and open a case file, including all relevant updates. The officer will assess the case to decide how to progress it towards a resolution. The case assessment will take into account the nature and seriousness of the anti-social behaviour, its effect on the complainant and other people, including any risk of harm, and the views of the complainant.

7 CASE MANAGEMENT AND INVESTIGATION

We will deal with all anti-social behaviour appropriately and proportionately in line with the case assessment and the following principles:

- We will work with partner agencies to ensure that the most appropriate agency takes the lead on each case
- We will use problem solving principles
- We will use an incremental approach to tackling the anti-social behaviour
- We will provide the level of support needed by the victim
- The interventions used will be appropriate to the anti-social behaviour

We will use the powers and tools available under the legislative framework covering anti-social behaviour where it is appropriate to do so, while recognising that cases can often be better resolved by interventions falling short of formal action.

8 ANTI-SOCIAL BEHAVIOUR MULTI-AGENCY RISK ASSESSMENT CONFERENCE (ASBRAC)

The most appropriate way of dealing with some cases is through a multi-agency conference. This group undertakes a multi-agency approach to tackling anti-social

² Available at www.saferlancashire.co.uk/2011/aboutus/index.asp

behaviour in cases where there is significant risk of harm or death to the victim. The ASBRAC will facilitate the sharing of information in line with the Safer Lancashire Information Sharing Protocol to increase the safety, health and wellbeing of medium and high-risk victims of anti-social behaviour. The information sharing will also enable the identification of perpetrators and allow action to be taken against them where appropriate.

Should a victim be dissatisfied with the decisions and disposal of an ASBRAC complaint, this may be escalated by way of the formal complaints procedure relevant to the agency concerned. This may, however, also be resolved by convening an independent review of the ASBRAC case by a panel of agency senior management.

Terms of reference for this group can be found in Appendix 2

9 CLOSING CASES

In most cases, we will close a case because the problem has been satisfactorily resolved. However, cases may be closed without appearing to have been resolved if we have exhausted all avenues and resources and still cannot take any further action against the perpetrator. It may be that there is only one person reporting and, without other witnesses coming forward, there is little that can be pursued through the courts.

Other reasons why your case may be closed are:

- The reports are malicious or motivated by prejudice or discrimination
- The report is about a one off incident
- The report is due to a clash of lifestyles
- The person reporting will not co-operate with our investigation

10 CUSTOMER FEEDBACK

If someone is not happy with the way in which their report has been handled they can make use of the Council's Complaints Procedure. Details can be found at www.fylde.gov.uk/business/customer-services/complain/. If another agency led the investigation then their own Complaints Procedure should be used.

If a number of agencies were involved in investigating the report and the complainant is not satisfied with how this was handled, they may be eligible to consider using the Community Trigger.

11 COMMUNITY TRIGGER

Victims of anti-social behaviour are able to use the community trigger to request a review of their case. Agencies, including councils, police, local health teams and registered providers of social housing have a duty to undertake a review of how they have dealt with a case when the complainant is dissatisfied with the outcome and the case meets our locally defined threshold.

The Community Trigger can be used by any victim of anti-social behaviour or by any person acting on behalf of a victim, for example a family member, friend, carer,

councillor, MP or other professional person. This is intended to ensure that all victims are able to use the Community Trigger. However, the victim's consent should be sought by the person using the Community Trigger on their behalf.

The Community Trigger should not be used to complain about a single organisation. If your complaint is about an individual organisation, you are advised to follow their complaints procedure.

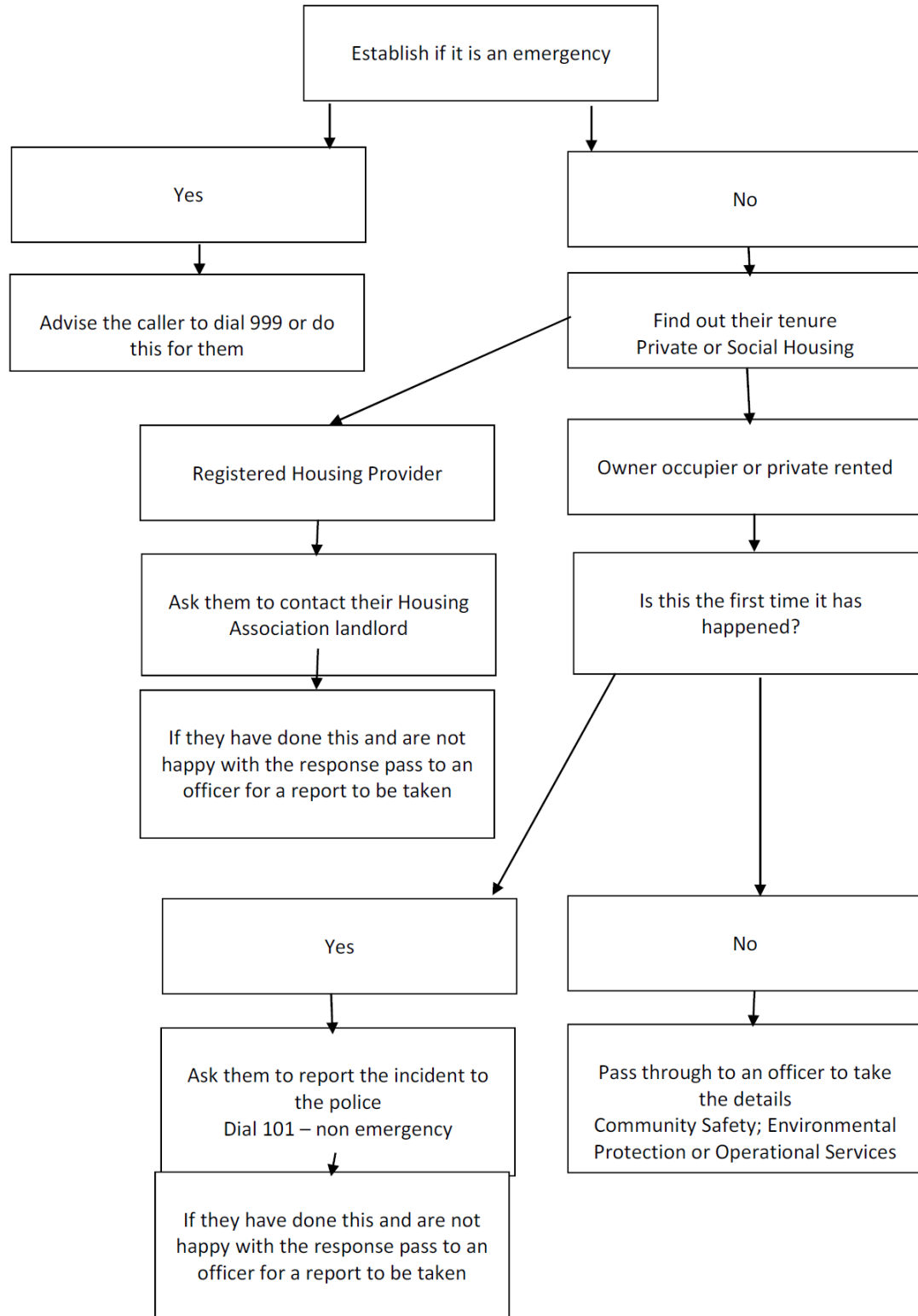
More details about the Community Trigger are available at www.fylde.gov.uk/council/community-safety/trigger/.

12 MONITORING AND FEEDBACK

We will review this policy periodically to ensure that it is responsive to new legislation and emerging good practice.

Appendix 1

PROCESS CHART



Appendix 2

ASBRAC TERMS OF REFERENCE

PURPOSE

To undertake a multi -agency approach to tackling anti-social behaviour in cases where there is a significant risk of harm or death to the victim. The ASBRAC will facilitate the sharing of information (under the Safer Lancashire Information Sharing Protocol) to increase the safety, health and wellbeing of medium-risk and high-risk victims of antisocial behaviour. This information sharing will also enable the identification of perpetrators and allow action to be taken against them where appropriate.

CORE BUSINESS

The core business of the ASBRAC Group will be to agree and implement case management plans which:

- provide professional support to those at risk
- reduce the risk of harm and disruption to victims of anti-social behaviour
- provide support and guidance for perpetrators where necessary
- take action to prevent perpetrators engaging in antisocial behaviour

ASBRAC aims to support and improve multi-agency problem solving and information sharing, providing sustainable solutions to antisocial behaviour.

ASBRAC also endeavours to improve agency accountability and improve support for staff involved in dealing with cases where there is a risk of harm or serious disruption to the lives of victims suffering as a result of anti-social behaviour.

CHAIR

Tracy Morrison (Director of Resources Fylde Council)

DEPUTY CHAIR

Bryan Ward (Community Safety Officer Fylde Council)

MEMBERSHIP

Membership for ASBRAC consists of various representatives from agencies including, but not limited to, Local Authority, Police, Health, Social Care, Mental Health Services, Youth Offending Team, NCompass, Victim Support, and Housing Options/Providers.

MEETING ARRANGEMENTS

The ASBRAC group will meet monthly. If the Chair is not present, the conference will be chaired by the Deputy Chair.

All cases heard at the conference must be presented by the referring officer to enable effective and in-depth understanding of the case. In the event that the referring officer is unable to attend the conference, a nominated representative from the same agency, with knowledge of the case, must attend.

The group will report to the Fylde Community Safety Partnership Group.

RESPONSIBILITY & ACCOUNTABILITY

All representatives attending the ASBRAC agree to be held responsible and accountable for adhering to the ASBRAC Information Sharing Protocol and with the guidelines set out within this document.

Referring officers acknowledge that they retain ownership of their cases and are ultimately responsible for ensuring that consent is gained and that confidentiality is maintained. ASBRAC is a tool to be utilised for the purposes of solving the antisocial behaviour and does not take on any ownership or responsibility for a case.

It is expected that all officers who have actions allocated to them at ASBRAC (as part of the case management plan) complete these actions within seven days of the meeting. Updates must be provided to the ASB Coordinator (Community Safety Manager or ASB Admin Support) within this time frame and, in the event that this is contravened, officers will be held responsible for any outstanding actions.

COMMUNITY TRIGGER

As part of the new Antisocial Behaviour, Crime & Policing Act, 2014, there may be occasions when the ASBRAC is also utilised as a multi-agency forum to discuss Community Trigger applications that have met the specified threshold.

A set of existing Terms of Reference is in place relating specifically to Community Trigger meetings.

EMERGENCY CASE CONFERENCES

There may be occasions where an ASBRAC victim is significantly at risk of harm or death and an emergency case conference may need to be convened. In such an event, ASBRAC partners will be duly notified and it is expected that all guidance and protocols outlined within this document and within the ASBRAC Information Sharing Protocol should be followed as per a usual case conference.

DECISION ITEM



REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	ENVIRONMENT, HEALTH AND HOUSING COMMITTEE	8 SEPTEMBER 2015	8

MOBILE HOME FEE POLICY FOR RESIDENTIAL PROTECTED SITES

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

The Public Protection Committee considered a Mobile Home Fee Policy for Residential Protected Sites for adoption. The terms of reference of the Public Protection Committee do not (and, under the former cabinet system, could not) include responsibility for setting fees and charges. The fees policy should therefore have been put to the Cabinet or to the relevant portfolio holder for a final decision. The change to a committee system meant that this could not practically happen.

The Environment, Health and Housing committee is therefore invited to adopt the policy as set out in appendix 2.

RECOMMENDATION

1. Adopt and implement a Mobile Home Fee Policy for Residential Protected Sites, under the Caravan Sites and Control of Development Act 1960, as set out in the draft policy appended to the report considered by the Public Protection Committee on 27 March 2015, subject to the amendments noted below.

