



FYLDE BOROUGH COUNCIL



## Meeting Agenda

**Cabinet**  
**Town Hall, Lytham St Annes**  
**12 July 2006, 7.00pm**



## **CABINET**

### **MEMBERSHIP**

**LEADER – COUNCILLOR JOHN COOMBS**

<b>Councillor</b>	<b>Portfolio</b>
TIM ASHTON	STREETSCENE
SUSAN FAZACKERLEY	CORPORATE PERFORMANCE & DEVELOPMENT
PATRICIA FIELDHOUSE	COMMUNITY & SOCIAL WELLBEING
ALBERT POUNDER	CUSTOMER RELATIONS & PARTNERSHIPS
SIMON RENWICK	CULTURE & TOURISM
PAUL RIGBY	FINANCE & EFFICIENCY
ROGER SMALL	DEVELOPMENT & REGENERATION

Contact: Peter Welsh - Telephone: (01253) 658502 - Email: [peterw@fylde.gov.uk](mailto:peterw@fylde.gov.uk)



## **CORPORATE OBJECTIVES**

The Council's investment and activities are focused on achieving our five key objectives which aim to :

- Conserve, protect and enhance the quality of the Fylde natural and built environment
- Work with partners to help maintain safe communities in which individuals and businesses can thrive
- Stimulate strong economic prosperity and regeneration within a diverse and vibrant economic environment
- Improve access to good quality local housing and promote the health and wellbeing and equality of opportunity of all people in the Borough
- Ensure we are an efficient and effective council.

## **CORE VALUES**

In striving to achieve these objectives we have adopted a number of key values which underpin everything we do :

- Provide equal access to services whether you live in town, village or countryside,
- Provide effective leadership for the community,
- Value our staff and create a 'can do' culture,
- Work effectively through partnerships,
- Strive to achieve 'more with less'.



## A G E N D A

### PART I - MATTERS DELEGATED

ITEM	PAGE
<b>1. DECLARATIONS OF INTEREST:</b> <i>If a member requires advice on Declarations of Interest he/she is advised to contact the Legal Services Executive Manager in advance of the meeting. (For the assistance of Members an extract from the pocket guide produced by the Standards Board for England is attached).</i>	4
<b>2. CONFIRMATION OF MINUTES:</b> <i>To confirm as a correct record the Minutes of the Cabinet meeting held on 10<sup>th</sup> May 2006.</i>	4
<b>3. SPECIAL URGENCY (RULE 16 PROCEDURE RULES) URGENT BUSINESS:</b> <i>To consider any items of special urgency arising</i>	4
<b>4. ANNUAL EFFICIENCY STATEMENT</b>	6
<b>5. CORPORATE OBJECTIVES</b>	14
<b>6. PERFORMANCE UPDATE FROM THE PERFORMANCE IMPROVEMENT SCRUTINY COMMITTEE</b>	18
<b>7. VEHICLE POLICY STATEMENT - REPORT</b>	22
<b>8. PUBLIC CONVENIENCE PROVISION</b>	58
<b>9. CPA – DISTRICT COUNCIL FRAMEWORK FROM 2006</b>	111
<b>10. HOUSES IN MULTIPLE OCCUPATION (HMO) LICENSING POLICY</b>	143
<b>11. LOCAL AREA AGREEMENTS - UPDATE</b>	164
<b>12. REVENUE OUT TURN REPORT</b>	175
<b>13. CAPITAL OUT TURN REPORT</b>	178

## **Declaring Interests In Meetings**

### **Say and Stay**

If the issue being discussed affects you more than other people in the area, you must **say** you have a personal interest but can **stay** and take part and vote in the meeting.

This applies if the personal interest affects either:

- You
- Your partner, relative or a friend
- Your employer, or the employer of your partner, relatives or friends
- Any corporate body in which you, your partner, relatives or friends hold shares with a nominal value of more than £5,000 or of which you or they are a director
- Any firm in which you, your relatives or friends are partners

You must also declare if discussion concerns one of the following organisations in which you, relatives or friends hold a position of control or management:

- A body where you or they are a representative or nominee of the authority
- A body exercising public functions
- A company, industrial and provident society, charity or body directed to charitable purposes
- A body which seeks to influence public opinion or policy
- A trade union or professional association

All declarations should be made at the beginning of the meeting or as soon as you are aware of the issue being discussed. You should also say if anything being discussed relates to anything you are required to declare on the register of interests.

## **Withdrawing From Meetings**

### **Prejudicial interest**

#### **Wash and Go**

If a member of the public, who knows all the relevant facts, would view your personal interest (see above) in the issue being discussed to be so great that it is likely to prejudice your judgement of the public interest, then you must leave the meeting. You must leave the room and cannot seek to influence any decision made.

You also have a prejudicial interest, if you are a member of an overview and scrutiny committee that is considering a decision taken by another committee of which you are a member.

There are some limited exceptions to the requirement that you withdraw from meetings if you have a prejudicial interest. You should refer to the detailed provisions of the code of conduct. If in doubt speak to your Monitoring Officer.

# REPORT



REPORT OF	MEETING	DATE	ITEM NO
FINANCE & EFFICIENCY	CABINET	JULY 12 <sup>TH</sup> 2006	4

## ANNUAL EFFICIENCY STATEMENT

### Public item

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

### Summary

The report outlines the 2006/07 annual efficiency statement for Fylde that has been submitted to the Department for the Communities and Local Government (DCLG).

### Recommendations

1. That the Cabinet supports the efficiency statement and ensures that the necessary efficiency savings are achieved in their respective service areas.

### Executive brief

The Executive Brief holder for Finance and Efficiency is Councillor Paul Rigby.

### The Report

1. Appendix 1 is a copy of the Forward Looking Annual Efficiency Statement for 2006/07 at Fylde. The Council must submit an efficiency statement each year for the period 2005 to 2008 that outlines how £270,000 of efficiency savings will be achieved.
2. The Forward Looking Statement for 2006/07 has focused on a few significant savings as opposed to a multitude of smaller scale savings. However, Executive Managers and Portfolio Holders are committed to achieving smaller scale savings as part of the commitment to continuous improvement.
3. The majority of the efficiency savings, both cashable and non cashable in 2006/07 will be achieved through the rationalisation of street scene services. Other areas where significant savings will be achieved include process improvement, procurement,

Continued....

productive time (which includes the reduction of sickness and absence) and transactions with the customer.

4. The efficiency agenda cuts across all service areas and has a direct impact on the remit of all Portfolio Holders. The efficiency savings cannot come from front line services or service cuts, the extract below from the Technical Note is a reminder to Portfolio Holders of what is included as an efficiency and more importantly what is not included:

Efficiency is **not about cuts**, but about **raising productivity** and **enhancing value for money**. Efficiency gains accrue when projects achieve one or more of the following:

- Reducing inputs (money, people, assets, etc) for the same outputs
- Reducing prices (procurement, labour costs, etc) for the same outputs
- Getting greater outputs or improved quality (extra service, productivity, etc) for the same inputs
- Getting more outputs or improved quality in return for an increase in resources that is proportionately less than the increase in output or quality

Certain types of activity **are not** acceptable as efficiency gains:

- Re-labelling of activity (e.g. reclassifying inspection as advice)
- Cuts that result in poorer services for the public
- Increased income purely from higher prices in fees and charges to the public

IMPLICATIONS	
Finance	The council is committed to delivering at least £270,000 of efficiency savings in 2006/07 with at least £130,000 being direct cash savings.
Legal	There are no direct legal implications.
Community Safety	There are no direct Community Safety implications.
Human Rights and Equalities	There are no direct Human Rights and Equalities implications.
Sustainability	The efficiency savings must be sustainable because the savings have to be carried through year on year achieving a total efficiency saving of £810,000 over a three year period.
Health & Safety and Risk Management	There are no direct H&S or Risk Assessment implications.

REPORT AUTHOR	TEL	DATE	DOC ID
Allan Oldfield	(01253) 658576	June 16 <sup>th</sup> 2006	
LIST OF BACKGROUND PAPERS			
NAME OF DOCUMENT	DATE	WHERE AVAILABLE FOR INSPECTION	
Annual Efficiency Statements	20005/06	Town Hall records or <a href="http://www.fylde.gov.uk">www.fylde.gov.uk</a>	

### **Attached documents**

Appendix 1: The 2006/07 Efficiency Statement



# Annual efficiency statement - forward look

## Details

Local authority Fylde Borough Council

Contact name Allan Oldfield

Job title Executive Manager for Policy and Change

Email address allano@fylde.gov.uk

## Statement

### Strategy for period to 2007/08

The Council has been implementing a strategy to secure efficiency gains since April 2003 with the introduction of a new administrative structure as part of a wider culture change programme designed to move from a traditional bureaucratic local authority to a modern efficient business. This structure has recently been further modernised to improve the capacity and resource allocation of the Council.

In a major move to improve efficiency and effectiveness the Council is extending its partnership work with the neighbouring council at Wyre by undertaking a series of joint service reviews based on business process re-engineering for which external funding is being sought. Work already undertaken has led to the transfer of services to partners, the outsourcing of services to a third party, an increase in the use of technology to deliver services and a corporate call centre and one stop shop that has seen the transfer of resources from 'back office' to 'front end' service delivery. This approach fits with the national efficiency review and the council is now driving through further changes that will result in all services being integrated through a corporate customer service team that will be the first point of contact for every customer. E-technologies are being brought on line in order to remove paper from current systems, to speed up service delivery, to increase the quality of business outcomes and to release additional resources for front end service delivery.

Strong leadership, the development of effective corporate planning systems and the introduction of good performance management practices are foundations that the council have put in place to deliver the efficiency strategy. Several changes have been implemented to support the efficiency work at Fylde which include:

1. Improved service and financial planning frameworks to ensure that plans are developed in line with available resources and that continuous improvement is built into service delivery.
2. An effective joint procurement strategy with Wyre Borough Council and an associated e-procurement strategy 'fit' with the organisational requirements and e-government outcomes.
- 3 The development and implementation of a project management framework in line with Prince 2 principles and regular monitoring of project work at senior management level.
4. A performance management framework that has been developed and improved over the last 3 years and makes a clear link between the corporate objectives and priorities to the work carried out on the ground at the front end of service delivery.
5. Change management and capacity building initiatives implemented to support the improvement agenda.
6. Maximise use of council assets through an effective strategic approach and a clear government approved asset plan.

A key theme running through the efficiency agenda at Fylde is the creation of capacity to release resources from non-priority areas and transfer them to priority areas. The commitment to this has been backed up by an extensive capacity building programme delivered in partnership with the IDeA and the Audit Commission. In 2006 the Council will be actively promoting the take of e-services to achieve the efficiencies required from the IEG outcomes. A Transformational Strategy will be developed to bring together the process re-engineering and the technological solutions that will create the necessary culture change.