CORPORATE PRIORITIES

To Promote the Enhancement of The Natural & Built Environment (Place)		To Encourage Cohesive Communities (People)	
To Promote a Thriving Economy (Prosperity)		To Meet Expectations of our Customers (Performance)	√

SUMMARY OF PREVIOUS DECISIONS

Public Protection Committee 27 June 2015: RESOLVED to approve to adopt the Mobile Homes Fee Policy for Residential Protected Sites, under the Caravan Sites and Control of Development Act 1960 as detailed in appendix 1 to the report subject to certain amendments referred to in the minutes of the meeting.

REPORT

1. At their meeting on 27 March, the Public Protection Committee considered a report setting out a suggested fees policy for certain functions under the Caravan Sites and Control of Development Act 1960 in relation to relevant protected mobile home sites.
2. As set out above, the Public Protection Committee resolved to approve to adopt the fee policy, subject to certain corrections which had been explained by the officers.
3. The report to the Public Protection Committee is attached as appendix 1. The proposed policy has been amended to incorporate the corrections mentioned at the meetings and is attached as appendix 2.
4. The terms of reference of the Public Protection Committee do not (and, under the former cabinet system, could not) include responsibility for setting fees and charges. The fees policy should therefore have been put to the Cabinet or to the relevant portfolio holder for a final decision. The change to a committee system meant that this could not practically happen.
5. Under the council's current financial procedure rules, any introduction of new fees or charges which is expected to vary income by up to £25,000 in any one financial year can be approved by the relevant programme committee. The introduction of the fee policy for mobile home sites is not expected to vary income by £25,000, and the committee is therefore invited to adopt the policy as set out in appendix 2.

IMPLICATIONS	
Finance	Financial implications arising as detailed within the original report.
Legal	As detailed within the original report.
Community Safety	There are no implications arising directly from the report.
Human Rights and Equalities	There are no implications arising directly from the report.
Sustainability and Environmental Impact	There are no implications arising directly from the report.
Health & Safety and Risk Management	There are no implications arising directly from the report.

LEAD AUTHOR	TEL	DATE	DOC ID
Ian Curtis	01253 658506	22 June 2015	

LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Public Protection reports and minutes	27 March 2015	www.fylde.gov.uk

Attached documents

1. Report to Public Protection Committee, 27 March 2015
2. Proposed fees policy

REPORT

REPORT OF	MEETING	DATE	ITEM
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	27 MARCH 2015	5

MOBILE HOME FEE POLICY FOR LICENSING OF RESIDENTIAL MOBILE HOME SITES

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

Changes to the Caravan Sites and Control of Development Act 1960 allow Local Authorities to charge on a cost recovery basis for certain functions under the Act. These functions include annual site licencing, new site licence applications, amendment conditions, transferring an existing site licence and depositing site rules.

RECOMMENDATION

To seek approval to adopt Mobile Home Fee Policy for Residential Protected Sites, under the Caravan Sites and Control of Development Act 1960

CABINET PORTFOLIO

This item falls within the following cabinet portfolio(s):

Social Wellbeing - Councillor Cheryl Little

CORPORATE PRIORITIES

To Promote the Enhancement of The Natural & Built Environment (Place)		To Encourage Cohesive Communities (People)	
To Promote a Thriving Economy (Prosperity)		To Meet Expectations of our Customers (Performance)	√

SUMMARY OF PREVIOUS DECISIONS

17th June 2013 Mobile Homes Act 2013: Resolved-

- Note the report
- To ask officers to bring a further report to committee outlining the implications and policy and procedure requirements arising from the act.

REPORT

Background

1. The Mobile Home Act 2013 made amendments to the Caravan Sites and Control of Development Act 1960 ("the Act") to provide greater protection to occupiers of residential caravans and park homes.
2. The Act now empowers Local Authorities to charge licence fees in relation to "relevant protected sites" (RPS). The term RPS includes residential park home and traveller sites and can only be applied to those sites which have full residential planning consent. There are currently 21 RPS sites in Fylde Council ranging from sites with 2 park homes, to a site with 169 park homes.
3. If a local authority charges fees, the level of fees must be fair and transparent and must be published in a fees policy document. Fees should not be intended to do more than cover the authority's eligible costs associated with the licensing activities concerned.
4. The Government has published guidance on how fees are to be set. The guidance sets out in detail the matters that should and should not be taken into account in calculating the cost of the licensing activities, and provides alternative methodologies to translate these costs into fee structures.
5. Officers feel it is reasonable to recover costs of the regulatory activities taken under the Act. The policy details levels of fees Fylde Council will be charging for the following functions- annual licence fee, application for a new site licence, amending an existing licence condition, transferring of an existing licence and depositing site rules.
6. The fee levels have been calculated based upon officer time and costs involved in undertaking the Council's statutory function under the Act. These costs typically cover officer time, overheads and inspections. Appendix 1 of the policy details what the Council can consider in determining such fees.

Annual Licence Fee

7. Government guidance sets out alternative methodologies for calculating an annual licence fee. Option 1 has been adopted as it is considered to be the most transparent, proportionate and fair to site owners. The annual fee covers the cost of an annual inspection of sites.
8. Option 1 is based upon the total cost to the Council of carrying out its annual licensing function for all 'relevant protected sites' which is **£250**.
9. In addition, a unit pitch fee has been calculated of **£5 per pitch**, to allow for inspection costs and time when auditing each individual pitch on sites. This pitch cost is then multiplied by the actual number of residential units on site.

Examples-

Site A has 5 pitches at £5 per pitch= £25, plus a basic fee of £250. Total Annual fee for Site A= £275.

Site B has 169 pitches at £5 per pitch= £845, plus a basic fee of £250. Total Annual fee for Site B= £1095.

In adopting the Policy it is estimated that annual licence fees will provide an income to the Council to the region of £8,575.00

Application for a new site Licence

10.The cost of an initial site licence application (first time application for a new site) is **£320**.

Amendment to an existing Licence condition

11.Where a site licence owner seeks to amend, add, remove or vary an existing condition, a site licence a fee of **£375** is required.

Transferring an existing Licence

12.Where an existing owner or new owner wishes to transfer an existing licence, a fee of **£190** is required.

Depositing Site Rules

13.Site rules differ from site licence conditions in that they promote community cohesion on site. The rules are determined by the site owner in agreement with residents.

14.The Act allows Local Authorities to charge a fee for the depositing, amending, adding and deleting site rules. A fee of £80 is payable for depositing, amending, add or deleting of site rules.

15.The Council is required to keep an up to date register of site rules deposited and publish the register on-line.


IMPLICATIONS	
Finance	Financial implications arising as detailed within report.
Legal	As detailed within report.
Community Safety	There are no implications arising directly from the report.
Human Rights and Equalities	There are no implications arising directly from the report.
Sustainability and Environmental Impact	There are no implications arising directly from the report.
Health & Safety and Risk Management	There are no implications arising directly from the report.

LEAD AUTHOR	TEL	DATE	DOC ID
Michael Duck	01253 658620	12th March 2015	

LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
The Mobile Home Act 2013		www.legislation.gov.uk
The Caravan Sites and Control of Development Act 1960		www.legislation.gov.uk


Attached documents:

Appendix 1 Mobile Home Fee Policy

	Mobile Home Fee Policy					
	SUBJECT:	Mobile Home Fee Policy for Residential Relevant Protected Sites				
	Date of issue:	February 2015	Reference:	MHFP/1		
	Revision No:	1	Page:	1	of	7

1.0 EXECUTIVE SUMMARY

- 1.1 The Mobile Homes Act 2013 (MHA 13) was introduced to provide greater protection to occupiers of residential caravans, and park homes.
- 1.2 Royal Assent was received on 26th March 2013 with some parts introduced on 26th May 2013. The MHA 2013 will introduce some important changes to park home licensing on 1st April 2014, due to its amendment of the Caravan Sites and Control of Development Act 1960.
- 1.3 Such changes include the ability of Local Authorities to charge site owners a fee for:
 - Applying for a site licence;
 - Amendments and transfers of existing licences;
 - Depositing site rules and
 - Annual fees.
- 1.4 In order to be able to charge for these fees the Council needs to publish them within a fees policy.
The fees associated with site licensing include:
 - Applying for a new site licence,
 - Transfer of an existing licence;
 - Alteration of a condition of an existing licence; and
 - Setting of an annual fee.
- 1.5 Sites that are for holiday use only or sites where caravans are only to be permitted to be stationed on the land at certain times of the year are exempt from licensing fees. These are the only statutory exemptions.
- 1.6 It is felt that it is appropriate to make single pitch sites exempt from annual fees (but not fees for applying, amending and transferring a site licence) as these are considered to be lower risk sites and are less onerous to inspect and collecting annual fees from them would not be cost effective.
- 1.7 The MHA 2013 also introduced the ability for Local Authorities to serve enforcement notices and to carry out works in default to remedy breaches of site licence conditions from 1st April 2014. The Council will be able to charge fees in relation to this.
- 1.8 Local Authorities will be able to require a fee when the site rules are deposited with the Local Authority. Furthermore, the Local Authority will be required to publish an up to date site register of the rules.

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	SUBJECT:	Mobile Home Fee Policy for Residential Relevant Protected Sites				
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- 1.9 A exercise has been undertaken by the Council, in estimating the costs of administrating the licensing functions under the Act. Which are set out within in Department for Communities and Local Government “ A Guide for Local Authorities on Setting Site Licence Fees”.¹ In setting the fee for an annual licence charge Option 1 as detailed within the Guidance has been chosen, as it is felt that this option is proportionate and fair.

2.0 INTRODUCTION


- 2.1 The Caravan Sites and Control of Development Act 1960 (CSCDA 60)² introduced a licensing system to regulate the establishment and operation of caravan sites.
- 2.2 The Mobile Home Act 2013 (MHA 13)³ was introduced in order to provide greater protection to occupiers of residential park homes and caravans as the current legislation had been in existence for more than 50 years.
- 2.3 The MHA 13 introduces some important changes to the buying, selling or gifting of park homes and a pitch free review process.
- 2.4 Councils can now also charge a fee for their different licensing functions. There is an expectation that Councils will inspect sites annually and use additional powers to ensure compliance with site licence conditions. The legislation allows the Council to serve enforcement notices and to publish any site rules relating to a site.
- 2.5 The Changes introduced by the MHA 13 only apply to ‘relative protected’ sites, as defined by section 5A(5) and (6) of CSCDA 60. Further guidance has also been issued by the Department for Communities and Local Government (DCLG) entitled ‘Park Homes: Site Licensing, Definition of Relevant Protected Sites’ (January 2014)⁴-
- “Any licensable caravan site is a ‘relevant protected site’ unless it is specifically exempted from being so. A site is exempted if:
- It has planning permission or a site licence for exclusive holiday use;
 - There is a restriction on use as permanent residential” DCLG 2014.
- 2.6 Section 10A (2) of CSCDA 60 (as amended by MHA 13) requires a local authority to prepare and publish a fee policy, where they propose to charge for functions associated with the regulations of ‘relevant protected sites’.

¹https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/285926/140227_A_guide_for_Local_Authorities_on_setting_site_licensing_fees.pdf

²<http://www.legislation.gov.uk/ukpga/Eliz2/8-9/62/contents>

³<http://www.legislation.gov.uk/ukpga/2013/14/contents>

⁴<http://www.riams.org/wp-content/uploads/2014/01/140110-Relevant-protected-sites1.pdf>

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- 2.7 Sites which do not fall into within the definition of a 'relevant protected sites' are still subject to the licensing requirements contained within CSCDA S6, but the provisions relating to payment of fees do not apply.
- 2.8 This policy details the level of fees Fylde Council will charge in relation to the different functions covered by the legislation.
- 2.9 The fee levels have been calculated based on the time and cost involved in undertaking the activities involved. The costs typically cover officer time, overheads Appendix 1 details what the Council can consider in calculating the fee levels.
- 2.10 The fee rates in this policy cover the period 1st April 2015 to 31st March 2016 and each section details when a fee is payable.
- 2.11 Currently, Fylde Council administers site licences for 21 Park Home sites with the total number of units across all sites exceeding 665. The extent of work with each individual site will vary according to the size, complexity and whether there are any issues arising with residents.