## Key actions in 2006/07

In 2006/07 the Council will implement a series of joint service reviews in partnership with Wyre Council using business process re-engineering as a means to furthering partnership working, improving service provision and reducing costs..

The Council will also complete the business case for amalgamating the Revenues and Benefits staff with those of Blackpool Council to secure service improvement and efficiency savings. Document Image Processing will also be introduced to Revenues and Benefits to streamline processing

A rationalisation of the waste partnership with Wyre Council will be undertaken early in the year to secure further efficiency savings.

	Expected annual efficiency gains (Â£)	...of which cashable (Â£)	Related links
Adult social services	0	0	<ul style="list-style-type: none"> <li><a href="#">Documents</a></li> <li><a href="#">People</a></li> <li><a href="#">Projects</a></li> </ul>
	Strategy:		
	Key actions:		
Children's services	0	0	<ul style="list-style-type: none"> <li><a href="#">Documents</a></li> <li><a href="#">People</a></li> <li><a href="#">Projects</a></li> </ul>
	Strategy:		
	Key actions:		
Culture and sport	0	0	<ul style="list-style-type: none"> <li><a href="#">Documents</a></li> <li><a href="#">People</a></li> <li><a href="#">Projects</a></li> </ul>
	Strategy:		
	Key actions:		
Environmental services	170,000	170,000	<ul style="list-style-type: none"> <li><a href="#">Documents</a></li> <li><a href="#">People</a></li> <li><a href="#">Projects</a></li> </ul>
	Strategy: To deliver efficient and higher quality environmental services through partnerships and the development of e-service delivery.		
	Key actions: Further the partnership working with Wyre on waste collection and realise the full benefits in the first full year of operation (Â£100,000). Undertake a rationalisation of vehicle maintenance arrangements (Â£70,000).		

Local transport (highways)	0	0	<ul style="list-style-type: none"><li>• <a href="#">Documents</a></li><li>• <a href="#">People</a></li><li>• <a href="#">Projects</a></li></ul>
	Strategy:		
	Key actions:		
Local transport (non-highways)	0	0	<ul style="list-style-type: none"><li>• <a href="#">Documents</a></li><li>• <a href="#">People</a></li><li>• <a href="#">Projects</a></li></ul>
	Strategy:		
	Key actions:		
LA social housing (capex)	0	0	<ul style="list-style-type: none"><li>• <a href="#">Documents</a></li><li>• <a href="#">People</a></li><li>• <a href="#">Projects</a></li></ul>
	Strategy:		
	Key actions:		
LA social housing (other)	0	0	<ul style="list-style-type: none"><li>• <a href="#">Documents</a></li><li>• <a href="#">People</a></li><li>• <a href="#">Projects</a></li></ul>
	Strategy:		
	Key actions:		
Non-school educational services	0	0	<ul style="list-style-type: none"><li>• <a href="#">Documents</a></li><li>• <a href="#">People</a></li><li>• <a href="#">Projects</a></li></ul>
	Strategy:		
	Key actions:		
Supporting people	0	0	<ul style="list-style-type: none"><li>• <a href="#">Documents</a></li><li>• <a href="#">People</a></li><li>• <a href="#">Projects</a></li></ul>
	Strategy:		
	Key actions:		
Homelessness	0	0	
	Strategy:		
	Key actions:		
Other cross-cutting efficiencies not covered above			
Corporate services	50,000	50,000	<ul style="list-style-type: none"><li>• <a href="#">Documents</a></li><li>• <a href="#">People</a></li><li>• <a href="#">Projects</a></li></ul>
	Strategy: To achieve paperless service delivery and improved service quality through e-solutions and capacity building initiatives. To continually drive down the cost of internal service delivery in support of improved customer service.		
	Key actions: Implement joint service reviews with Wyre Council utilising business process re-engineering. Further the partnership working with Blackpool Council in the areas of Revenues and Benefits by completing the business case to amalgamate the operations of the two Councils.		
	14,500	11,000	<ul style="list-style-type: none"><li>• <a href="#">Documents</a></li><li>• <a href="#">People</a></li><li>• <a href="#">Projects</a></li></ul>
	Strategy: Implementation of the National Procurement Strategy.		

Procurement	<p>To procure more goods and services in partnership. Adoption of Partnering and Collaboration in line with regional centres of excellence. Implementation of integrated financial systems to allow for procure to pay electronic processes. Effective management of centrally procured goods and services (utilities and consumables).</p> <p>Key actions: Use of Lyreco joint stationary supplier with Wyre, with ordering e-enabled on the new financial systems (Â£4,000) Use Construction Line instead of approved supplier lists(Â£3,000) Reduced number of tendering exercises as a result of increasing the financial threshold to Â£50,000. Use of joint travel booking supplier with Wyre-Business Travel Plus (Â£1,000) Low value transactional calculator figure equates to Â£6,404 efficiency.</p>		
Productive time	29,100	0	<ul style="list-style-type: none"> <li>• <a href="#">Documents</a></li> <li>• <a href="#">People</a></li> <li>• <a href="#">Projects</a></li> </ul>
	<p>Strategy: The key strategic approach is to reduce the levels of sickness and absence from the 2004/05 baseline position of 10.8 days per employee to 10 days per employee for 2006/07. The average cost of sickness per day per employee based on the national salary average is Â£86. A reduction of 0.8 days per employee for 424 employees (average throughout the year) equates to Â£29,171 of productive time.</p> <p>Key actions: Comprehensive review, monitoring and management of all sickness and absence. Enforcing back to work interviews and addressing continual offenders. Reducing the core reasons for long term sickness through improved health and safety regime and working conditions. Manage employee work load and performance effectively through personal development plans.</p>		
Transactions	24,000	0	<ul style="list-style-type: none"> <li>• <a href="#">Documents</a></li> <li>• <a href="#">People</a></li> <li>• <a href="#">Projects</a></li> </ul>
	<p>Strategy: E-enable all possible transactions and make them accessible to the community. Promote the use of e-enabled processes as the primary/preferred means of transaction with the Council.</p> <p>Key actions: Reduce paper invoice payments by setting up catalogues for key suppliers by number of transactions. Consolidate invoices and pay electronically saving an OGC estimated Â£28 per transaction.(Â£18,000) Implement Document Image Processing in Revenues and Benefits. Implement mobile working in Benefits which enables officers visiting claimants homes to gather information electronically on to a hand held device and automatically update the benefits computer systems.(Â£3,000) Increase the number of BACs payments at the</p>		

	expense of cheque payments.(Â£2,000) Development of the website to support self service and reduce the number of phone and face to face contacts. Average saving per transfer from face to face (Â£14) or phone (Â£1.10) to the web. Target for 2006/07 is to transfer 100 face to face transactions to the web and 150 phone transactions.		
Miscellaneous efficiencies	35,000	35,000	
	Strategy: Seek efficiency savings wherever possible through the joint service reviews and business process re-engineering. Rigorous pursuit of debts and reduction of bad debt within existing resources (Â£5000). A continuously changing management structure in response to operational circumstances		
	Key actions: Management changes implemented to save Â£30,000 without effecting service delivery or management capability. Implement the asset management plan.		
Total	322,600	266,000	

# REPORT



REPORT OF	MEETING	DATE	ITEM NO
CORPORATE & PERFORMANCE DEVELOPMENT	CABINET	JULY 12 <sup>TH</sup> 2006	5

## CORPORATE OBJECTIVES

### Public item

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

### Summary

The report provides details of the corporate objectives agreed by the Council and outlines the process in place to review the objectives.

### Recommendations

1. That the Cabinet approves the process set out for the review of the corporate objectives at Fylde.
2. That the Cabinet takes every opportunity to promote engagement in the review process.

### Executive brief

The Executive Brief holder for Corporate Performance and Development is Councillor Sue Fazackerley.

### The Report

1. Corporate objectives are an important element of the Councils performance framework outlining what the Council is aiming to achieve at the highest level.
2. The corporate objectives are determined by a number of factors including local circumstances, national priorities, stakeholder feedback and statutory responsibilities. The current corporate objectives for Fylde are included in Appendix 1 and have been approved by the Council.

Continued....

3. As part of the performance management framework at Fylde it is a requirement to review the corporate objectives. The process and timetable outlined in Appendix 2 will be applied to carry out a comprehensive review.
4. The corporate objectives cut across every service area in the authority and impact on every portfolio holder. All the action identified in service plans will be linked to the corporate objectives. This report is brought before the Cabinet to ensure that each member is aware of the review and their role in the process.
5. The Executive Manager for Policy and Performance will collate any feedback from members and consider it as part of the research and analysis stage of the review process.

IMPLICATIONS	
Finance	There are no direct financial implications.
Legal	There are no direct legal implications.
Community Safety	There are no direct Community Safety implications.
Human Rights and Equalities	There are no direct Human Rights and Equalities implications.
Sustainability	There are no direct sustainability implications.
Health & Safety and Risk Management	There are no direct H&S or Risk Assessment implications.

REPORT AUTHOR	TEL	DATE	DOC ID
Allan Oldfield	(01253) 658576	June 16 <sup>th</sup> 2006	
LIST OF BACKGROUND PAPERS			
NAME OF DOCUMENT	DATE	WHERE AVAILABLE FOR INSPECTION	
All previous BVPP and Corporate Plans	2000 to 2005	Town Hall records or <a href="http://www.fylde.gov.uk">www.fylde.gov.uk</a>	

### Attached documents

Appendix 1: The Corporate Objectives

Appendix 2: The Review Process

## **Appendix 1: The Corporate Objectives**

### **FYLDE BOROUGH COUNCIL CORPORATE OBJECTIVES**

#### **QUALITY OF LIFE**

**To improve access to good quality affordable housing and promote the health, well being and the quality of life for everyone in the borough**

#### **ENVIRONMENT**

**To improve, protect and enhance the streetscene and the local environment**

#### **ECONOMY**

**To create a strong and diverse local economy and improved employment prospects**

#### **QUALITY SERVICES**

**To deliver value for money, high quality local services**

#### **A SAFE COMMUNITY**

**To tackle the fear o crime and maintain safe communities**



## Appendix 2: The Review Process

<b>Action</b>	<b>Responsibility</b>	<b>Deadline</b>
Analyse and review the existing stakeholder feedback from research, surveys and ongoing customer engagement to determine opinion, views and expectations of the Council.	Policy & Performance Executive Manager	August 2006
Undertake analysis of the known legislative and national agenda issues that will impact on Fylde e.g. planning, waste, housing, community safety, partnership, efficiency.	Policy & Performance Executive Manager	August 2006
Management team and member workshop held to assess the outcomes from the research and analysis and determine the impact on the corporate objectives.	Policy & Performance Executive Manager	September 2006
Present a report to the overview and scrutiny committee to examine any proposed changes or amendments to the corporate objectives.	Corporate Performance & Development Portfolio Holder	October 2006
Present a report to full Council for approval of corporate objectives.	Corporate Performance & Development Portfolio Holder	October 2006

# REPORT



REPORT OF	MEETING	DATE	ITEM NO
COUNCILLOR KEITH HYDE - CHAIRMAN PERFORMANCE IMPROVEMENT SCRUTINY COMMITTEE	CABINET	12 JULY 2006	6

## PERFORMANCE UPDATE FROM THE PERFORMANCE IMPROVEMENT SCRUTINY COMMITTEE

### Public/Exempt item

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

### Summary

A key part of the terms Of Reference of the Performance Improvement Scrutiny Committee is the monitoring of performance. This is undertaken through consideration of quarterly updates with final outturn figures presented at the May meeting.