3.0 APPLICATION FOR A NEW LICENCE

- 3.1 All sites (subject to exemptions contained within the Act) require a licence to operate a residential park home site. Failure to make an application for a site licence is an offence under Section 1(2) of CSCDSA 1960.
- 3.2 Section 3(2A) of the CSCDA 1960 amended Act, allows the local authority to require a fee to accompany applications for licences, and this should accompany any new application.
- 3.3 The Council may only issue a licence for a site with a valid and correct planning permission for the use of the land as a residential park home site. Any application made before the planning status must be processed within 6 weeks of the planning decision. Sites which already have the correct planning permission in place, must be processed within 2 months of the receipt of the site licence application.
- 3.4 The fee below reflects the fixed costs which would apply to any new licence application.
- 3.5 **New licence application fee £320**

4.0 TRANSFER OF AN EXISTING LICENCE

- 4.1 Where an existing licence holder or new site owner wishes to transfer a licence, an application must be made to the Council, for which a fee is payable (Section 10(1A) of the Caravan Sites and Control of Development Act 1960 (as amended), allows the Council to charge a fee for this function.

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4.2 Fee to accompany an application to transfer a licence £190

5.0 ALTERATION OF CONDITIONS ON AN EXISTING LICENCE

5.1 Where a site owner requests a variation of a site licence conditions. Section 8(1B) of the Caravan Sites and Control of Development Act 1960 (as amended), allows the Council to charge a fee for this function.

5.2 Applications can be made by the licence holders to amend, add or remove conditions, the fee is payable at the application stage.

5.3 Fee to accompany an application to alter conditions £375

6.0 ANNUAL FEES

6.1 All 'relevant protected sites' must pay an annual fee to the Council (subject to any exemptions). The first fee is due on 30th April 2015 and annually thereafter.

6.2 The annual fee covers the costs associated with an annual site inspection to ensure compliance with site licence conditions and a follow up visit to ensure compliance with any formal schedule of works. If there is still a breach in site licence conditions at the point of the follow up visit, further charges may be payable to cover the costs of any enforcement action which may be taken. Further details can be found in Section 7- Enforcement Action.

6.3 DCLG Guidance offers a variety of suggested options for local authorities in calculating the annual fee and Option 1 has been adopted as it is considered to be the most transparent and fairness to both residents and owners.


6.4 The fee is calculated on a price per unit based on the total estimated cost to the Council of carrying out its annual licensing function for all 'relevant protected sites' in the Borough. The unit cost is multiplied by the actual number of each unit on each site to provide the annual fee payable.

Annual Fee £250 x £5 per pitch fee =

6.5 Charges for the first year (2015/16) will be based on estimates. The Council is not permitted to make surplus from this function section – 5A(2) of the Act requires all surplus and deficits to be included in the fees policy. These will be calculated and included in future revisions of the fee policy i.e. any deficits or surpluses from this activity will be carried forward at the end of the financial year to the next financial year and will affect the charges for the next financial year.

6.6 Exemptions from Annual Fees

6.7 Sites where there is only one park home are excluded from the annual licensing fee.

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- 6.8 This category of the site is exempt from the annual licensing fee as the Council do not intend to carry out annual inspections of these sites. However, any complaints received will be dealt with as appropriate.

6.9 **Charging Arrangements**

- 6.10 Section 10A(5) of CSCDA 60 (as amended) states that fees policy must include provision about the time at which the fee is payable. For the purpose of this policy the period covered by the annual fee will be 1st April to 31st March in each financial year.
- 6.11 Invoices will be sent to licence holders of 'relevant protected sites' at the start of the financial year and payment will be due within 30 days.
- 6.12 Where a new licence is issued part way through the year the annual fee will also be due in the same year and an invoice will be sent after the licence has been granted, for the pro-rata amount.
- 6.13 In the event of an annual fee is not being paid within the terms of the invoice the Council may apply to the First Tier Tribunal (Property Chamber) for an order requiring the licence holder pay the amount due.

7.0 ENFORCEMENT ACTION

- 7.1 Where there has been a breach of the site licence condition, which comes to the attention of the Council, who may serve a Compliance Notice.
- 7.2 Section 9(c) of the CSCDA 60 (as amended) details the elements which the local authority may include when imposing a charge for enforcement action. These include the time involved in deciding to serve and prepare the Compliance Notice. A detailed breakdown of the relevant expenses would be provided with the Compliance Notice.
- 7.3 Charges would be based on an hourly rate, in addition to any other costs incurred.
- 7.4 Where the works identified within the Compliance Notice are not carried out by the site licence holder. The licence holder commits an offence and the local authority may consider taking legal proceedings. Failure to comply with the notice would be a criminal offence, punishable by a fine on the standard scale (currently £5000), Any costs associated with this process would be at the discretion of the court.
- 7.5 A site licence could be revoked upon a third or subsequent prosecution.

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- 7.6 Where the prosecution is successfully taken, the Council would have the power to serve a notice to enter the site and carry out the works in default of the licence holder. An administration cost of 20% would be added to the cost of the works.
- 7.7 A local authority may enter the site and take emergency action where there is imminent risk of serious harm to residents or the wider community.
- 7.8 Unpaid charges can be placed as charge against the site owners land.


8.0 SITE RULES- FEES FOR DEPOSITING, AMENDING, OR DELETING SITE RULES

- 8.1 Site rules are different to the site licence conditions and are put in place by the owner of the site to ensure acceptable standards are maintained. For the benefit of residents to promote and maintain community cohesion on the site.
- 8.2 The MHA 13 changes the way in which the site rules must be agreed between the site owner and residents.
- 8.3 Before publishing the site rules the Council will ensure the rules deposited have been made in accordance with the Statutory Procedure.
- 8.4 The Mobile Home Act 1983 (as amended by the MHA 13) allows the Council to charge a fee for depositing, amending, or deleting site rules.
- 8.5 **Fee to deposit, amend or delete site rules £80**
- 8.6 The Council must keep an up to date public register of site rules on protected sites and publish the register on-line.

9.0 REVISING THE FEE POLICY

- 9.1 The fees detailed in this policy have been determined based upon experience of dealing with site licensing historically with consideration of the changes the new Act has introduced. Some of the processes are new (for example the depositing of site rules) and therefore the estimates have been made as to the cost of providing these services.
- 9.2 This policy will be revised no later than March 2016.

10.0 APPENDIX 1- GUIDANCE FROM DCLG- SETTING OUT OF ACTIVITIES TO BE INCLUDED IN SETTING OF SITE LICENSING FEES

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- 10.1 The DCLG- Mobile Home Act 2013- A Guide for Local Authorities on Setting Licence Fees⁵- sets out activities that the Council can include when calculating its site licensing fee, these include-

Setting Site Licensing Fees

- Initial enquires;
- Pre-application advice;
- Letter writing/telephone calls etc. to make an appointment and requesting any documents or other information from the site owner or from any third party in connection with the licensing process;
- Sending out forms;
- Land registry searches;
- Handling enquires and complaints;
- Updating hard files/computer systems;
- Processing the licence fee;
- Time for reviewing necessary documents and certificates;
- Downloading photographs;
- Preparing draft and final licences;
- Updating public register;
- Preparing reports on contraventions;
- Review by manager or lawyers;
- Review of any consultation responses from third parties;
- Carrying out any risk assessment process considered necessary;
- Consultation with Planning and Fire and Rescue Services;
- A pre-programmed full site inspection; and
- A follow-up inspection to check compliance following a programmed inspection.

⁵ <https://www.gov.uk/government/publications/mobile-homes-act-2013-a-guide-for-local-authorities-on-setting-licence-fees>

INFORMATION ITEM



REPORT OF	MEETING	DATE	ITEM NO
MANAGEMENT TEAM	ENVIRONMENT, HEALTH AND HOUSING COMMITTEE	8 SEPTEMBER 2015	9

GENERAL FUND REVENUE BUDGET MONITORING REPORT 2015/16 - POSITION AS AT 31ST JULY 2015

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY OF INFORMATION

The purpose of this report is to provide an update of the Council's General Fund (GF) Revenue Budget as at 31st July 2015 and specifically for those areas under the Committee's remit.

SOURCE OF INFORMATION

Chief Financial Officer – the report is based upon information extracted from the Council's financial ledger system for the period to July 31st 2015.

LINK TO INFORMATION

General Fund Revenue Budget monitoring Report to 31st July 2015:

<http://www.fylde.gov.uk/council/finance/budget-monitoring/2015-16/revenue/>

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

This information is provided to enable the committee to consider and scrutinise periodic revenue budget monitoring reports for those areas under the committee's remit.

FURTHER INFORMATION

Contact: Paul O'Donoghue (Chief Financial Officer)

Tel: 01253 658566

GENERAL FUND REVENUE BUDGET MONITORING REPORT 2015/16 –

POSITION AS AT 31ST JULY 2015

Summary

The purpose of this report is to provide an update on the Council's General Fund (GF) Revenue Budget as at 31st July 2015. The report includes a narrative description of the most significant variances from the profiled latest budget and details any actions required to address these. Appendix A to this report shows the value of the most significant variances (those in excess of £5k) for all of the Council services by Committee and provides a brief explanation for each variance.

1. Background

- 1.1 The Council operates a system of Revenue Budget Monitoring which revolves around the production of detailed monthly monitoring reports for budget holders. Significant variances from the expected budget position at the point of monitoring, both for expenditure and income, are summarised in monitoring reports which are periodically reported to each Programme Committee for information purposes. This report therefore details the findings and issues emerging from budget monitoring carried out to 31st July 2015.
- 1.2 It should be noted that work continues on improving budget profiling across the Council in order that budget profiles more accurately reflect the spending pattern of individual budgets across the financial year. This serves to enhance budget monitoring and focus attention on true variances rather than budget profiling issues. This is a continuous process with budget holders so that the improved profiling continues to refine the budget monitoring system.
- 1.3 Council approved the 2015/16 budget at its meeting on 3rd March 2015. Subsequently on 22nd June 2015 Cabinet approved the Council's outturn position for 2014/15. The impact of those approvals, including savings and growth options approved at Council and slippage from 2014/15 approved at Cabinet, are now reflected in the Council's financial ledger and therefore this report monitors expenditure and income against the updated approved budgets.

2. Budget Rightsizing Exercise

- 2.1 In 2011/12 The Council's Management Team committed to carrying out an annual budget rightsizing exercise to analyse underspends which have occurred over the last 3 financial years and to adjust current and future year budgets to better reflect the level of resource requirement in the context of current financial constraints. This process has continued to be undertaken annually and will be repeated during the second quarter of 2015/16. Any resulting changes to budgets will be reflected in later updates to the Council's Financial Forecast.

3. Budget Areas to Note

There are a number of budget areas to note on this General Fund Budget Monitoring report:

i. Employee Costs

The budget forecast which was approved by Budget Council in March 2015 assumed reduced payroll costs as a result of 'turnover savings' (delays in the recruitment to vacant posts) of £75,000 per annum from 2015/16 onwards. Actual savings achieved in relation to direct employee costs to 31st July 2015 are already in excess of this target. These savings may not recur to this extent for the remainder of the year. The employee costs budget will be reviewed as part of the right-sizing exercise on service budgets later in the year and a favourable MTFS adjustment may follow.

ii. Sale of Sand (Sand-winning)

Income from the sale of sand has been significantly higher than the forecast amount and consequently this income budget will be reviewed as part of the budget right-sizing exercise with the intention of increasing the income budget to reflect the current level of income. The increase may be a consequence of greater levels of activity in the construction industry, and the consequential demand for sand as a building material, possibly reflecting an upturn in the house-building market.

iii. Fleet Costs

Expenditure on fleet costs for the year to date indicates a number of variances against various elements of the budget. Much of the favourable variance in material costs is due to the fleet replacement programme and efficiencies generated from revised working practices as part of the modernisation strategy. At present the fleet budgets are predicted to be on target at the end of the year. However, experience shows that expenditure on items such as fuel (which is subject to price volatility) and vehicle hire (which can increase due to vehicle breakdowns) can be difficult to predict and the current position could change. The fleet budgets will be reviewed as part of the right-sizing exercise on service budgets later in the year.

iv. Crematorium Income

Income from cremations has been significantly higher than the budgeted level. However this is offset by a reduction in the level of income received as a result of the introduction of the 'CAMEO' scheme from January 2013. The CAMEO scheme results in a payment through a central pool to those authorities (including Fylde) who have undertaken modernisation works at their facilities to reduce emissions in line with government directives. This is funded by payments into the central pool from those authorities which have not carried out the modernisation works. However since its inception receipts into the pool have been less than was forecast resulting in a reduction in the level of receipts to those eligible authorities (including Fylde). As the scheme becomes embedded the collection of payments into the pool may improve and appropriate enforcement action may be introduced, but that is not certain at this stage. Consequently as part of the budget right-sizing exercise the anticipated of income from the CAMEO Scheme both for 2015/16 and for future years will be reviewed as will the future level of income generated by the crematorium.

v. Planning Application Fee Income

Planning application fee income is dependent on the number and nature of applications received. A number of significant applications have been received towards the end of the last financial year and during the early part of this year which have created the current favourable variance. The budget will be reviewed as part of the right-sizing exercise on service budgets later in the year and may lead to a favourable MTFS adjustment.

vi. Council Tax and Housing Benefits

There are currently a number of significant variances on the various control accounts in respect of Council Tax and Housing Benefits, particularly Rent Allowance expenditure. However, as the majority of these are directly reimbursed from central government grant a large variance at year end is not currently anticipated and the variances have therefore been excluded from the variance analysis report. The position will be kept under review throughout the remainder of the year and a MTFS adjustment may follow.

5. Conclusions

External pressures outside the Council's control are impacting on all local authorities. Instructions remain in place that officers should not commit to any unnecessary expenditure and should seek to maximise efficiencies. This approach has a downward impact on costs incurred by the Council and may result in an under-spend against budget this year.

Regular budget monitoring reports are an integral part of the Council's financial monitoring framework. These will be available on the Councils website.

Finance staff work continuously with budget holders across the Council, and are heavily reliant upon budget-holders to be able to understand and quantify the potential impact of in-year hotspot variances within their areas of responsibility.

We are still at the early part of 2015/16 and it is therefore not possible to draw any firm conclusions on the in-year financial position. The financial risks facing the Council, as set out in the MTFS to Council in March 2015 still remain. Instructions issued by Management Team that budget holders are to remain prudent in order to build up additional balances are still in place.

REVENUE MONITORING 2015/16 - Period 4 to July 31st 2015 (Variances in excess of £5k)
Appendix A

Service Area	Detailed Description	Full Year Budget	Budget as at Period 4	Actual & Commitments as at Period 4	Variance as at Period 4	FAV / ADV	Variance	Budget Holder	Budget Holder Comments
		£	£	£	£		%		
FINANCE & DEMOCRACY COMMITTEE / CORPORATE CROSS CUTTING BUDGETS									
All Council services	Employee costs including basic pay, pension, NI, and overtime, plus agency costs	8,065,028	2,784,921	2,653,779	-131,142	FAV	-4.7%	Corporate	The budget forecast which was approved by Budget Council in March 2015 assumed reduced payroll costs as a result of ‘turnover savings’ (delays in the recruitment to vacant posts) of £75,000 per annum across all Council services from 2015/16 onwards. Actual savings achieved in relation to direct employee costs to 31st July are already in excess of this target. The employee costs budget for 2015/16 will be reviewed and updated as part of the budget right-sizing exercise.
Utility costs and Business Rates	Electricity	119,386	30,495	9,223	-21,272	FAV	-69.8%	Andrew Dickson	These budgets relate to utility and business rate costs across the Council's property estate. Reductions in the level of most of these budgets, especially the electricity and gas budgets, are anticipated as a consequence of a number of factors including; the beneficial effect of recent Town Hall roof and window replacement works in reducing heat loss from the building; a reduction in the overall number of properties within the Council's property estate; and the fall in energy prices linked particularly to falls in the price of oil to the energy generating sector. These budgets will each be reviewed as part of the right-sizing exercise.
	Gas	78,972	15,547	9,668	-5,879	FAV	-37.8%		
	Business Rates	217,589	217,589	220,669	3,080	ADV	1.4%		
	Water Charges - Metered	73,081	18,670	7,174	-11,496	FAV	-61.6%		
	Sewerage & Environmental Services	36,301	36,301	25,297	-11,004	FAV	-30.3%		
TOURISM & LEISURE COMMITTEE									
St. Annes-Leisure (Strategic)	Games Site Fees	-50,000	-33,000	-24,914	8,086	ADV	24.5%	Darren Bell	Income is lower than the budgeted amount due to the relatively poor weather during the period (15 un-playable days at games sites during June due to strong winds & rain). The budget will be kept under review for the remainder of the year.
Lytham-Leisure (Strategic)	Games Site Fees	-59,000	-40,120	-18,292	21,828	ADV	54.4%	Mark Wilde	Income is lower than the budgeted amount due to a combination of the relatively poor weather during the period and difficulties in acquiring replacement boats at Fairhaven Lake as scheduled. The budget will be kept under review for the remainder of the year.
Coast and Countryside	Sale of Sand (sandwinning)	-125,000	-37,155	-50,313	-13,158	FAV	-35.4%	Gary Sams	The sale of sand has continued on an improving trend. This budget will be reviewed as part of the right-sizing exercise.

Appendix A (cont'd)

Service Area	Detailed Description	Full Year Budget	Budget as at Period 4	Actual & Commitments as at Period 4	Variance as at Period 4	FAV / ADV	% Variance	Budget Holder	Budget Holder Comments
		£	£	£	£		%		
OPERATIONAL MANAGEMENT COMMITTEE									
Trade Waste Service	Bulk Bin Collection Charges	-156,940	-150,662	-137,367	13,295	ADV	8.8%	Kathy Winstanley	The loss of a number of bulk bin customers of Lytham has resulted in a reduction in income during the period. The budget will be reviewed as part of the right-sizing exercise.
Fleet Charges	FMS Materials Cost	144,125	48,153	28,585	-19,568	FAV	-40.6%	Kathy Winstanley	The favourable budget variance across a range of vehicles is as a result of the number of new vehicles in use, the removal of the need to go on landfill sites, new tyre contract and improved driving practices. Many of the new vehicles are now out of warranty and this under-spend will reduce over the life of the vehicles. Adjustments to the FMS budgets will be considered as part of the budget right sizing exercise.
	Fuel	334,566	111,621	97,922	-13,699	FAV	-12.3%		
	Tyres Renewal	38,171	12,861	5,942	-6,919	FAV	-53.8%		
Car Parks	Car Parking Fees	-483,812	-187,809	-216,442	-28,633	FAV	-15.2%	Andrew Dickson	The income is in excess of the budget for the period due to increased usage/visitor numbers despite periods of inclement weather. The budget will be reviewed as part of the right-sizing exercise.
ENVIRONMENT HEALTH & HOUSING COMMITTEE									
Cemetery & Crematorium	Cremations	-851,000	-252,860	-287,710	-34,850	FAV	-13.8%	Darren Bell	Income from cremations has continued to increase. The budget will again be reviewed as part of the budget right-sizing exercise to reflect the current and predicted future levels of income. Also to be reviewed will be the anticipated income levels resulting from the introduction of the 'CAMEO' scheme which has not fulfilled earlier expectations. Paragraph iv of the Revenue Monitoring Report provides further details in this regard.
	CAMEO Scheme Income	-20,000	-6,672	21,000	27,672	ADV	414.7%		
DEVELOPMENT MANAGEMENT COMMITTEE									
Development Management	Planning Application Fees	-475,000	-305,330	-544,625	-239,295	FAV	-78.4%	Mark Evans	Several major planning applications have been received during the period that were accompanied by significant application fees. Application fee income forecasts will be reviewed as part of the right-sizing exercise.
Planning Appeals	Planning Appeal Hearing Costs	237,849	23,785	1,600	-22,185	FAV	-93.3%	Mark Evans	No planning inquiries or appeal hearings have taken place during this period that have incurred costs. Managers within the service are aware that a number of appeals are pending that will most likely incur costs later this financial year.

INFORMATION ITEM



REPORT OF	MEETING	DATE	ITEM NO
MANAGEMENT TEAM	ENVIRONMENT, HEALTH AND HOUSING COMMITTEE	8 SEPTEMBER 2015	10

CAPITAL PROGRAMME MONITORING REPORT 2015/16 - POSITION AS AT 31ST JULY 2015

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY OF INFORMATION

The purpose of this report is to provide an update of the Council's approved Capital Programme as at 31st July 2015 and specifically for those schemes under the Committee's remit.

The report also provides a link to the Council's draft Capital Strategy which sets out the Council's approach to capital investment and summarises the process for the consideration of capital bids. Comments and feedback are invited upon this draft. It is proposed that the Capital Strategy will be presented for consideration at the Council meeting of 12th October 2015.

SOURCE OF INFORMATION

Chief Financial Officer – the report is based upon information extracted from the financial ledger system for the period to July 31st 2015.

LINK TO INFORMATION

- Capital Programme Monitoring 2015/16 as at 31st July 2015:

www.fylde.gov.uk/council/finance/budget-monitoring/2015-16/capital

- Draft Capital Strategy:

<http://www.fylde.gov.uk/council/finance/>

(see 'In this Section' – Draft Capital Strategy 2015)

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

This information is provided to enable the committee to consider and scrutinise the latest position on the Council's approved Capital Programme for those schemes under the committee's remit.

FURTHER INFORMATION

Contact: Paul O'Donoghue (Chief Financial Officer)

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CAPITAL PROGRAMME MONITORING REPORT 2015/16 –

POSITION AS AT 31ST JULY 2015

Summary

The purpose of this report is to provide an in-year progress update in respect of those schemes within the Capital Programme that have been approved for delivery in 2015/16, together with an update on the Council's overall Five Year Capital Programme. This report includes a narrative description of the most significant risks to the Capital Programme and details any actions required to address these. Appendix A to this report provides an update by Committee on schemes scheduled for commencement or delivery in 2015/16. Appendix B provides a summary of the latest position for the 5 year Capital Programme and Appendix C provides details of the financing of the programme.

1. Background

The Council approved the Capital Programme on 3rd March 2015. That update showed a balanced capital programme position from 2015-16 onwards. This report includes year to date expenditure and sets out the latest phasing of the programme and any additions or changes since the last current position was presented to Council in March 2015. The Programme has also been rolled forward to include the year 2019/20.

2. Capital Programme Re-Phasing of Budgets

This monitoring report sets out the latest phasing of the Programmed Schemes and any resulting revenue implications of borrowing will be reflected in future updates to the Councils Financial Forecast.

3. Notes on Specific Schemes

There are a number of schemes for which further information is provided below:

(i) Accommodation Project

The accommodation project was originally included in the capital programme on the basis that the scheme would be self-financing from capital receipts from the sale of 3 sites (St David's Road Depot, Derby Road, Wesham and the Public Offices). Actual asset sales and receipts are dependent on market conditions and cannot be predicted with certainty. St David's Road depot was sold in 2012/13, and the site at Derby Road, Wesham was sold in 2013/14. The Public Offices has been re-marketed during 2014/15 and the Accommodation Working Group have reviewed a number of further expressions of interest. Disposals of this nature where external agencies, planning decisions, external legal specialists and property developers are involved often take many months to conclude.