At a recent Cabinet/Scrutiny workshop attended by Cabinet members and Scrutiny Chairmen and Vice-Chairmen it was agreed that as well as Portfolio Holders attending Scrutiny meetings when items relating to their Portfolio were being examined, there should be a reciprocal arrangement with Scrutiny Chairmen drawing items of importance or reporting back to Cabinet on the outcomes of Task and Finish Groups examining particular items. Performance management is of critical importance to the council and the Performance Improvement Scrutiny Committee would like to draw to the attention of Cabinet its observations on the performance picture at least annually. Councillor Keith Hyde, Chairman of the Committee will introduce this report which draws out some observations and commentary of the performance picture as a result of the 2005/06 performance report considered at the May meeting of the Committee at which Council Sue Fazackerley, The Portfolio Holder was in attendance.

### Recommendation/s

1. That Members note the performance report

Continued....

- |  |
|--|
| <p>2. Cabinet are asked to consider if a regular update on the performance picture from the Scrutiny Committee should form a part of its Forward Plan and if so, at what frequency. A suggested frequency might be six monthly reporting on the performance picture.</p> |
|--|

## **Executive Portfolio**

The item falls within the following executive portfolio[s]:

Corporate Performance and Development (Councillor Susan Fazackerley)

## **Report**

1. Performance data is reported back to the Performance Improvement Scrutiny Committee on a quarterly basis throughout the year. At the meeting of the Performance Improvement Scrutiny Committee on 25<sup>th</sup> May 2006, Councillor Fazackerley (Portfolio Holder for Corporate Performance & Development) and Allan Oldfield (Corporate Policy & Performance Executive Manager) presented a joint presentation on the Final 2005/2006 performance indicators reported by Fylde Borough Council and details of the targets and additional indicators required for 2006/2007. These were previously circulated.
2. Lorraine Charlesworth (Human Resources Manager) was also present at the Performance improvement Scrutiny Committee to present sickness statistics for Fylde Borough Council together with comparisons of sickness levels in local authorities in Lancashire for the past year.

## **Fylde Performance Indicators**

3. The Performance Improvement Scrutiny Committee were pleased to note the majority of Performance Indicators have improved since last year and were on target in 2005/2006. The performance picture of the council is generally good but some performance indicators had been below the annual target and this report highlights these areas and gives a commentary on the explanations sought by the Scrutiny Committee as to the reasons why.
4. Members from the Performance Improvement Scrutiny Committee have previously requested more detailed information on the Sickness Statistics following consistently high sickness levels on the National BVPI indicators. The committee noted that this was in part due to the high number of staff on long-term sick leave. A corporate sickness absence procedure has done much to improve the short-term sickness issues but the reported figures are largely on the high side due to employees of on long term sickness absence. Other issues raised at the last meeting of the Performance Improvement Scrutiny Committee on this issue centered on training for office and manual workers; whether or not accidents were reported to the Health and Safety Executive (HSE); how many accidents were reported under the RIDDOR legislation; perceived benefits following the health & safety partnership with Blackpool Borough Council and how quickly risk assessments were carried out for new employees. The committee was assured that Fylde was offering adequate Health and Safety training to Manual workers and was monitored by the HSE. The Health and Safety Partnership with Blackpool was likely to be beneficial in offering more resources to address health and safety issues.
5. BVPI Indicator 11(b) details the target percentage of staff from ethnic minorities who are employed in the top 5% of authority staff. The Council is currently in the bottom

quartile for English Districts. The Performance Improvement Scrutiny Committee noted that the Council was unlikely to achieve this target, as it does not accurately reflect the demographics of the borough therefore is not a priority for the Council. The Councils' Equality and Diversity Policy clearly states that the Council will employ the best person for the job regardless of ethnicity, gender, religion, age, or sexuality and the Committee noted the Executive Manager and Portfolio were satisfied with this approach.

6. BVPI Indicator 9 details the percentages of Council Tax collected by the authority in the year. The figures for the Council show this percentage has dropped from 98.1% in 2004/2005 to 97.5% in 2005/2006. The Performance Improvement Scrutiny Committee was assured that this was due to problems with the installation of the Pericules computer system. These problems have now been rectified so the Performance Improvement Scrutiny Committee anticipates that the Council Tax BVPI will be on target for the next financial year.
7. BVPI Indicators 109a, detail the number of major commercial and industrial planning applications determined within 13 weeks. The Council is currently in the bottom quartile of English Districts. BVPI Indicator 109c details the percentage of other planning applications determined within 8 weeks. Temporary arrangements to deal with severe staff shortages were put in place in December 2005 and this has affected the BVPI indicators for the last quarter. Up to and including the third quarter of the 2005/2006 the performance of the Council in relation to BVPI 109 (processing of planning applications) was in keeping with top quartile figures. Although temporary measures are now in place and the Council is currently in the process of recruiting Planning staff there has inevitably been an impact on the year-end out-turn figures.
8. Local Performance Indicators are used to supplement the National Performance Indicators and have been designed to reflect what matters to the community in terms of service provision. The Performance Improvement Scrutiny Committee was concerned that the percentage of phone calls to the Customer Contact Centre answered during working hours had dropped in the past year. It was acknowledged that this, in part, was due to the increase in use of the service and the staff being able to deal with queries at the first port of call, meaning the telephone calls take longer. It was noted that customer satisfaction ratings are high. The Customer Services Team is trying several methods to improve the call answer rate and hopefully, this will be reflected in the BVPI figures for the next year. As a result of performance concerns in this area the Performance Improvement Scrutiny Committee will conduct an depth review of the Customer Contact Centre and the scope of such a review is already the subject of some initial discussion.

Implications	
Finance	None arising from this report
Legal	None arising from this report
Community Safety	None arising from this report
Human Rights and Equalities	None arising from this report
Sustainability	None arising from this report

Health & Safety and Risk Management	None arising from this report
-------------------------------------	-------------------------------

Report Author	Tel	Date	Doc ID
Councillor Keith Hyde	(01253) 658423	6 <sup>th</sup> June 2006	Performance report

List of Background Papers		
Name of document	Date	Where available for inspection
Minutes of the Performance Improvement Scrutiny Committee	25 <sup>th</sup> May 2006	<a href="http://www.fylde.gov.uk">www.fylde.gov.uk</a>

### **Attached documents**

# REPORT



REPORT OF	MEETING	DATE	ITEM NO
STREET SCENE  EXECUTIVE MANAGER	CABINET	12 JULY 2006	7

## VEHICLE POLICY STATEMENT - REPORT

### Public/Exempt item

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

### Summary

The Council is required under the terms of its Vehicle Operators Licence and Health & Safety requirements to produce a policy document which describes 'How' it intends to manage its Vehicle fleet and associated activities.

### Recommendation/s

1. That the Cabinet notes the report and approves the proposed Policy and five documents.

### Executive brief

The item falls within the following executive brief: Streetscene - Councillor Tim Ashton.

### Report

#### Background

1. Any organisation that operates vehicles over 3.5 tonne is required to have an 'Operators licence' Issued by the 'Vehicle & Operator Services Agency' (VOSA). This licence is a statutory obligation. No licence, no vehicle fleet operation.
2. Under the terms of the agreement of the licence all operators are required to put in place Policies and Systems that underpin the safe management of the vehicle fleet.

3. The Health & safety at Work etc. Act 1974 requires employers to prepare a written statement of the organisation and arrangements for carrying out their Health & Safety Policy. This guidance is issued as part of those arrangements
4. The document consists of a Policy Statement and Five Documents that underpin the management responsibilities/activities
5. This Policy Statement and its Five Documents was scrutinised at the Policy and Service Review Community Forum in November 2005.

### **Conclusion**

6. Members are asked to review the report and endorse the proposed documents.

<b>IMPLICATIONS</b>	
Finance	None arising directly from the report
Legal	None arising directly from the report.
Community Safety	None arising directly from the report.
Human Rights and Equalities	None arising directly from the report.
Sustainability	None arising directly from the report.
Health & Safety and Risk Management	None arising directly from the report.

REPORT AUTHOR	TEL	DATE	DOC ID
David Jenkinson	(01253) 658631	12 June 2006	Vehicle Policy Statement

<b>LIST OF BACKGROUND PAPERS</b>		
NAME OF DOCUMENT	DATE	WHERE AVAILABLE FOR INSPECTION
Vehicle Policy	24/10/05	Freedom House – Street Scene



FYLDE BOROUGH COUNCIL



## Vehicle Policy Statement

July 2006



<b>Title of Policy</b>	Vehicle Policy
<b>Purpose of Policy</b>	To implement a system providing instruction and guidelines to ensure compliance with all statutory requirements.
<b>Date of Policy</b>	12 <sup>th</sup> July 2006
<b>Policy Review Date</b>	July 2007
<b>Policy Author</b>	Gerry Sloey
<b>Authorised By</b>	David Jenkinson

## VEHICLE POLICY STATEMENT

**Responsibility:** All Executive Managers and Heads of Service are responsible for ensuring these arrangements are fully implemented within their area of control. Key roles belong to managers, and all supervisory staff. All employees driving in the course of Council business also have a role to play in implementing these arrangements.

**Scope & Purpose:** The Health & Safety at Work etc. Act 1974 requires employers to prepare a written statement of the organisation and arrangements for carrying out their Health & Safety Policy. This guidance is one of a number of documents that form Fylde Borough Council's written arrangements. In this case the arrangements relate specifically to the **safe operation of motor vehicles in connection with Council business, primarily to ensure compliance with the general requirements of the Management of Health and Safety at Work Regulations, the Road Traffic Act and the Road Transport (Construction and Use) Regulations** as amended.

**Written Business Unit Arrangements:** Business Units may have to further supplement these arrangements with written statements of what happens locally. Your Health & Safety Co-ordinator or the Transport Manager will provide specific advice on these matters. These local arrangements must be kept within a Business Unit Master Safety File and are subject to audit.

## **CONTENTS**

<b>ACTIONS REQUIRED</b>	<b>3</b>
<b>POLICY STATEMENT</b>	<b>4</b>
<b>DOCUMENT 1</b>	
<b>GENERAL DRIVER RESPONSIBILITIES</b>	<b>7</b>
<b>DOCUMENT 2</b>	
<b>DRIVERS OF COUNCIL VEHICLES</b>	<b>11</b>
<b>DOCUMENT 3</b>	
<b>GENERAL RESPONSIBILITIES OF MANAGERS</b>	<b>21</b>
<b>DOCUMENT 4</b>	
<b>RESPONSIBILITIES OF MANAGERS WITH COUNCIL OWNED / LEASED VEHICLES</b>	<b>23</b>
<b>DOCUMENT 5</b>	
<b>GENERAL RESPONSIBILITIES OF THE CENTRAL VEHICLE MAINTENANCE UNIT</b>	<b>28</b>
<b>CHECKLIST OF BUSINESS UNIT RESPONSIBILITIES</b>	<b>33</b>

## **1 ACTIONS REQUIRED**

- 1.1 This standard has been developed to introduce a Vehicle Policy to ensure all aspects of the Council's operations in relation to the use of motor vehicles are compliant with the various relevant statutory provisions relating to health and safety and road transport operations in addition to construction and use regulations.
- 1.2 The Vehicle Policy Statement sets the Council's general objectives in relation to the safe use of motor vehicles used in the course of Council business.
- 1.3 The Policy Statement is then supported by a number of Management and Employee Standards Guideline documents, identifying responsibilities of Executive Managers, Heads of Service, Supervisors and employees involved with motor vehicles at work. These documents can be used as stand-alone instructions and information for issue as appropriate.
- 1.4 The General Drivers Responsibilities leaflet (Document 1) has been produced as a supplementary document for inclusion in the Drivers Handbook and Safety Guide, issued by individual Unit Business in conjunction with the Transport Manager.
- 1.5.1 Heads of Service are to ensure the requirements of this Policy and supporting Management and Employee Standards Guidelines are implemented within their areas of responsibility.
- 1.6 The individual Executive Managers should if appropriate produce a further guideline on the management of drivers for individual Business Units. This Management of Drivers Guideline must incorporate the local health and safety needs of individual business units and address their specific needs in an in depth fashion. A copy of any procedures issued must be forwarded to a master copy held with the Transport Manager and the Human Resources Team.
- 1.7 Any employee identifying a deficiency in the written system or its implementation should draw the attention of their manager to the situation for action / reporting as appropriate.

## **FYLDE BOROUGH COUNCIL STATEMENT OF VEHICLE POLICY**

Fylde Borough Council (the Council) recognises that the provision and use of motor vehicles is an essential and integral element of its business operations. The Council also accepts that some employees will be authorised to use their own motor vehicles pursuant to the business of the Council.

The Council, in line with its general statutory obligations, will therefore prepare and maintain such information, instruction, supervision and training as is necessary to provide for the safety of employees and those other persons who may be affected by the operations of the Council, as a result of motor vehicles used in the course of its business. The Council will operate motor vehicles that are, to the best of its ability, roadworthy, safe and comply with relevant statutory provisions, appropriate for the type and class of vehicle operated.

The Council will develop and implement appropriate systems of work in support of this Policy, to direct management and drivers of motor vehicles being used in the course of Council business. These systems of work will form Management of Drivers Guidelines that will ensure the continued safe operation of its motor vehicle fleet and those private motor vehicles used by employees in the course of their duties.

The Council will purchase, hire or lease as appropriate, only such vehicles as are suitable for the tasks for which they are intended. Where motor vehicles require specialist design, modification or adaptation, such works and fitments shall comply with relevant statutory provisions. Where regular maintenance, testing or inspection is requisite, competent persons within the prescribed times-scales will undertake such activities.

Employees, for their part, are required to co-operate with the implementation of this Policy and the associated Management and Employee Standards Guidelines to assist the Council in fulfilling its statutory obligations. Employees should also draw to the attention of their management any deficiency in this Policy or the associated Management and Employee Standards Guidelines, in order that they may be reviewed and any suitable amendments made in the appropriate cases.

The following Guidelines and Employee Standards support the Council's Vehicle Policy by providing information and systems of work to be implemented by drivers of vehicles on Council business and managers of drivers involved with driving on the business of the Council. Within the term 'business' these Standards and Guidelines include any person driving any vehicle during paid employment (including travel to and from training courses, seminars, conferences and similar activities) or driving to and from work in a Council vehicle. Each Standard and Guideline document will relate to a category of driver or category of manager as follows:

**1      DOCUMENT 1  
GENERAL RESPONSIBILITIES OF ALL DRIVERS**

This Standard and Guidelines document is in the form of a leaflet and applies to any driver of any vehicle (including those privately owned or privately leased) used in the course of the business of the Council.

**2      DOCUMENT 2  
GENERAL RESPONSIBILITIES OF DRIVERS OF COUNCIL OWNED  
OR COUNCIL LEASED VEHICLES**

This Standard and Guidelines document applies to those drivers of Council owned or Council leased motor vehicles, including those vehicles leased on an ad-hoc basis for long or short-term periods. This document is additional to the General Responsibilities of All Drivers leaflet.

**3      DOCUMENT 3  
GENERAL RESPONSIBILITIES OF MANAGERS**

This Standard and Guidelines document directs Managers in their responsibilities to all persons driving on the business of the Council, using their own vehicle.

**4      DOCUMENT 4  
GENERAL RESPONSIBILITIES OF MANAGERS WITH COUNCIL  
OWNED OR COUNCIL LEASED VEHICLES**

This Standard and Guidelines document directs Managers in their responsibilities for the safe operation of the motor vehicle fleet under their charge.

**5      DOCUMENT 5  
GENERAL RESPONSIBILITIES OF THE CENTRAL VEHICLE  
MAINTENANCE UNIT**

This Standard and Guidelines document identifies the responsibilities of the Central Vehicle Maintenance Unit and provides them with due authority to protect the interests of the Council in relation to the Operators Licence.

**6      CHECKLIST OF BUSINESS UNIT RESPONSIBILITY**

This single page may serve as an aide memoir for the key issues affecting managers in relation to vehicle operations, directing you to the appropriate sections of the Manager and Employee Standard and Guidelines.

**Compliance with this Policy will ensure the continued:**

- Fulfillment of the Council's statutory obligations under health & safety and road transport legislation
- Fulfillment of the driver's statutory obligations under health & Safety and road transport legislation
- Compliance with all licensing requirements
- Minimisation of road related risk

**All employees are required to familiarize themselves with those Standards & Guidelines relevant to their duties. Each of the Standard & Guideline documents is available as an individual publication that may be given as personal issue.**

Copies of this Policy and related Guidelines are available from the Human Resources Team, Town Hall, Lytham St. Annes, FY8 1LW, and the Council Intranet site.

## **DOCUMENT 1**

### **GENERAL RESPONSIBILITIES OF ALL DRIVERS**

This document applies to every driver of any vehicle, including his or her own, on Council business. It should be noted that failure to implement the requirements of this Policy and supporting the Management of Drivers Guidelines, may result in the individual being investigated in accordance with the Council's Disciplinary Procedures.

#### **1 LICENCE REQUIREMENTS**

- 1.1** All drivers must be holders of a licence valid for the category of vehicle in which they are driving.

*Note: it should be noted that since the 1<sup>st</sup> of January 1997 a standard car driver's licence does not permit the holder to drive a vehicle over 3.5 tonnes (including the weight of any trailer drawn), or a vehicle with more than 8 passenger seats. Please seek advice from management on entitlements relating to older licences.*

- 1.2** All drivers must make their licence available to an authorised supervisor for inspection as required. Any change must be notified to your authorised supervisor. Photocopies of driving licences will only be retained within an individual unit for a maximum of 5 working days to permit the completion of outstanding administration. Thereafter all copies must be properly destroyed and a master copy be held by the Transport Manager, or suitably nominated Council Officer in accordance with the Data Protection Act.

#### **2 INSURANCE & OTHER STATUTORY DOCUMENTATION - VEHICLES** **(This relates only to drivers of their own vehicles)**

- 2.1** Drivers who use their own vehicles must ensure that they themselves insure them for use for business purposes. They must make their valid insurance certificate available to an authorised supervisor for inspection as required. Any changes must be notified to the authorised supervisor.

*Notes:*

- *Insurance held in the name of one partner or spouse may not cover both partners or spouses for business use unless this is specifically requested*
- *The Council will not accept liability for claims which are not covered by the driver's own insurance*

- 2.2** Drivers who use their own vehicles in the course of Council business must ensure they are legal and roadworthy. Where a vehicle is required to undergo an MOT test, the production of a valid MOT Test Certificate should be produced in addition to the insurance documentation

### **3 INSURANCE – COUNCIL PROPERTY**

- 3.1** Council property and equipment such as laptop computers is insured under the Council's general insurance policy. However, this excludes theft from an unattended vehicle. Such thefts are unlikely to be covered by the employee's own policy. All such property and equipment must be removed from unattended vehicles. If this is impossible in specific circumstances equipment must be hidden from view and preferably be locked in a boot. The vehicle should be locked at all times.

### **4 CRIMINAL OFFENCES**

- 4.1 Drivers must not drive, attempt to drive or be in charge of a vehicle if under the influence of alcohol or drugs.** If taking medication, always check with your doctor or pharmacist as to whether or not it is safe to drive.
- 4.2** Employees, for their part, are expected to familiarise themselves with the Vehicle Policy, Standards & Guidelines and abide by them. Any breach of the Policy that may be considered to be unsatisfactory conduct on the employee's part will be investigated in accordance with the Council's Disciplinary Procedures.
- 4.3** This will include any convictions for driving offences which have a bearing on the employee's employment with the Council, or where the offence was committed on the business of the Council.
- 4.4** Where a full driving licence is a condition of employment, the loss of a licence will result in the employee's continuing employment being reviewed by the Council. Employees are required to advise the Council if they lose their full driving licence, including any vocational Large Goods Vehicle licence.

### **5 SMOKING**

- 5.1** The Council's Smoking in the Workplace Policy (Introduced 25<sup>th</sup> October 1999, and as amended 1<sup>st</sup> April 2002) introduced a "No Smoking" Policy in all Council accommodation and vehicles.
- 5.2** Where any employees use their private car on Council business and on occasion carries as passengers colleagues who do not smoke, the driver is asked to respect the wishes of the non-smoker by not smoking during those journeys. If the authorised car user wishes to continue to smoke in their own vehicle while on Council business, then the employee(s) who is the passenger may elect to make alternative traveling arrangements if they so wish. Any such arrangements will be reimbursed in accordance with Council Policy.