In August 2015 the Finance and Democracy Committee approved virements of £230k from phases 7 and 8 of the scheme to fund the phase 3 works and approved the commencement of the phase 3 works during 2015/16. The report also noted that the cost limiting approach to providing satisfactory accommodation will not be possible from within the funding realised from the sale of surplus assets and Members requested a further report in November with recommendations to the available sources of funding to ensure the delivery of the accommodation project up to phase 5.

The cross-party Accommodation Working Group continues to monitor and manage this project and regular update reports on the project will continue to be provided to Members.

ii) Coast Protection Scheme

The Strategic Appraisal Report for the Fylde Shoreline Strategy was approved by the Environment Agency's Large Project Review Group (LRPG) in January 2014 and included the replacement of sea defences at Fairhaven and Church Scar. Following this approval further funding was released by DEFRA and Cabinet approved spend for a Coastal Headland Study Project Appraisal Report (PAR) in the sum of £175k, fully funded from DEFRA

resources. This report has now been completed and was submitted for approval by the Environment Agency's LRPg on the 6th August 2015. Once the Project Appraisal Report is approved, further funding from DEFRA is then required to complete the next stage. This is the detailed, customer led design of the new sea walls and involves gaining the necessary approval for the work to progress, planning permission, Marine Management Organisation licence, environmental impact assessment and appropriate assessment with regards to the potential to disturb overwintering birds during construction. Once these approval are obtained it will unlock funding for both Fairhaven Lake and Church Scar sea defence construction schemes.

The overall cost of the Fairhaven Sea Wall is currently estimated by DEFRA to be £7.3m, and Church Scar Sea Wall to be £9.4m. The DEFRA funding spans the years 2015/16 to 2018/19. Fylde Council's contribution of £400k towards sea wall development works is fully-funded from the Capital Investment Reserve. Further updates and any future changes to the scheme will be reported to members and the Capital Programme will be updated accordingly.

(iii) Disabled Facilities Grants (DFGs)

As local housing authority, the Council has a statutory duty to provide disabled adaptations within the Borough. In order to fund these works the Council receives grant support which previously was provided by the Department for Communities and Local Government (DCLG).

As part of the 2013 Spending Round review the Government established the 'Better Care Fund', with the intention of "providing an opportunity to transform local services so that people are provided with better integrated care and support". Under these new arrangements from 2015/16 onwards the funding for Disabled Facilities Grants (DFGs) transferred to the Department of Health, with funding being distributed to all Councils via the upper-tier authority for that area. As such, in Lancashire the fund will be administered by Lancashire County Council. Each upper-tier authority then allocates the funding to their respective housing authorities (i.e. district councils within their area) to enable them to continue to meet this statutory responsibility.

This Council has previously made a decision to limit DFG expenditure to the level of the funding received for this purpose. In order to monitor the level of demand upon this resource the number of applications on the various categories of waiting lists and the periods of waiting time for DFG's are closely monitored and are reported to Members as appropriate.

The Capital Programme includes annual provision for DFG's at the level of the 2015/16 grant allocation. However this is the only year for which the allocation has been confirmed and for 2016/17 onwards the figures in the programme are estimates and will only be confirmed in the year they are due. For as long as DFG works remains a statutory obligation the grant is unlikely to be withdrawn by the Government but could be reduced.

Any future reduction in DFG income received by the Council will have a direct impact on the level of works that can be undertaken. There is also a direct revenue implication on DFG fees which would also have to be adjusted.

(iv) Project Slippage

Areas of slippage must be addressed in future years to ensure that no loss of external grant is imposed due to conditions associated within specified timescales.

(v) Other Capital Receipts

The approved programme for 2015/16 onwards assumes "Right to Buy" receipts of £25k per annum and "General Asset Sales" of £45k per annum. Future receipts are dependent on prevailing market conditions and values cannot be predicted with certainty. This will be monitored and reviewed during the year and adjusted accordingly in future monitoring reports, along with the impact this may have on the financing of the programme.

(vi) Capital Investment in St. Annes Pool

As part of the arrangement with the YMCA for the operation of the pool, the Council undertook to provide Capital support in the event of major works, repair or breakdown and a provision of £153k was included in the

programme for this eventuality. There is now a remaining capital resource of £93k in 2015/16. There is a risk that this remaining resource is insufficient to meet future capital expenditure needs for the facility.

4 Conclusions

- 4.1 Actual expenditure to 31st July 2015 is £608k against a full year budget of £4.434m. This equates to 13.7% of the latest budget. The expenditure on a number of schemes is phased later during the financial year.
- 4.2 The current Capital Programme as updated is showing a balanced position for 2015/16 onward. There are a number of priority areas beginning to emerge across the Council's property asset portfolio that will require further investment. The Capital Programme and the associated financing will be subject to discussion with Members during the months in the lead up to the annual budget setting process for 2016/17.
- 4.3 Any additional expenditure which is not fully funded by external finance would normally require the generation of capital receipts or further borrowing (the latter placing further pressure on the Revenue Budget from the consequent repayment costs). However Budget Council on 4th March 2013 approved the creation of a Capital Investment Reserve to finance future capital expenditure. The balance of this reserve at 31st March 2015 was £2.720m after an additional contribution at outturn for 2014/15 of £247k. Commitments to date of £2.379m leave a current uncommitted balance on the reserve of £341k. It is anticipated that this reserve would offer the preferred source of finance for any further additions to the Capital Programme in future years.

CAPITAL PROGRAMME - 2015/16 IN-YEAR SCHEME MONITORING REPORT - AS AT 31/07/15
Appendix A

APPROVED SCHEMES	Financing Source	Approved Budget 2015/16 £000	Slippage B/F from 2014/15 £000	Adjustments from 03/03/15 £000	Updated Budget 2015/16 £000	Expenditure to 31.07.15 £000	Variance £000	Comments
<u>FINANCE & DEMOCRACY COMMITTEE</u>								
Accommodation Project - Phase 3 - East Wing Inc. Lift	Proceeds from the sale of surplus Council Assets	315	2	230	547	2	545	In August 2015 the Finance and Democracy Committee approved virements of £230k from phases 7 and 8 of the scheme to fund the phase 3 works and approved the commencement of the phase 3 works during 2015/16. The Committee requested a further report be presented to the meeting in November containing recommendations as to the possible sources of further funding to ensure the delivery of the accommodation project up to phase 5.
Accommodation Project - Phase 4 - Chaseley Link Bridge		202			202		202	
Accommodation Project - Phase 5 - One Stop Shop		272			272		272	
Compliance with INSPIRE Directive	Specific Government Grant (INSPIRE)	0	7		7	7	0	The INSPIRE directive places a legal obligation on public authorities which hold geographical regarding the environment within their locality. The budget has been adjusted to reflect slippage approved by Committee 22nd June 2015. The scheme has now been completed within the budget.
Sub total		789	9	230	1,028	9	1,019	
<u>TOURISM & LEISURE COMMITTEE</u>								
Ashton Gardens Depot	Proceeds from the sale of surplus Council Assets	61	2		63		63	The budget for this scheme has been adjusted to reflect the slippage as approved by the Finance and Democracy Committee of 22nd June 2015. The scheme is currently on hold pending the disposal of the Public offices site (the works will need to be completed prior to that disposal). The scheme may be re-phased into 2016/17 if progress on the disposal is not expected in 2015/16.
Snowdon Road Depot	Capital Investment Reserve	320			320		320	The works on this scheme have commenced and completion is expected during November 2015.
Hope Street Pavilion Refurbishment - Phase 2	Capital Investment Reserve/ External Donations	79		74	153	25	128	The works on this scheme have commenced and completion is expected during September 2015.
St Annes Pool	No external finance - funded by borrowing/general asset disposal receipts	93			93		93	This represents the balance of the maintenance scheme resource which will be retained and drawn upon when required.
St Annes Pool - External Works	Capital Investment Reserve/ Arts Council Grant	120			120		120	A scheme has been proposed which will be designed in-house subject to the delivery of other priority projects. Once designed there will need to be consultation with stakeholders and then dialogue with the Arts Council over match funding. This scheme may not proceed in 2015/16 and may be re-phased into 2016/17 or removed from the capital programme altogether. A subsequent bid may be submitted in the future once the above has been carried out which will probably include external funding from 106 agreements from an adjacent development.

Appendix A (Cont'd)

APPROVED SCHEMES	Financing Source	Approved Budget 2015/16 £000	Slippage B/F from 2014/15 £000	Adjustments from 03/03/15 £000	Updated Budget 2015/16 £000	Expenditure to 31.07.15 £000	Variance £000	Comments
TOURISM & LEISURE COMMITTEE (CONT)								
Fairhaven Lake & Promenade Gardens - First round	Capital Investment Reserve	20			20		20	This scheme represented the match funding for the development of the Heritage Lottery Development Bid. Given that the first round bid was unsuccessful a report will be presented to the September 2015 meeting of the Tourism & Leisure Committee outlining how the Fairhaven Masterplan can be delivered in the future. The report will look at other known possible sources of funding and will make recommendations as appropriate.
Park View Playing Field - Sand & Water Play Facility	Specific Government Grant (Coastal Communities)	272			272		272	Works nearly complete and playground due to be handed over from the contractor shortly.
Community Parks Improvement Programme - Frobisher Drive Play Equipment	S106 Developer Contributions	0		34	34	33	1	This scheme has now been completed with a minor underspend.
Replacement Boats Fairhaven	Capital Investment Reserve	0	55		55	19	36	The selected supplier was unable to deliver to the council's specification and the contract was terminated accordingly. Some of the boat fleet has been replaced with reconditioned craft. A report will be presented to the September 2015 meeting of the Tourism & Leisure Committee to allocate the remaining funding to alternative procurement options.
Promenade Footways	No external finance - funded by borrowing/general asset disposal receipts	40		-40	0		0	Funding for this scheme has been amalgamated into the Fairhaven Footways Improvements project below.
Fairhaven Footway Improvements	Capital Investment Reserve / General Asset Sale Receipts	15		40	55		55	The works in relation to this scheme has been designed and tendered. A report will be presented to the September meeting of the Tourism and Leisure Committee to seek approval to the commencement of the scheme.
Lowther Pavilion Roof	Capital Investment Reserve	8			8		8	This funding represents the resource required to undertake the preparatory works for the substantive scheme programmed for 2016/17. Surveys are underway to inform a design and specification for partial re-roof. Dialogue is also taking place with Trustees over their refurbishment requirements and further development ambitions.
Fairhaven Toddlers Play Area	Capital Investment Reserve	67			67		67	A project design brief has been prepared and is currently being consulted upon. The scheme is due to go out to tender in September 2015 and a report will then presented to the November 2015 meeting of Tourism & Leisure Committee to seek approval to the commencement of the works.
Sand Dunes re-modelling at North Beach Car Park / Summerfields	Capital Investment Reserve	20			20		20	Surveys are underway and are due for completion in October 2015. The design works have also been commissioned. The scheme will require stakeholder engagement and the necessary approvals prior to commencement.
Freckleton Memorial Park	Capital Investment Reserve	50			50		50	This scheme is phased over two years. In addition to the Council's contribution a further £80k of external funding has been secured. Furthermore the outcome of two more external bid submissions in the total sum of £50k is awaited. The outcome of those bids is anticipated for December 2015. The outcome of those bid submissions will determine the extent of the scheme.
Sub total		1,165	57	108	1,330	77	1,253	

Appendix A (Cont'd)