## 6 SAFE DRIVING

- 6.1 All employees are expected to drive safely in accordance with the requirements of the Highway Code at all times.
- 6.2 Training opportunities are, from time to time, made available and employees are encouraged to take advantage of such opportunities. These may include Hazard Perception, and Driver's Hour's & Tachograph training. Employees may be required to undertake training if they have been involved in an accident at work where their driving or record keeping was found to be at fault.
- 6.3 The following requirements should be borne in mind when driving: -
- **Remember** it is the drivers' responsibility to inform the DVLA, the insurance company and their manager of any medical condition or medication that affects their ability to drive
  - **Never** drive a vehicle if you are unwell or taking medication, unless a Medical Practitioner or dispensing Pharmacist has confirmed it is safe for you to drive
  - **Never** drive under the influence of alcohol or drugs.
  - **Never** operate a vehicle you consider may be overloaded
  - **Never** start out or continue driving if you are tired. Driving requires your full concentration
  - **Never** exceed your driving hours when covered by EC Drivers' hour's rules or UK Drivers' hour's rules (Unit I managers will advise employees to whom these rules apply and any relevant exemptions that may apply)
  - **Never** drive with poor eyesight or if your vision is blurred. You must wear spectacles or contact lenses for driving if your optician prescribes them for that purpose
  - **Never** eat, drink, or try to read a map or directions while driving. You must pull in and stop somewhere safe first
  - **Never** put yourself and others at risk if you are involved in a breakdown or an accident. Contact either your line manager (Council vehicle), or breakdown assistance. In the case of an accident contact the emergency services by dialing 999 or by using a roadside Emergency Telephone.

- **Never** await recovery in your vehicle. Always position yourself in a clearly visible location, a safe distance from the vehicle and roadside.
- **Do not** change a wheel unless it is completely safe to do so (call the CVMU if you are driving a Council vehicle)
- **Always** inform your line manager immediately or as quickly as possible in an emergency situation.

## **7 MOBILE PHONES**

- 7.1** The use of mobile phones while driving on Council business or whilst driving a Council vehicle is not permitted. If a call has to be made or received, the driver must stop in a safe position to do so and turn off the engine before making or receiving the call.
- 7.2** All other drivers issued with or using mobile phones for Council business shall ensure they are turned to 'Silent' mode or turned off for the duration of the vehicle journey.
- 7.3** Drivers should then ensure the mobile phone is secure in the vehicle, e.g. in the glove box, a bag or briefcase, where it can no longer create a distraction whilst driving.
- 7.4** Drivers should ensure the voice-mail facility is activated on their mobile phone, in order that urgent and appropriate messages may be left for retrieval upon arrival at the destination or during a suitable break from driving.

## **DOCUMENT 2**

### **DRIVERS OF COUNCIL VEHICLES**

This document applies to those drivers of Council provided vehicles, being owned, leased or hired. **All the terms in the General Driver Responsibilities apply** (with the exception of the Insurance & Other Statutory Documentation – Vehicles) in addition to these following specific matters.

Procedures set out in some sections below apply only to vehicles owned or leased by the Council. Procedures for hired vehicles relating to these sections will be set by the hire company.

Executive Managers will advise whether vehicles are hired and provide information on any variations in procedures applying. The sections where variations may apply are noted. All other sections apply in full to hired vehicles.

#### **1 GENERAL**

- 1.1** Drivers of Council vehicles, including hired or leased vehicles, must report any situation to their line manager involving the Police, authorised inspectors of the Vehicle and Operator and Services Agency (Vehicle Inspectorate) or Customs & Excise, whether or not it leads to charges being made against the driver. The line manager must in turn, report the incident immediately to the Transport Manager, who will instruct upon the appropriate course of action to be taken.
- 1.2** The Council accepts no responsibility for the loss or damage to personal property carried in Council vehicles. It might be your normal “household contents” insurance policy will cover the contents of cars, but this should be carefully checked.
- 1.3** Please note that any personal property, e.g. sports equipment, tools, etc. should not be left in full view in unattended vehicles. Where such property cannot be removed, it should be left in the boot or concealed from view where there is no boot. The vehicle should be locked at all times.

## **2 USE OF COUNCIL VEHICLES**

**2.1** Fylde Borough Council vehicles must only be used to carry goods and/or passengers on authorised journeys. Authority shall only be considered to have been given when:

- (a) the journey is for official Council purposes, and / or
- (b) the employee is acting on the instruction of a duly authorised officer of the Council

**2.2** Only authorised passengers should be carried in Council vehicles as follows:

- (a) Council employees on duty, or traveling to or from duty
- (b) Persons engaged on work for or on behalf of the Council
- (c) Persons being carried in the event of an emergency
- (d) Persons being transported as part of a Council service
- (e) Other persons as authorised by appropriate management

**2.3** It remains the legal responsibility of the driver to ensure that passengers and goods are carried safely and securely at all times.

**2.4** No goods are permitted to be carried in a Council vehicle other than property which belongs to the Council, or tools, equipment and materials being used on behalf of the Council, or as otherwise authorised by management.

**2.5** Tools and materials to be transported in the same cabin space as personnel must be secured prior to the start of the journey and in no way impinge in the safety of the driver or passengers. Personnel may only be transported in properly designed and fitted seats. Seat belts are to be worn wherever fitted.

## **3 DRIVERS' CHECKS**

**3.1** To ensure Council vehicles are kept in a roadworthy condition, in compliance with current legislation, it is the responsibility of all drivers to ensure that there are no obvious defects or deficiencies to the vehicle they drive. Regular checks should take no longer than ten minutes.

**3.2** Training on carrying out vehicle safety checks is available through the Central Vehicle Maintenance Unit for all classes of vehicle operated.

**3.3** The minimum vehicle safety checks that should be carried out daily or at change of driver are: -

- **Check that the vehicle defect book is in the vehicle**
- **Check that the vehicle coolant level is correct**
- **Check that the oil & fluid levels are correct**
- **Check that the windscreen washer reservoir is topped up**
- **Check that there is sufficient fuel in the tank**
- **Check tyres for wear or damage**
- **Check for loose or missing wheel nuts, studs or bolts**
- **Check that lights, reflectors and horns are working correctly**
- **Check that all fitted mirrors are correctly adjusted**
- **Check that a current road fund licence disc is fitted**
- **Check for obvious damage to the vehicle**
- **Where applicable, check that a current “O” licence disc is fitted and the Tachograph is within calibration dates**
- **Where fitted, check that air pressure or vacuum gauges in the braking system are operating correctly**

**3.4** Some Units may require additional vehicle and equipment safety checks. These will be identified to drivers by their supervisors, along with any written records that are also required to be maintained.

**3.5** Where there is a variation in the safety checks required, they shall be identified within the vehicle documentation.

**3.6** Before a trailer is hitched, the driver must check that the vehicle and trailer are equipped with suitable towing attachments and appropriate electrical connections. When required, a trailer board complete with lights, number plate and indicators must be fitted and checked to ensure correct function.

**3.7** Ensure that breakaway cables are in good condition and always secured to the vehicle (not the tow hook) before moving off. Also ensure any jockey wheel or leg is correctly stowed.

#### **4      **SERVICING SCHEDULE****

*Hire company arrangements will apply to hired vehicles, so long as they do not contrast with statutory O-licence requirements.*

**4.1** Service and inspection dates for all vehicles will be notified to drivers by their supervisors. Vehicles must be presented for servicing on the correct day unless prevented from doing so by an emergency. In such an event the Central Vehicle Maintenance Unit should be informed as soon as possible.

- 4.2** Any defects that require attention should be listed in the vehicle defect book, which should then be handed over to the workshop reception when the vehicle is booked in for service. All other defects should come to the Central Vehicle Maintenance Unit as per standard defect reporting procedures.
- 4.3** Drivers are advised to remove all personal effects, and non-essential equipment from the vehicle.

## **5 CENTRAL VEHICLE MAINTENANCE UNIT CHECKS**

- 5.1** The Central Vehicle Maintenance Unit (CVMU) is empowered to carry out spot-checks on vehicle maintenance and vehicle operations. Where a spot check reveals vehicle maintenance defects or operational deficiencies the CVMU may instruct that the vehicle is removed from service.
- 5.2** In the event of a vehicle being removed from service, the CVMU will issue a prohibition notice upon the vehicle in the form of verbal notice reinforced by an internal inspection report, that may contain specific instructions to be followed by the driver. The driver is required to follow the instructions of the CVMU and should report the fact to their supervisor at the earliest opportunity.
- 5.3** Should the CVMU deem the defects to be so severe and/or caused by a poor standard of driver daily checks, they should send a copy of the inspection report to the driver's line manager for further action outlining the cost and vehicle downtime implications. Upon satisfactory completion of the work, a nominated member of the CVMU will sign and date the inspection report to release the vehicle back into service.
- 5.4** Misuse of a vehicle or a persistently poor standard of driving, resulting in damage to Council vehicles, or the image or reputation of the Council, will be reported to the employee's line management. The driver may be investigated in accordance with the Council's Disciplinary Procedures.

## **6 MAXIMUM LADEN WEIGHTS**

- 6.1** When built, a manufacturer's plate bearing details of the maximum gross weight, axle and train weight is fitted to each vehicle. A Department of Transport (DTp) ministry plate is also fitted to Large Goods Vehicles (LGV) previously referred to as heavy goods vehicles (HGV) and trailers. Drivers should familiarize themselves with the requirements and location of these plates. Incidents of vehicle and/or trailer overloading will be investigated in accordance with the Council's Disciplinary Procedures.

- 6.2** The following terms are used on manufacturers and ministry (DTp) plates:

**Maximum Gross Weight:** Is the maximum weight, which can be carried by the vehicle and includes the weight of the vehicle, fuel, vehicle load, driver and any passengers carried.

**Maximum Axle Weight:** The maximum weight to which each axle on the vehicle can be loaded is given for each axle location

**Maximum Train Weight:** This is the combined gross weights of the vehicle and any trailer or towed unit

- 6.3** It is a legal requirement that the maximum gross, axle, and train weights are not exceeded. The driver must ensure the legal limit of loading is never exceeding prior to or during his/her use of a vehicle. Overloading is a serious offence and could lead to the prosecution of both the driver and the Council.
- 6.4** Drivers must ensure that they are aware of the maximum loads, which can be carried on the vehicles in their charge and ensure that they are not exceeded. Any concerns regarding the loading of a vehicle should be immediately drawn to the attention of the supervisor. All loads must be distributed evenly and securely on the vehicle / trailer.
- 6.4** The manufacturers' plate and the ministry plate (DTp) are normally displayed in the vehicle cab. If the weights differ between the two plates, the weights shown on the ministry plate (DTp) are to be followed.