APPROVED SCHEMES	Financing Source	Approved Budget 2015/16 £000	Slippage B/F from 2014/15 £000	Adjustments from 03/03/15 £000	Updated Budget 2015/16 £000	Expenditure to 31.07.15 £000	Variance £000	Comments
OPERATIONAL MANAGEMENT COMMITTEE								
Replacement Vehicles	Capital Investment Reserve / Borrowing	802	24		826	245	581	The budget for this scheme has been adjusted to reflect the slippage as approved by the Finance and Democracy Committee of 22nd June 2015. All vehicle acquisitions are expected to be completed in line with the budget during 2015/16.
Car Park Improvements	No external finance - funded by borrowing/general asset disposal receipts	30			30	30	0	Eight new Pay & Display meters have been purchased and installed. The scheme has been completed to budget in 2015/16.
Fylde Headlands Preliminary Work	Specific Government Grant (Environment Agency)	70	16		86	20	66	The Project Appraisal Report has been submitted for approval by the Environment Agency Large Projects Review Group on 6th August 2015. Further work will be required later in the year to continue to meet Environment Agency requirements for schemes of this scale and nature.
Repair & Renewal - Flood Defences	Specific Government Grant (Environment Agency)	0	30		30	15	15	The grant scheme has come to an end with 3 claims been approved. Any unused grant will be returned to the Environment Agency.
Sub total		902	70	0	972	310	662	
ENVIRONMENT, HEALTH & HOUSING COMMITTEE								
Disabled Facilities Programme	Specific Grant (Better Care Fund) / External Contributions / Grant repayments	366	52	149	567	139	428	The budget for this scheme has been adjusted to reflect the slippage as approved by the Finance and Democracy Committee of 22nd June 2015 and increased grant allocation and recycled grant repayments. The programme is expected to be completed in line with the budget during 2015/16.
Rapid Deployment CCTV Replacement Projects	Specific Grant (LSP Performance Reward Grant)	0		82	82	29	53	The budget for CCTV camera replacement is planned to be spent on the revised CCTV project as approved by Council. Any remaining monies are to be earmarked and allocated to replacement cameras as and when they are required (subject to a community impact assessment and approval by committee) as also previously agreed by Council.
Infant Memorial Garden - Phase 2	Capital Investment Reserve / NHS & Other donations	0	15		15	16	-1	This scheme has now been completed with a minor overspend.
Cemetery and Crematorium - Infrastructure Works	Capital Investment Reserve	0		6	6		6	This part of the scheme is for the initial design phase of the of the substantial burial ground extension works programmed for 2017/18. The design work is currently being undertaken.
Cemetery / Crematorium Pumping Station	Capital Investment Reserve	0	4		4	3	1	The works on this scheme have been completed. The final invoice is awaited and the total scheme costs will be in line with the budget.
New memorial garden - Lytham Park Cemetery	Capital Investment Reserve	41			41	8	33	A new boundary fence has been installed. A report will be presented to the September 2015 meeting of the Environment, Health & Housing Committee to select a location for the garden and seek approval to the commitment of the remaining scheme funding.
Sub total		407	71	237	715	195	520	

Appendix A (Cont'd)

APPROVED SCHEMES	Financing Source	Approved Budget 2015/16 £000	Slippage B/F from 2014/15 £000	Adjustments from 03/03/15 £000	Updated Budget 2015/16 £000	Expenditure to 31.07.15 £000	Variance £000	Comments
DEVELOPMENT MANAGEMENT COMMITTEE								
Kirkham Regeneration Scheme - Town Centre Phase 4	Capital Investment Reserve	50			50		50	A report will be presented to a special Development Management Committee in August 2015 to outline the scheme and seek approval to the commencement of the works. In addition to this there will be a further £35k of revenue monies allocated to this scheme from the High Street Innovation Fund. Commencement on site is scheduled for September 2015, subject to Committee approval in August.
Woodlands Road Regeneration Scheme - Town Centre Phase 3	Capital Investment Reserve / S106 Developer Contributions	85	4		89		89	The initial survey works and the public consultation have commenced and will inform a subsequent draft scheme. A report will be presented to a future Development Management Committee to seek approval for commencement of the works.
Public Realm Regeneration - St Annes	S106 Developer Contributions	80			80	17	63	The public realm scheme at Park Road is expected to be completed to budget in 2015/16.
St Annes Regeneration Schemes	S106 Developer Contributions	274		-274	0		0	This funding is earmarked for the next phase of St Annes Town Centre including St Annes Road South and The Crescent. A draft scheme will be prepared early 2016 for spend during 2016/17. Consequently this scheme will be re-phased into 2016/17.
Lytham Regeneration Schemes	S106 Developer Contributions	130			130		130	Section 106 monies have been received and a scheme is currently being drafted for public consultation.
Staining Regeneration Schemes	S106 Developer Contributions	40			40		40	This project is subject to ongoing discussions with Staining Parish Council. A Draft scheme is to be prepared based on the outcome of those discussions.
Sub total		659	4	-274	389	17	372	
Total Expenditure		3,922	211	301	4,434	608	3,826	

UPDATED 5 YEAR CAPITAL PROGRAMME 2015/16 TO 2019/20 - BY SCHEME

	Updated Estimate 2015/16 £000	Estimate 2016/17 £000	Estimate 2017/18 £000	Estimate 2018/19 £000	Estimate 2019/2020 £000
FINANCE & DEMOCRACY COMMITTEE					
Accommodation Project - Phase 3 - East Wing Inc. Lift	547				
Accommodation Project - Phase 4 - Chaseley Link Bridge	202				
Accommodation Project - Phase 5 - One Stop Shop	272				
Accommodation Project - Phase 6 - Council Chamber		179			
Accommodation Project - Phase 7 - Internal Refurb / Services		775			
Accommodation Project - Phase 8 - Car Park & External Works		0			
Compliance with INSPIRE Directive	7				
Sub total	1,028	954	0	0	0
TOURISM & LEISURE COMMITTEE					
Ashton Gardens Depot	63				
Snowdon Road Depot	320				
Hope Street Pavillion Refurbishment - Phase 2	153				
St Annes Pool	93				
St Annes Pool - External Works	120				
Fairhaven Lake & Promenade Gardens - First Round	20				
Park View Playing Field - Sand & Water Play Facility	272				
Community Parks Improvement Programme - Frobisher Drive Play Equipment	34				
Replacement Boats Fairhaven Lake	55				
Promenade Footways	0	40	40	40	40
Fairhaven Footway Improvements	55				
Lowther Pavilion Roof	8	115			
Fairhaven Toddlers Play Area	67				
Sand Dunes re-modelling at North Beach Car Park / Summerfields	20				
Freckleton Memorial Park	50				
Sub total	1,330	155	40	40	40
OPERATIONAL MANAGEMENT COMMITTEE					
Replacement Vehicles	826	68	1,487	680	840
Car Park Improvements	30	30	30	30	30
Fylde Headlands Preliminary Work	86				
Fairhaven and Church Scar Coast Protection Scheme	0	3,600	7,300	5,600	
Repair & Renewal - Flood Defences	30				
Sub total	972	3,698	8,817	6,310	870
HEALTH & HOUSING COMMITTEE					
Disabled Facilities Programme	567	468	468	468	468
Rapid Deployment CCTV Replacement Projects	82				
Infant Memorial Garden - Phase 2	15				
Cemetery and Crematorium - Infrastructure Works	6		294		
Cemetery / Crematorium Pumping Station	4				
New memorial garden - Lytham Park Cemetery	41				
Sub total	715	468	762	468	468
DEVELOPMENT MANAGEMENT COMMITTEE					
Kirkham Regeneration Scheme - Town Centre Phase 4	50				
Woodlands Road Regeneration Scheme - Town Centre Phase 3	89				
Public Realm Regeneration - St Annes	80				
St Annes Regeneration Schemes	0	274			
Lytham Regeneration Schemes	130				
Staining Regeneration Schemes	40				
Sub total	389	274	0	0	0
Total Expenditure	4,434	5,549	9,619	6,818	1,378

UPDATED 5 YEAR CAPITAL PROGRAMME 2015/16 TO 2019/20 - FINANCING

	Updated Estimate 2015/16 £000	Estimate 2016/17 £000	Estimate 2017/18 £000	Estimate 2018/19 £000	Estimate 2019/2020 £000
FINANCING:					
Capital Receipts - General Asset Sales	45	45	45	45	45
Capital Receipts - Right to Buy Receipts	33	25	25	25	25
Capital Receipts - (Accommodation Project)	1,084	954			
Capital Receipts - Vehicle Sales					
Leasing					
Better Care Fund / Disabled Facilities Grant	480	468	468	468	468
Section 106 Monies - Woodlands Road, Ansdell	4				
Section 106 Monies - St Annes	80	274			
Section 106 Monies - Lytham	130				
Section 106 Monies - Staining	40				
Section 106 Monies - Parks Improvement - Frobisher	34				
Capital Grant - Repayments	47				
Capital Investment Reserve	1,247	534	393	78	182
Other External Finance (see analysis below)	686	3,200	7,300	5,600	
Direct Revenue Finance	73				
Prudential Borrowing	451	49	1,388	602	658
Total Financing	4,434	5,549	9,619	6,818	1,378

Total surplus (-) / shortfall in year	0	0	0	0	0
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Cumulative surplus (-) / shortfall	0	0	0	0	0
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See note below for external funding available to finance the above schemes:

Other External Finance: Analysis

LSP Performance Reward Grant	82				
Environment Agency - Fylde Coastal Preliminaries	86	3,200	7,300	5,600	
Environment Agency - Flood Defence	30				
Other Contributions - Hope Street Pavillion Refurbishment	66				
Arts Council - St Annes Pool	90				
NHS - Infant Memorial Garden Donation and fund raising	13				
INSPIRE Grant	7				
New Fylde Housing - DFG Contribution	40				
Coastal Communities Grant	272				
	686	3,200	7,300	5,600	0

INFORMATION ITEM



REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	ENVIRONMENT, HEALTH AND HOUSING COMMITTEE	8 SEPTEMBER 2015	11

CITIZENS ADVICE FYLDE – ANNUAL REPORT

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY OF INFORMATION

The Council has a Service Level Agreement (SLA) with Citizens Advice Fylde to provide an advisory service. As part of the agreement an annual update is provided to summarise the performance, challenges and services provided throughout the year. The update also includes statistical information on the types of enquiries received and the demographic usage of the service.

SOURCE OF INFORMATION

Mrs Kim Cook, Chief Executive Officer, Citizens Advice Fylde.

LINK TO INFORMATION

<http://fylde.cmis.uk.com/fylde/MeetingsCalendar/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/105/Committee/19/Default.aspx>

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

Under the terms of reference this committee is to receive reports from partners who receive community grants from the council and to interface with partners involved in the work of the Committee.

FURTHER INFORMATION

Contact Tracy Morrison, tracy.morrison@fylde.gov.uk or 01253 658521.



Citizens Advice Fylde Community Focus Scrutiny Report 2015

Introduction

We have agreed a new rental agreement with Fylde Borough Council that from the 1st April 2015 we will occupy the whole of the Council Offices Building in Kirkham. This will result in savings to the Council and the opportunity for us to expand our services in order to reach more people. We will be developing a new Telephone System in line with Citizens Advice national Adviceline Project and will have more space to recruit volunteers for all areas of our work; including the provision of Outreach Services.

Citizens Advice Fylde (Fylde Citizens Advice Bureau) will have a new two year Service level Agreement with funding in place for the first year.

Citizens Advice Nationally is going through a period of 'rebranding' and we are now known as Citizens Advice Fylde rather than Fylde Citizens Advice Bureau. We have a new, but very similar, Logo and Louise and I have new titles:
Chief executive Officer – Mrs Kim Cook
Operations Manager – Mrs Louise Pope

There will be no change to our advice service as a result of the rebranding.

Staffing

Our core staff are: Mrs K Cook, CEO - 27 hrs pw and Mrs L Pope, Ops Manager - 37 hrs pw, along with Mrs N Reeves who staffs our outreach on a Tuesday – 7 hrs pw. Mrs Reeves also works on two of the Bureau's projects. These are our Advice Services Transition Fund Direct Delivery project (ASTF) - 7hrs pw and our Affordable Warmth project – 7hrs pw. Staffing arrangements are likely to change as new working practices are implemented.