## **7 SAFE LOADING OF VEHICLES**

- 7.1** Workplace risk assessment will identify hazards and control measures to reduce the risk of injury when loading or unloading vehicles. Assessments may identify the need for mechanical handling aides (e.g. vehicle tail lift), that in turn, require their own assessment.
- 7.2** Where manual handling is the only option, these operations will also be subject to an assessment under the Manual Handling Operations Regulations.
- 7.3** Line managers are responsible for the identification and assessment of risk and for ensuring that control measures are implemented. The Health & Safety Advisor can assist in this process with the provision of appropriate training in Risk Assessment.
- 7.4** Drivers are responsible for the safety and security of all vehicle loads. They must, therefore, ensure that all loads are securely fixed and present no danger to the vehicle occupants or to third parties.

- 7.5** Employees have a duty under section 7 of Health & Safety at Work and under Road Traffic legislation to take reasonable care for their own health and safety and that of others who may be affected by their actions or omissions at work.
- 7.6** If any driver has any doubt regarding the safe loading of a vehicle, whether or not the driver loaded it them-self, the vehicle should not be moved until a supervisor has been consulted.
- 7.7** Employees are duty bound to report safety concerns to supervisors under the Management of Health & Safety at Work Regulations.

## **8 GARAGING OF VEHICLES**

- 8.1** All Fylde Borough Council vehicles must be garaged or parked overnight in appropriate Council premises, except where permission has been given to do otherwise by a line manager with the relevant authority.
- 8.2** Vehicles parked overnight away from the Council premises must be legally parked where they will not inconvenience the public or any other road users. Parking difficulties and reported concerns made to the driver should be passed on to line management for appropriate action.
- 8.3** It is prohibited for an operator licenced vehicle to be parked overnight outside of a designated operator centre.

## **9 VEHICLE SECURITY**

- 9.1** A driver in charge of a Council vehicle is responsible for the security of the vehicle and its contents, and whenever the vehicle is left unattended. The following actions must always be taken on such occasions:
- (a) The parking brake must be engaged
  - (b) The ignition key must be removed from the vehicle
  - (c) All doors and windows must be closed and locked
  - (d) If fitted, anti theft devices must be switched on / activated
  - (e) Vehicle keys must be kept secure at all times
- 9.2** Any driver of a Council vehicle must sign the vehicle in/out at the start/finish of his/her journey. In the event a vehicle remains signed out to a driver, that driver will retain responsibility for the vehicle, its actions, and any damage to it.



## **10 VANDALISM AND THEFT**

**10.1** In the event of theft from or vandalism to the vehicle, the driver responsible for the vehicle is to take the following action: -

- (a) Immediately report loss or damage to a supervisor and where required the Police. The Central Vehicle Maintenance Unit must also be informed of any damage.
- (b) Ensure that the vehicle and its contents are secured until such times as the vehicle can be moved. If the Police have been involved, the vehicle should only be moved once it has been established that their initial investigation has been completed.
- (c) An incident report form giving full details of any incident must be completed within 24 hours and submitted to the Council Insurance Officer.

## **11 DRIVERS HOURS AND TACHOGRAPHS**

**11.1** Drivers of "O" licence (and certain non-"O" licence) Council vehicles have a legal obligation to keep particular records and adhere to the regulations governing drivers' hours. There are two relevant statutory provisions that deal with driver's hours:

- (a) British Domestic Regulations
- (b) EC Regulations

Unit Managers will advise drivers if either of these sets of regulations apply along with any required actions, records, etc to be maintained.

**11.2** Employees must not tamper with, amend, alter or interfere with the workings of any tachograph fitted to a Council vehicle. Employees who tamper etc. with tachographs, including the record sheets, may be subjected to legal action or be investigated in accordance with the Council's Disciplinary Procedures.

## **12 DEFECT REPORTING, REPAIRS AND BREAKDOWNS**

*Hire company arrangements may apply to hired vehicles, as well as internal Council procedures .*

**12.1** As soon as a defect is noticed or damage has occurred, the relevant details must be entered into the vehicle defect report book.

**12.2** If a driver is of the opinion that a Council controlled vehicle is not in a roadworthy condition but has duties to perform that require the use of that vehicle, line management should be informed immediately to make suitable

arrangements.

- 12.3** Only the Central Vehicle Maintenance Unit, or a supervisor issued with their authority, is authorised to carry out or to instruct a third party to carry out repairs on Council vehicles.
- 12.4** Drivers should report low coolant levels to the Central Vehicle Maintenance Unit as soon as possible. They should not top up coolant levels without authorisation.
- 12.5** Drivers may top up engine oil but if quantities of more than one litre are required the Central Vehicle Maintenance Unit should be informed immediately.
- 12.6** Other than fuel, no other fluids may be topped up nor running repairs made, except by or with the authority of the Central Vehicle Maintenance Unit.
- 12.7** Never change a wheel on a Council vehicle. Always contact the Central Vehicle Maintenance Unit who will attend site, or task a third party to undertake the repairs.
- 12.8** In the event of a breakdown contact your line supervisor, who will then inform the Central Vehicle Maintenance Unit, who will either attend the vehicle at the roadside or arrange for recovery of the vehicle. Never await recovery in your vehicle. Always position yourself in a clearly visible location, a safe distance from the vehicle and roadside.

### **13 VEHICLE ACCIDENTS AND DAMAGE**

- 13.1** You must report any vehicle damage or accident to a supervisor as soon as possible. An accident report form must also be submitted to the Council Insurance Officer within 48 hours by the driver's department. Damage should be recorded in the vehicle defect book as "inspect due to RTA," and give a description of the damage, which will be attended to as soon as possible. Any damage that affects safety or the legal use of a vehicle should be immediately attended to.
- 13.2** An accident report form should also be completed. In the case of personal injury, or Incident the appropriate forms should be filled in.

#### **13.3 PROCEDURES IN THE EVENT OF AN ACCIDENT.**

You are required to:

- **STOP AND INVESTIGATE**
- If any person involved in the accident is injured, arrange for help- call for assistance by mobile telephone, otherwise seek a land line BUT return

to the scene when your call is complete

- Do not ignore the possibility of the stationary vehicle(s) creating a hazard to other road users. Where necessary, arrange for other drivers to be warned in sufficient time for them to take appropriate action. If the Council vehicle is equipped with hazard warning lights, amber beacons or is carrying traffic cones, these should be used to help warn all approaching traffic
- Obtain all the information required to complete an accident report form, including details of any damage, injuries, witnesses, etc. Where possible draw a sketch of the accident scene noting vehicle and person positions and other significant details (speed limits, signs, etc.)
- It is important that the insurance details and names and addresses of all vehicle occupants and vehicle or property owners are obtained. It is also important to obtain the names and addresses of any independent witnesses to the accident.
- Do not admit liability or blame, either verbally or in writing, or make any offer of promise of payment. Only the following information should be given to other persons involved in the accident: -

*1 Your name and address*

*2 The registration number of your vehicle*

*3 The address of the Council contact officer, and insurance company as detailed in the Drivers Pack*

- If, in your opinion, the other driver was driving recklessly or under the influence of alcohol or drugs, the police should be informed of this as soon as possible
- Any accident, which results in injury to another person, must be reported to the police as soon as possible and no later than 24 hours after the incident.
- The police must also be informed (within 24 hours) of all accidents which result in damage to other vehicles, trailers or property or in the death or injury of an animal (excluding a cat) unless the owner of the animal, property, vehicle or trailer has been made aware of the accident at the time and all relevant information has been exchanged

**13.4** If legal proceedings are taken against the driver of a Council vehicle, the matter should immediately be communicated to line management.

**13.5** All communications received from insurance companies or third parties must be immediately forwarded to the Council Insurance Officer and **must not be answered or acknowledged** in any way by the driver or supervisor.

- 13.6** For the avoidance of doubt when deciding who should fill in an accident form, the driver last in charge of the vehicle shall complete the claim form.

## **14 VEHICLE CLEANLINESS**

- 14.1** Fylde Borough Council vehicles must be kept clean and tidy both inside and out at all times. All equipment and materials must be properly stowed and the vehicles washed as often as required to keep them clean. Non essential equipment to task must be removed. This is in the interest of road safety, health and safety and to present a favorable image to the public.

## **15 LICENCE DISCS**

*Hire company arrangements will apply to hired vehicles*

- 15.1** Any loss or defacement of the Road Fund Licence, or the Operators Licence Disc must be immediately reported to a supervisor and the Central Vehicle Maintenance Unit.

## **16 LEGAL PLATES**

*Hire company arrangements will apply to hired vehicles*

- 16.1** All goods vehicles, which require ministry plates (DTp), will have them affixed in the driving cab. Trailer plates will be found on the chassis. Any loss or defacement of these plates must be reported immediately to the CVMU and the driver's line manager using the defect reporting procedure.
- 16.2** All vehicle registration number plates should be free from damage and be clearly visible at all times. Temporary plates must be of an approved design and appropriately displayed.

## **17 TEST CERTIFICATES**

*Hire company arrangements will apply to hired vehicles*

- 17.1** Copies of MOT test certificates and similar statutory vehicle inspections, along with the current certificate of motor insurance, are held by the Central Vehicle Maintenance Unit, and will be made available when requested. All requests for such documents will be made through Business Unit Managers..

## **18 LGV LICENCES**

- 18.1** It is the responsibility of employees who require an LGV licence to ensure that their licence remains valid. The Council's Occupational Health Service may carry out statutory medical examinations. A request for such an examination should be made through your Business Unit Managers..

## **DOCUMENT 3**

### **GENERAL RESPONSIBILITIES OF MANAGEMENT**

This document sets out the general responsibilities of all management in relation to those drivers of their own vehicles being used in the course of Council business.

#### **1 EXECUTIVE MANAGERS**

**1.1** Executive Managers shall ensure that arrangements are made for a minimum of an annual inspection of the relevant driving and motor vehicle documentation, of every driver under their charge, to confirm that:

- the driving licence held by the employee continues to permit them to drive their own vehicle, including vehicles leased or hired for personal use, on Council business
- statutory documentation relating to the use of the motor vehicle(s) is current and valid (e.g. an MOT Test Certificate where appropriate) and in particular, the vehicle insurance certificates specifically cover the employee for business purposes
- records are maintained of all statutory documentation checks and employees are reminded of the need to advise management of changes in same

*Note: All drivers must make their licence available to an authorised supervisor for inspection as required. Any change must be notified to your authorised supervisor. Photocopies of driving licences will only be retained within an individual unit for a maximum of 5 working days to permit the completion of outstanding administration. Thereafter all copies must be properly destroyed and a master copy be held by the Transport Manager, or suitably nominated Council Officer in accordance with the Data Protection Act.*

**1.3** Executive Managers shall ensure that all authorised drivers are issued with the leaflet setting out their duties and responsibilities whilst driving as a part of their duty for the Council (Document 1).

**1.4** To promote positive driving and reduce the risk of motor vehicle accidents, Executive Managers should:

- Introduce provisions relating to safer driving within their Health and Safety Action Plans
- Consider assisting staff to undertake safety driving courses

- Not place employees under pressures which are likely to result in unsafe driving practices
- 1.5** Executive Managers should consider taking appropriate measures to encourage safer driving. These may include desktop & practical driver training, vehicle safety checking techniques, recording systems, etc. Such measures may be introduced and managed through a Management of Drivers Guideline.

## **2 MOBILE PHONES**

- 2.1** Executive Managers shall ensure suitable instructions are given to all managers and drivers regarding the safe use of mobile phones whilst driving. Managers should have due regard for the driver and only contact them for urgent matters and leave messages on the voice-mail service.
- 2.2** The use of mobile phones while driving on Council business or whilst driving a Council vehicle is not permitted. If a call has to be made or received, the driver must stop in a safe position to do so and turn off the engine before receiving or making the call.

## **3 Alcohol and Drugs**

- 3.1** Executive Managers will (in conjunction with any future Council “Alcohol and Drugs Policy”), ensure suitable instructions are given to Managers and Supervisors to carry out sufficient checks to ensure the safe use of vehicles. Any driver suspected of being under the influence of alcohol or Drugs may be suspended pending further investigation under appropriate Council procedures.

## **DOCUMENT 4**

### **MANAGEMENT RESPONSIBILITIES FOR VEHICLES OWNED, LEASED OR HIRED BY THE COUNCIL**

This document sets out the responsibilities of management in relation to those drivers of vehicles owned or leased by the Council.

#### **1 DRIVERS' LICENCES AND PERMITS**

**1.1** Executive Managers shall ensure that arrangements are made for the annual inspection of relevant driving and motor vehicle documentation, of every driver under their charge, to confirm that:

- the driving licence held by the employee continues to permit them to drive the vehicle(s) for which they are authorised
- records are maintained of all driver licence checks and employees are reminded of the need to advise management of changes in same

*Note: All drivers must make their licence available to an authorised supervisor for inspection as required. Any change must be notified to your authorised supervisor. Photocopies of driving licences will only be retained within an individual unit for a maximum of 5 working days to permit the completion of outstanding administration. Thereafter all copies must be properly destroyed and a master copy be held by the Transport Manager, or suitably nominated Council Officer in accordance with the Data Protection Act.*

**1.2** Executive Managers should ensure that all employees under their control are fully informed and understand their obligations under this Policy.

**1.3** Management is responsible for informing drivers of variations in procedures relating to hired vehicles.

## **VEHICLE SAFETY INSPECTIONS AND REPAIRS**

- 2.1** All vehicles maintained by the Council must be made available for safety inspections and routine servicing in accordance with the schedule provided by the Central Vehicle Maintenance Unit. Any variations to the time vehicles are due must be agreed with the Central Vehicle Maintenance Unit in accordance with the Maintenance Schedule Agreements.
- 2.2** No vehicle may be permitted to be used, at any time, which has a defect or accident damage, which makes the vehicle unsafe. If there is any doubt about the safety of a vehicle the Central Vehicle Maintenance Unit should be requested to carry out an inspection at the location of the vehicle.
- 2.3** Management must ensure that arrangements are made for the transfer of all unsafe vehicles to the Central Vehicle Maintenance Unit depot for repair, or to the hire company's depot in the case of hired vehicles.
- 2.3** Managers are responsible for ensuring all hired vehicles are checked for damage immediately upon receipt and the hire company. Managers are advised to request the Central Vehicle Maintenance Unit carry out a receipt and pre-disposal inspection of hired vehicles. The hire company must be notified of any discrepancies in their record of vehicle condition following delivery.

## **3 DRIVERS' HOURS AND TACHOGRAPHS**

- 3.1** Executive Managers must ensure that the relevant drivers' hours regulations are being applied and that all drivers covered by these regulations are familiar with the relevant procedures for the use of Tachographs.
- 3.2** Arrangements must be put in place for monitoring drivers' hours and safekeeping of Tachographs records. The Transport Manager must carry out appropriate audits on the records held to ensure statutory compliance.

## **4 REPAIRS AND MODIFICATIONS**

- 4.1** Repairs and modifications to Council-owned or leased vehicles may only be carried out by or with the authority of the Central Vehicle Maintenance Unit.

## **5 FUEL**

- 5.1** Management should ensure that they have effective procedures in place for monitoring fuel consumption using information provided by the Transport Manager (internal supplies) or authorised external garage forecourts



Appropriate instruction should be given by management to ensure the correct fuel and grade of fuel is used when re-fuelling vehicles. This is essential in the case of diesel and petrol engines. Managers must ensure drivers of LPG fuel vehicles operate the vehicles primarily within this medium, in accordance with the Council's efforts on lowering harmful environmental emissions.

## **6 VEHICLE DOCUMENTS**

**6.1** Management should ensure that the following documents are readily available in every vehicle at all times:

- vehicle daily check and defect book;
- an appropriate driver's pack; and
- an appropriate form for the driver to keep records e.g. tachograph charts, W20 record book, or working time record sheet.

## **7 DAILY DRIVER CHECKS**

**7.1** Management must maintain records of daily vehicle checks and ensure that defects and accidents details are fully reported.

**7.2** Departments may require drivers to submit signed checklists or to sign on a central record that checks have been completed. Such systems will often form the basis of a Quality Management System under an approved accreditation scheme.

## **8 USE OF VEHICLES OUTSIDE THE 200 MILE LIMIT AREA**

**8.1** Special arrangements will be required for the use of Council vehicles outside the limit area. Such arrangements will require discussions with the Council's Insurance and Risk Manager/HR Team..

**8.2** Arrangements for Council vehicles to be used outside the limit area will also require written authorisation from a Unit Business Manager.

## **9 'O' LICENCE REQUIREMENTS**

**9.1** The Council is required to hold a special licence in order that it may operate using vehicles over 3.5 tonnes (an 'O' licence). This places stringent obligations upon the Council, in relation to inspection, servicing and operational management (including particular forms of record keeping), for **all vehicles within its motor vehicle fleet**. This duty extends, therefore, to include those vehicles not themselves requiring an 'O' Licence as well as those hired / leased in the performance of the Council's business. The Transport Manager will ensure that "Good Repute," is upheld at all times.

- 9.2** The procedures set out in this Policy and the services provided through Maintenance Schedule Agreements are designed to ensure that the necessary standards are maintained.
- 9.3** Since 1<sup>st</sup> January 1997 all drivers of vehicles over 3.5 tonnes require an LGV licence. The Transport Supervisor will advise management on entitlements relating to older licences, and trailer weight restrictions.
- 9.4** Management should be aware that drivers of vehicles with more than 8 seats require a special permit (a Section 19 or 22 Permit for driving Passenger Carrying Vehicles). A special licence is also required for drivers of vehicles with more than 16 seats.
- 9.5** It remains the responsibility of employees who require an LGV licence to ensure that their licence remains valid. The Council's Occupational Health Service may carry out statutory medical examinations. A request for such an examination should be made through departmental management.

## **10 INSURANCE**

- 10.1** Management must ensure that any driver involved in an accident submit an accident report form.
- 10.2** All such report forms must be sent to the Council Insurance Officer.

## **11 GARAGING**

- 11.1** Executive Managers must ensure that arrangements are in place for safe garaging of all vehicles, either at a depot or parked at an appropriate Council property. In some instances, arrangements will be made to permit the vehicle to be parked at an employee's home. In such situations, the employee must be advised to report cases of concern or objection from local neighbours if the vehicle is considered to be an obstruction.
- 11.2** Drivers are to be reminded of the need to park their vehicle in a safe, secure location, preferably off street on a drive etc, or under street or other local lighting to reduce the risk of theft or vandalism. The driver should be reminded that they are responsible for the vehicle, even when it is left unattended.
- 11.3** Managers should instigate suitable systems to allow a driver to sign a vehicle out/in at the start/end of his/her journey or duty period. It is imperative the Council is aware of by whom, when, and why a vehicle is in use.

- 11.4** Executive Managers are required to establish procedures authorising employees to take vehicles home and confirm that they will be parked in a safe location.

## **DOCUMENT 5**

### **GENERAL RESPONSIBILITIES OF THE CENTRAL VEHICLE MAINTENANCE UNIT**

This document sets out the responsibilities and the authority of the Central Vehicle Maintenance Unit staff.

#### **1 FLEET DEVELOPMENT**

- 1.1** The Central Vehicle Maintenance Unit will provide advice to Client departments on the specification, procurement, maintenance, inspection and disposal of their vehicles / plant, utilising the specialised skills available within the team.
- 1.2** Advice will also ensure the achievement of Best Value both for the Client department and the Service Provider.

#### **2 ROAD FUND LICENCES**

- a. The Central Vehicle Maintenance Unit will implement a system that ensures that all identified Council vehicles (Council-owned or on hire), are displaying a current road fund licence.
- b. The service includes monitoring licences due dates, purchasing of licence discs, informing nominated Client staff when licence discs are at hand and providing ongoing checks to ensure discs are displayed.

#### **3 MOT TESTS**

- 3.1** The Unit will ensure that all vehicles are identified for test by their due date, in line with MOT requirements.
- 3.2** Appropriate records will be maintained of all tests and results, for each Council-owned vehicle and those on hire / lease from external sources.

#### **4 REGULAR SERVICING**

- a. The Central Vehicle Maintenance Unit will provide full Service Schedules for all Council vehicles and ensure that through the agreed Service Provider / Client communications procedures, schedules are adhered to.
- b. The service is extended to include any necessary safety checks or statutory thorough examinations, required under relevant statutory provisions (e.g. Lifting Operations and Lifting Equipment Regulations, etc.). Such inspections may be required to be undertaken out-with the routine servicing schedules.

## **5 DRIVER ASSESSMENT**

- 5.1** The Central Vehicle Maintenance Unit should make arrangements such that it can provide a driver assessment service to the Council, to ensure that personnel are competent to drive the class of vehicle(s) they are assigned.
- 5.2** Council management is responsible for the selection and appointment of persons to drive council vehicles.
- 5.3** The Central Vehicle Maintenance Unit will maintain a database of all driver training it undertakes, and forward details, assessment records etc. to the HR team and local managers.
- 5.4** Management should ensure all employees required to drive vehicles owned / leased by the Council are subjected to an assessment of competence before being included as a regular driver.

## **6 INSTRUCTION ON DAILY VEHICLE CHECKS**

- 6.1** The Central Vehicle Maintenance Unit can instruct authorised drivers on daily vehicle check obligations and procedures required for the type and class of vehicle(s) they are operating.
- 6.2** The Central Vehicle Maintenance Unit can also arrange, in co-operation with departmental managers or Health and Safety Officer, for appropriate courses for drivers. These will usually be arranged through recognised training agencies such as the Freight Transport Association (FTA).