We have 22 advice volunteers, 18 fully trained Advisors or Gateway Assessors, with five of the latter now doing further training to become full advisors, and two new trainees. In addition we have one volunteer who performs admin duties and another who assists with computer maintenance and general IT requirements. We are expecting to start another group of Trainees in early July.

Development

We will continue to arrange a number of external courses using Citizens Advice Training modules and training courses provided through Fylde Coast Advicelink and the Big Lottery Transition Fund training pots. We will also continue to develop in-house workshops and training events to provide specific training for our staff. During the past few months our Advisors have undertaken or updated their Information Assurance training, undertaken Dementia Awareness training, completed a Universal Credit training session from the DWP and had a talk on the work of the Magistrates Court. Individual training requirements are identified through our annual Appraisals.

Our Bureau was audited in October/November 2014 for both Quality of Advice and for Management/Finance compliance. We passed both sections of the audit and we have applied to update our AQS (Advice Quality Standard) Mark from 'General Help' including limited casework to 'General Help with casework' to allow more complex casework to be undertaken when applicable. Each Citizens Advice Bureau is separately registered with the Financial Conduct Authority. Our Financial Registration Number is 617610.

Citizens Advice Fylde has registered to be an 'early adopter' for the rebranding of the Citizens Advice service. We will have quicker access to the new branding materials and receive a brand 'starter pack' which will show the materials we will be able to order. Support will be available from Cit. Ad to assist with recommending the most effective use of the new products and we have completed a questionnaire detailing our new premises.

The Advice Service

Since September 2007 Fylde Citizens advice Bureau has been open five days a week, 35 hours per week. Our core opening times are:

Mon- Fri 9am – 4pm

Drop-ins are taken between 9am and 3pm each day. Priority is given to phone advice on a Friday afternoon.

We have four appointment slots available each day which we endeavor to keep for those clients that will have to travel to reach the Bureau and/or will have a time consuming problem such as a full benefit check requirement, debt issues or a lengthy form to complete. We can also provide email advice when requested.

We have a successful outreach running in St Annes, using the Age UK building in St Georges Rd. From March 2009 this became a weekly service of four appointments and runs on a Tuesday morning. This service is now funded under the core Service Level Agreement. Appointments for the Outreach are made through the Kirkham main office.

The Money Active project that is run in conjunction with Blackpool Bureau is continuing. We continue to house a worker on a Wednesday morning on a fortnightly basis who will see clients that fit the required criteria.

Although the Debt Management Pilot Project at Fylde CAB has now finished, those Bureau that took part in the pilot can still refer clients to Stepchange Debt Charity (formerly CCCS) for a Debt Management Plan that is free to the client.

All of our projects now contain an element of home visiting (particularly the Affordable Warmth Project). Due to the demographics of our Fylde clients we felt that this was an important service to develop and hopefully we will be able to sustain this in the future. laptops are used by our project workers for home visits as we have a mobile internet dongle and a RAS (Remote Access Software) token which allows remote access to the Citizens Advice VPN systems, thus allowing project work to be written up off-site as long as the environment is secure.

Partnership working

We continue to explore ways of increasing our levels of service to the whole of the Fylde. We continually update our website www.fyldecab.org.uk enabling the public to find us easily and to access general Citizens Advice information through a link to www.adviceguide.org.uk. Links are also provided from here to other useful websites. This website will be updated and replaced as necessary in line with Citizens Advice guidelines. As well as the services we offer and projects that are running we also give details of any local or national social policy campaigns are running and that we are supporting. Fylde CAB now has a Facebook page and is on Twitter.

We work in partnership with Fylde Borough Council; being their DWP nominated provider for money advice for Universal Credit claimants. We attend the Homelessness Forum and are in regular contact with the Housing Team.

We also continue to develop a good community network throughout Fylde which will benefit clients through increased service awareness and referral procedures.

We are a member of Fylde Together (previously Fylde Third Sector Strategic Partnership) and take an active role in their work.

We remain a partner in the Fylde Coast Advicelink project which was a successful bid to the big lottery fund and began in July 2009. The project has produced publicity materials for use by all member agencies. Being part of the network has improved networking, training and future opportunities for funding.

Fylde CAB has now become a Hate Crime Reporting Centre for the Fylde. This was done in conjunction with Lancashire Police and was launched on October 13th 2014 at the Pavillion Café in Ashton Gardens.

Louise continues to attend the Public and Patient Engagement Group for Fylde which is attended by representatives from the NHS, local CCG and other healthcare professionals.

Penny Collins, our volunteer Social Policy co-ordinator continues to be involved on a voluntary basis with the Consumer Empowerment Project (CEP). We continue to receive updates from Trading standards on a regular basis.

We supported Disability First (DF) in a bid to Lloyds TSB to increase the ability of disabled Fylde residents to use computers through free training

The local press are helpful in publicising our campaigns and events. The profile of Social Policy work within the Bureau has been raised by the publication of a number of recent press reports and by the appearance on TV and radio by our chief executive Gillian Guy. We continue to have a volunteer Social Policy coordinator to assist with this work. We take an active part in initiatives both locally and nationally. We continue to work with Trading Standards Lancashire and also Trading Standards Blackpool to ensure that all residents are kept up to date with consumer issues and scams

We produce a regular newsletter that goes to all members of our Management Committee, all Fylde Borough Councilors and to our partner agencies.

Customer Satisfaction

Our last customer satisfaction survey took place from 3rd November to the 12th December 2014 (6 weeks). We had 78 responses. This was a return of 31%. Chart below shows that generally the clients were very happy with the advice received and would use us again. There were a few who would like us to be open for longer hours and to wait less time to be seen. We are doing our best to address these issues.



A snap-shot exercise was completed to indicate the value of Debts and Financial Gains to Clients as a consequence of advice provided by the Bureau. This was done for the month of **March 2015**. The results are:

Total Debts seen **£187,338.23**

Total Gains **£ 75,698.86**

Total benefit gains £ 56,517.83

Total grants received £ 4,964.00

Total Lump Sum Payments £ 600.00

Other £ 13,617.03

Case Studies

Mr X had fallen into rent arrears, because he was paying Child Support Agency payments of more than a third of his monthly wage. Fylde CAB successfully assisted the client to negotiate a reduction in the payments by a half, which allowed the client to meet his rent and avoid possession proceedings. We also assisted him to negotiate repayments on his other debts.

Miss X had received notice seeking possession due to rent arrears which had arisen due to a background of domestic violence. Fylde CAB assisted the client with negotiations with her landlord, and to secure a move, and also to apply for a DHP to clear a significant proportion of the rent arrears and secure her tenancy. We continue to support the client as part of the team around the family and to work with her to resolve her other debt issues.

Mrs X had rent arrears and other non-priority debts, as a result of her Disability Living Allowance being removed, being placed in the Work Related Activity group for Employment Support Allowance, and the under occupancy charge. We assisted the client to apply for a DHP for the shortfall on the rent whilst we appealed her ESA decision, and assisted her to apply for Personal Independence Payment. In addition we helped the client to make token offers to her other creditors. Mrs X was subsequently placed in the support group for ESA, was awarded both components of PIP, and has now paid off her debts and is managing her under occupancy charge commitments.

Mr X and Ms X were looking after their profoundly disabled adult son, who required 24 hour care. The family were struggling financially as there was a deduction from their housing benefit for the son's benefit income. We assisted the clients to apply for a DHP to cover the deduction. We also wrote to the client's MP to highlight the unfairness of the regulations in the particular circumstances. We then assisted the family to reduce their expenditure, by applying for a watersure tariff, and assisted Ms X to make an application for Personal Independence Payment for her own ill health.

Mr and Mrs X. Mr X was forced to take ill health retirement from work following an injury resulting in a significant reduction in income. Mr and Mrs X were no longer able to meet their financial commitments which included a mortgage, and were placed at risk of possession action. The bureau assisted the clients to re-organise their finances, and to negotiate full and final settlements with their creditors with a lump sum Mr X had received from his pension provision. This has allowed the clients to balance their income and expenditure and avoid possession action.

Funding

All projects are dependent on core funding remaining in place for the duration of the project

Current projects

Affordable Warmth

Funding from Wyre Borough Council has been agreed to enable the Affordable Warmth project that we run to continue. Wyre Borough Council have been commissioned from the District Public Health Grant to continue to administer the project for Fylde and Wyre and have asked us to continue (again) with the work that we do. We ran a full advice project up until the end of March 2015, for two days a week, and now we are continuing with a preventative service until the end of November 2015 running for one day a week.

Tenancy Support project

This project had been invaluable for our clients and to FBC who would have liked it to continue. However the funding was not available to continue the project for another 12 months and it finished in April 2015.

Universal Credit

Fylde Borough Council will be receiving some monies from the DWP to assist people being put onto Universal Credit. Each local Authority will have to provide debt advice to claimants. FBC have asked us to be their debt advice provider. There will be a small amount of money available which they will pass to us. This was £853 up until the end of March 2015. The money for this financial year is unclear and we are waiting to see what happens - if it's possible we would look to pay someone for one day a week to dedicate to this work.

Big Lottery Transition Fund Direct Delivery project (ASTF)

We are one of the Partners who put together this bid which was successful and along with our partners we will be developing a new infrastructure organisation within Fylde (working title Advice Evolution) and also deciding how the 25% for direct Advice provision will be spent. The total bid amount was £87,000 and we will, as a Bureau, actually receive £8000pa for a project to increase direct advice provision in Fylde. The fund has very specific criteria and is target driven. The project provides advice in 4 areas: employment, housing, debt and welfare benefits and records need to be kept of issues addressed under the project. It began on the 3rd October 2013.

We employ a project worker for 7 hours a week to oversee the project and to produce statistics and case studies as required. Again appointments and home visits can be arranged through the Bureau. It is as part of this project that Disability First will come to Fylde CAB on the first Wednesday of each month in order to assist with the completion of ESA and PIP forms for Sick/disabled clients.

Service Enhancement and providing for the future

Adviceline (National Telephone Line for CABs)

As part of our premises expansion we are going to join the Citizens Advice National Phoneline, 'Adviceline'. This initiative has been rolling out for some time and we have now agreed that we have the confidence in the system and, just as important, the space to feel that we are able to join. Being part of Adviceline will become a Citizens Advice membership condition in the next couple of years.

Advice Lancashire

As you know Fylde CAB is one of nine Bureaux which intend to collaboratively work as a consortium called Advice Lancashire. We will gain not only from shared information and training but also joint funding bids where a Lancashire wide bid is most appropriate.

We are currently looking at a number of funding streams about to open up through the European Social Fund – Building Better Opportunities.

Louise and Natalie have attended a two day training course on the ASK initiative. This is a Citizens Advice initiative aimed at identifying possible victims of gender abuse in order to offer timely advice and support. They will be cascading this training throughout the Bureau. Initially only session supervisors and some experienced full advisors will be involved.

Local Funding

We are in the process of applying for capital funding to assist with refurbishment of the premises. These bids include ones to the George Blackburn Fund and ASDA. We are also currently applying for project funding through the Skills and Opportunities fund administered by the Royal Bank of Scotland. This project would assist clients to remove 'barriers' to work through a combination of advice and practical assistance.

Statistical Information Required by Service Level Agreement

The Bureau has had zero closures since the last Outlook and Scrutiny report, other than over the Christmas period when the building was closed. There has been one complaint made to the office which was dealt with using the internal complaints procedure.

Enquiries dealt with during 2014/2015

Fylde Cab (Citizens Advice Fylde) dealt with 2978 enquiries last year; 960 of these were full enquiries with 2018 being dealt with at a gateway interview.

Q1	Q2	
Total Full Enqs. 231	Total Full Enqs. 262	
Total G/Way Enqs. 404	Total G/Way Enqs. 529	
TOTAL 635	TOTAL 791	
Total Issues 899	Total Issues 1088	*

Q3	Q4 (Jan 1 st to 19th)	
Total Full Enqs. 243	Total Full Enqs. 224	
Total G/Way Enqs. 537	Total G/Way Enqs 548	
TOTAL 780	TOTAL 772	
Total Issues 1052	Total Issues 1070	*

*Each enquiry is likely to generate several Advice Information Issues

Enquiries requiring some debt advice make up 20% of all enquiries raised and for Benefits it is 29% of enquiries. Employment is 9%, Housing 10% and Relationships and Family 7%. All of will usually require the client to visit more than once and will be time consuming issues.

Breakdown of Advice Issue Codes by enquiry area.

Issue Code	No.
AIC Part 1	
Benefits & tax credits	1194
Consumer goods & services	225
Debt	815
Discrimination	9
Education	23
Employment	366
Financial services & capability	85
Health & community care	115
Housing	420
Immigration & asylum	18
Legal	168
Other	101
Relationships & family	297
Tax	40
Travel & transport	47
Utilities & communications	186
Column Total	4109

Fylde residents using Fylde CAB

FYLDE WARDS**2014/15**

LA Ward	%	L/StA
Clifton	3.1	*
Park	4.5	*
Ansdell	2.9	*
Ashton	5.0	*
Central	6.4	*
Elswick and Little Eccleston	1.9	
Fairhaven	3.9	*
Freckleton East	7.8	
Freckleton West	3.6	
Heyhouses	5.3	*
Kilnhouse	4.4	*
Kirkham North	8.1	
Kirkham South	8.4	
Medlar-with-Wesham	9.4	
Newton and Treales	3.8	
Ribby-with-Wrea	1.7	
Singleton and Greenhalgh	1.3	
Staining and Weeton	2.4	
St Johns	4.4	*
St Leonards	4.3	*
Warton and Westby	7.4	
Total	100	

For the year 2014/15 44% of Fylde clients came from LA Wards in Lytham/St Annes

Historical Data - 11.6% in 2005/06, 25.3% in 2006/07, 24.9% in 2007/08, 29.1% in 2008/09, 31% in 2009/10, 30% in Jan 2011, 40% in Jan 2012, 43% in Jan 2013, 32% in Jan 2014 and 45% in Jan 2015.

The outreach facility which has run in St Annes since March 2008 continues to be well used and is now part of our core service provision. A total of 74 full enquiries and 8 gateways have been dealt with at the outreach to date this year and we are ensuring that those clients using the outreach are those that cannot reasonably get into the Bureau. Some of the issues are complex and on-going.

Statistics of Particular interest to FBC 2014/15

Housing – Total Housing AIC issues raised

Q1	Q2	Q3	Q4
78	127	117	98

Benefits – Total Housing AIC issues raised

Q1	Q2	Q3	Q4
265	277	320	332

Debt – Total Housing AIC issues raised

Q1	Q2	Q3	Q4
178	217	203	217

The Future

Fylde Citizens advice Bureau will develop its service provision in order to meet the demands of its clients. Due to the expansion of premises this will now include the development of an enhanced telephone system – Adviceline and the increased training of staff/volunteers in order to initially fully 'man' the current premises and subsequently to allow for increased outreach provision. Citizens Advice Fylde will continue to source new funding initiatives and areas of partnership working in order to achieve the best service possible for the people of Fylde

Kim Cook
Bureau Manager July 2015.

INFORMATION ITEM



REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES	ENVIRONMENT, HEALTH AND HOUSING COMMITTEE	8 SEPTEMBER 2015	12

UPDATE ON THE HOMELESSNESS STRATEGY ACTION PLAN 2013-18

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY OF INFORMATION

The Homelessness Act 2002 requires Housing Authorities to publish a new Homelessness Strategy within a period of five years from the day on which the last Homelessness Strategy was published; the current strategy runs from the 31st July 2013 – 2018. The previous Strategy ran from the 31st July 2008 – 2013.

The current Homelessness Strategy has three priority areas that have been taken forward in an action plan, monitored by the Fylde Homeless Forum;

Priority 1: Maximise existing partnerships to effectively use current resources (both internally and externally)

Priority 2: Preventing Homelessness

Priority 3: Increasing the supply of settled accommodation including access into the private rented sector and implementing a pilot policy to discharge the homeless duty into the private rented sector.

Progress has been good towards meeting the priorities listed in the Action Plan under Priorities 1, 2 and 3.

- Under Priority 1 membership of the Forum has been widened and guest speakers are invited that meet the information needs of a range of partners, for example DWP gave information on reasons for benefit sanctions and there is now a regular slot on the Agenda where organisations can report directly back to DWP on emerging difficulties or issues when working with clients in receipt of Universal Credit.
- Under Priority 2 regular Hyndburn Homes have updated the group on their experiences of running a Passport to Housing course which has informed the development of Tenancy Ready Training delivered in Fylde under the Lancashire Single Homelessness Initiative funding.
- Under Priority 3 a commitment to monitoring the Rent Bond Guarantee scheme operated by Face 2 Face YMCA on behalf of Fylde BC has been made by the Forum with regular updates on clients housed. There is a need to explore further ways to implement the private sector offer policy to discharge the homelessness duty the private rented sector.

As the Strategy is half way through the five year period, at September 2015 meeting of the Fylde Homeless Forum, the current Action Plan is to be refreshed in order to focus the work of the group on taking forward actions which have not been delivered.

SOURCE OF INFORMATION

Monitoring of Homelessness Strategy Action Plan via the Fylde Homeless Forum. Minutes and updates are available on Fylde BC website page Fylde Homeless Forum.

<http://www.fylde.gov.uk/resident/housing/homelessness-housing-advice/fylde-homelessness-forum/>

LINK TO INFORMATION

Updated actions to the Homelessness Strategy Action Plan July 2015 available at Fylde BC website, Fylde Homeless Forum page.

<http://www.fylde.gov.uk/resident/housing/homelessness-housing-advice/fylde-homelessness-forum/>

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

An annual strategy action plan update is presented to members each September during the life of the strategy.

FURTHER INFORMATION

Kirstine Riding, Housing Services Manager Ext 8569

INFORMATION ITEM



REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES	ENVIRONMENT, HEALTH AND HOUSING COMMITTEE	8 SEPTEMBER 2015	13

EMPTY RESIDENTIAL PROPERTY POSITION STATEMENT

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY OF INFORMATION

Previous reports have been presented to members about the numbers of, particularly, long term empty residential properties. The most recent report was in October 2014 to the previous Policy Development Scrutiny Committee. In recent years a number of changes have been made to the council tax scheme in relation to empty residential property and members have asked for regular updates to monitor the effects of those changes. This is the latest report to advise members of the effects of the changes.

SOURCE OF INFORMATION

Director of Development Services

LINK TO INFORMATION

<http://fylde.cmis.uk.com/fylde/MeetingsCalendar/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/105/Committee/19/Default.aspx>

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

The information is being given to members because of a request to do so from the previous Policy development Scrutiny Committee. The Environment Health and Housing Committee is now the appropriate committee for this information.

FURTHER INFORMATION

Contact John Cottam john.cottam@fylde.gov.uk

INFORMATION NOTE

Empty Residential Property Position Statement

This is the background information to accompany the information item presented to members of the Environment, Health and housing committee at its meeting of 8th September 2015.

Members have received previous reports to the former policy development scrutiny committee to update the position on the numbers of long term (greater than 6 months) empty residential properties in the borough. The term 'long term empty' has referred to properties that have been empty for 6 months or more. It now includes, for council tax purposes, a second type of empty property that has been empty for 2 years or more. The information has taken account of policy changes that have been introduced relating to the council tax discounts and premiums that have been introduced for long term empty properties.

The most recent change to council tax for long term empty property was introduced in April 2014. This change introduced a council tax premium to be levied on properties that had remained empty for 2 years or more. The premium is an additional 50% of the council tax charge such that 150% of the council tax for the property becomes payable. The additional premium complements other council tax measures that require 100% of the council tax to be paid for months 6 to 24 of being empty.

The effects of the various council tax changes on the numbers of long term empty properties can be seen in the following table.

Date	Long term empty	2yrs + empty
April 13	701	n/a
April 14	563	181
April 15	531	137
July 15	544	132

The table shows that a significant reduction took place in the numbers between April 2013 and April 2014. This coincided with the introduction of a 100% council tax charge in respect of properties that have been empty for more than 6 months. Since April 2014 the reduction in the overall number of long term empty property has been more modest. There has though been a welcome reduction of 49 properties that have been empty for more than 2 years.

At the meeting of the former policy development scrutiny committee of November 2013 members resolved that additional actions to deal with empty properties could only be taken within existing resources. This means that the current actions of, principally, the housing service are limited and in the main are only responsive to complaints received from members of the public. In the financial year 2014 -2015 there were no such complaints received by the housing service. In the current financial year, to date, one complaint has been received by the housing service.

FURTHER INFORMATION AVAILABLE FROM

Kirstine Riding, Housing Services Manager Ext 8569

INFORMATION ITEM



REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES	ENVIRONMENT, HEALTH AND HOUSING COMMITTEE	8 SEPTEMBER 2015	14

RIGHT TO MOVE: STATUTORY GUIDANCE ON SOCIAL HOUSING ALLOCATIONS FOR LOCAL AUTHORITIES IN ENGLAND

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY OF INFORMATION

The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015 came into force on the 20th April 2015 and new statutory guidance on the allocation of accommodation in relation to Right to Move was issued.

The Regulations ensure that, where local housing authorities decide to use a local connection requirement as a qualification criteria, they must not apply that criteria to certain persons so as to disqualify them from an allocation of social housing. Specifically, a local connection requirement may not be applied to social tenants in England who:

1. Have reasonable preference because of a need to move to the local authority's district to avoid hardship, and
2. Need to move because the tenant works or has been offered work in the district of the authority and has a genuine intention to take up the offer.

Minor amendments are required to the Common Assessment Policy for MyHomeChoiceFyldeCoast used by partners signed up to the sub regional Choice Based Lettings system (CBL).

1. Need to move because of social or welfare reasons to avoid hardship is already reflected in the policy under 3: Application Assessment, 3.1.4 (page 18) where applicants who need to move to a particular locality within the borough to avoid hardship to themselves or others are awarded priority Banding D.
2. The current consistent assessment policy for employment is working for 16 hours per week or more and held for a minimum of 6 months prior to the application for the award to be eligible to satisfy the Local Connection criteria. (13 Appendix Three: Definition of Working Households and Community Contribution p.42)
3. The qualification regulations 2015 only apply if work is not short term or marginal in nature, nor ancillary to work in another district.
4. Amendments to the policy will reflect that:
 - i) Offers of employment should be regular, intended to last for more than 12 months, over 16 hours a week unless the remuneration is substantial, the main place of work is within the Authority and there is a genuine intention to take up the offer of work.
 - ii) The Processing Partner is provided with appropriate evidence to satisfy themselves applicants will be allowed onto the CBL without a 3 year local connection. Appropriate evidence can include contract of employment, wage/salary slips, formal offer letter and tax and benefits information.

SOURCE OF INFORMATION

Right to move. Statutory guidance on social housing allocations for local housing authorities in England.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418437/Right_to_move_-_statutory_guidance.pdf

LINK TO INFORMATION

MyHomeChoiceFyldeCoast Common Assessment Policy

Chapter 3: Application Assessment, 3.1.4 (page 18)

Appendix Three: Definition of Working Households and Community Contribution (page 42)

<https://www.myhomechoicefyldecoast.co.uk/Data/ASPPages/1/176.aspx>

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FURTHER INFORMATION

Kirstine Riding, Housing Services Manager Ext 8569