## 7 MAINTAIN 'O' LICENCE INTEGRITY

**Maintenance of the 'O' Licence integrity is a prime concern of the Council.**

- a. All goods vehicles owned, leased or hired by the Council exceeding 3.5 tonne gross vehicle weight, and trailers exceeding 1020 kg unladen, are subject to the Goods Vehicle Licence of Operating Act 1995.
- b. The Council, as a licensed operator, must adhere to the requirements of this Act to maintain the 'Good Repute' necessary to hold a Standard National 'O' Licence. Therefore, all actions on vehicles must be undertaken by competent persons under the control of an individual holding a valid Certificate of Professional Competence (CPC) who is also of 'Good Repute'.
- c. The Council has an employee (the Transport Manager) appropriately qualified in this capacity.
- d. It is worthy of note that many fleet items are not included within the above mentioned categories and are not required to be detailed within the 'O' licence. The quality of maintenance and road-worthiness **of all the Council fleet** is taken into consideration and **can affect the integrity Operating Licence.**
- e. The Transport Manager will monitor the Council's compliance with the Statement of Intent, and feed back where necessary to Executive Managers areas of concern.

## **8 VEHICLE CHECKS**

- 8.1** Members of the Central Vehicle Maintenance Unit are authorized to undertake random vehicle checks, to review work carried in the workshop and inspect the vehicles for appropriate quality of workmanship.
- 8.2** In addition, a programmed sample of vehicle spot checks will be carried out with repair work arranged where appropriate. A record will be maintained of the results of these checks and inspections, including the remedial works undertaken.

## **9 INSURANCE CLAIM PROCESSING**

- 9.1** The Central Vehicle Maintenance Unit will assist in the investigation of insurance claims, collate quotations, liaise with individual departmental managers/the Insurance Officer, and process any appropriate paperwork.

## **10 EXTERNAL HIRE**

- 10.1** The Central Vehicle Maintenance Unit will make arrangements for external hire of vehicles and plant, which are in accordance with the User Specifications or to an equivalent standard / fitment.
- 10.2** All such arrangements will be made to meet appropriate Department of Transport requirements, 'O' Licence obligations, whilst having due regard for the safe operation and ensuring that Best Value is achieved.
- 10.3** The Central Vehicle Maintenance Unit will assess and maintain a list of approved suppliers of hire vehicles and plant meeting the appropriate criteria.

## **11 FUEL SUPPLIES**

- 11.1** The Transport Manager or nominated department manager will make arrangements that ensure the adequate provision of fuel supply for vehicles that are owned or used by any Council Business Unit.



## CHECKLIST OF BUSINESS UNIT RESPONSIBILITIES

Detail	Para	Document
Annual Driver Licence & vehicle document checks	1.1	Documents 3 & 4
Supply of Driver Handbook	1.3	Documents 3 & 4
Driver assessment	5.1	Document 4
Driver training	1.5	Document 3
Inform Employees of variations in conditions of hire	1.3	Document 4
Submit vehicles for servicing & statutory inspection	2 .1	Document 4
Ensure defects or damage affecting safety are actioned	2 .2	Document 4
Apply Drivers Hours procedures	3.1	Document 4
Monitor Drivers Hours	3.2	Document 4
Monitor fuel usage	5.1	Document 4
Record daily driver checks	7.1	Document 4
Accident reporting procedures	10.1	Document 4
Appropriate garaging of vehicles	11.1	Document 4

**THIS CHECKLIST SHOULD BE READ WITH THE APPROPRIATE MANAGEMENT STANDARD & GUIDLINE**

# REPORT



REPORT OF	MEETING	DATE	ITEM NO
PUBLIC CONVENIENCE TASK AND FINISH GROUP	CABINET	12TH JULY 2006	8
PUBLIC CONVENIENCE PROVISION			

## Public/Exempt item

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

## Summary

The report provides members of the Cabinet with an update of the work carried out by the Public Convenience Task & Finish Group set up under the auspices of the Policy and Service Review Scrutiny Committee (formally Community Forum) with a Final Report of the Public Convenience Task and Finish Group.

## Recommendation/s

1. Members to note the Final Report of the Task and Finish Group.
2. Members approve the recommendations of the Policy and Service Review Scrutiny Committee meeting of 18<sup>th</sup> May 2006 with respect to the future number and location of public toilets in Fylde.
3. That members approve the joint procurement of a Public Convenience Service in partnership Wyre Borough Council
4. Members approve the continued process of consultation with interested 3<sup>rd</sup> Party service providers

## Executive brief

The item falls within the following executive brief[s]: Streetscene (Councillor Tim Ashton)

## Report (Background)

1. On June the 6<sup>th</sup> 2005 the then Policy and Service Review Community Forum agreed to set up a Task and Finish Group (TFG) consisting of Councillors' Simon Renwick, Stephen Carpenter and Martin Taylor. During the period of the TFGs existence, Councillor Carpenter left the group and Councillor Tim Ashton joined it. Also, Councillor Barbara Pagett attended several of the TFG meetings and contributed to its work.

Continued....

2. The aim of the TFG was to look into public convenience provision in its wider context with a view to formulating recommendations to take the current situation forward.
3. Attached at Appendix 1 is the TFG Final Report presented to the Policy and Service Review Scrutiny Committee the 18<sup>th</sup> May 2006.

### **Current Situation**

1. Members of the Policy and Service Review Scrutiny Committee debated the TFG Final Report and agreed that the following be the Councils front line facilities.

- 1 Freckleton (Recreation Ground)
- 2 St Anne's Square (St. Anne's Rd West)
- 3 Stannah Bank Car Park
- 4 Promenade (opposite the Town Hall)
- 5 Lowther Pavilion
- 6 East Beach (Next to Windmill)
- 7 Fairhaven Road Car Park (Beach Terrace Café)
- 8 Ashton Gardens (Lottery Bid)
- 9 Pleasant St Lytham
- 10 Kirkham. Market Sq.

Seven New In-build facilities, a new facility at Ashton Gardens (as part of the Lottery bid) and two existing facilities (Pleasant St & Kirkham) that are of a good standard

### **Service Provision**

1. Members will be aware of the Council's Joint Committee arrangements with Wyre Borough Council. In line with the concept of identifying and prioritising potential areas for future joint working and developing proposals between the two Council's, and bearing in mind Fylde's resolution to improve the public conveniences within the Borough, Contract Documentation has been drafted with a view to a joint procurement of service provision by one contractor for both Councils. It is hoped this will achieve economies of scale and standardisation of service standards across the two boroughs leading to enhanced customer satisfaction with the service
2. The key issues in providing a public convenience service for not only residents of the Borough, but also for the many tourists that visit both Fylde and Wyre areas, is not only to look towards continually improving the facilities we currently have, but also to ensure that the facilities are cleaned and maintained to a high standard at all times. Providing improved public conveniences links closely to the delivery of the Council's Corporate Priorities and making Fylde a better place to live in, providing a high quality service for everyone.
3. Accordingly, the terms and conditions within the documentation can be termed as "peace of mind contract". The prospective contractor will undertake and manage all service provision and improvements on behalf of the Council, although these will, of course, be monitored to ensure contract compliance

### **Consultation with interested 3<sup>rd</sup> Parties – Asset Management**

1. It is the intention to continue dialogue with interested 3<sup>rd</sup> Parties whom have expressed an interest in operating facilities that the Council intends not to operate. Those 3<sup>rd</sup> Parties include Town/Parish Councils and a Bowling club.
2. Where it is appropriate to do so, and there is a mutual consent/benefit, redundant assets will wherever possible be made available to 3<sup>rd</sup> parties subject to the correct legal & financial measures being in place.

Implications	
Finance	The Finance team will scrutinise the Tender Returns to ensure Budgetary compliance.
Legal	There is no statutory requirement for the Council to provide public conveniences but those it does provide should be DDA compliant. All 3 <sup>rd</sup> Party activity is to be approved by the Councils Legal section. Contract documentation to be approved by legal
Community Safety	No further implications arising from the report
Human Rights and Equalities	No further implications arising from the report
Sustainability	No further implications arising from the report
Health & Safety and Risk Management	No further implications arising from the report

Report Author	Tel	Date	Doc ID
David Jenkinson	(01253) 658631	12 June 2006	Cabinet Report Public Toilets

List of Background Papers		
Name of document	Date	Where available for inspection
Final Report of TFG to PSRC Forum	18th May 2006	Street Scene Business unit

Attached documents

Review of Public Conveniences, Task & Finish Group – Final Report



## **REVIEW OF PUBLIC CONVENIENCES**

# **Task & Finish Group**

**FINAL REPORT**

**May 2006**

## **Public Conveniences – Final Report**

<b>Contents</b>	<b>Page</b>
Executive Summary (TFG Process)	<b>2</b>
Introduction	<b>2</b>
Milestone 1 (Option Appraisal)	<b>2</b>
Milestone 2 (Budget Approval)	<b>3</b>
Legal Opinion	<b>3</b>
Final TFG Meeting	<b>3</b>
Current Situation	<b>4</b>
Future Actions	<b>4</b>
Recommendation	<b>4</b>
Appendix 1 (Resources)	<b>5</b>
Appendix 2 (Letter from St. Anne's Parish Council)	<b>6</b>
Appendix 3 (Timetable of Meetings & TFG Members listing)	<b>7</b>
Document 1. Initial Scoping Document	<b>9</b>
Document 2. Specific Options Appraisal	<b>30</b>

## **Executive Summary (Of the TFG Process)**

### **Introduction**

The Public Convenience Service consists of the provision of 14 blocks of toilets, their operation, repairs and maintenance and cleaning. Of the 14 blocks of public conveniences, all are unattended. Currently 4 are closed; 9 open all year round and 1 is open during the summer period. (See Appendix 1 for complete listing) The cleaning of the toilets is undertaken (at present) by the Direct Services Organisation, and repairs/maintenance carried out under the auspices of the Asset Management team. Monitoring is currently undertaken by the Street Scene Unit.

The provision of public conveniences is not a statutory responsibility. However, with the Borough's economy partly based on tourism, toilet provision may be considered essential.

The Task & Finish Group (TFG) on 24 August 2005 considered the six options outlined in an Initial scoping document with a view to narrowing the review to Specific Options for consideration. Consequently, the TFG carried out in-depth analysis of the following options: -

- Option 1) Cessation (reducing the number of facilities operated)
- Option 2) Joint Commissioning (working with other Local Authorities)
- Option 3) Market Testing (Tendering for a new Contractor/Service provider)
- Option 4) Transfer (To another service provider)

### **Task & Finish Group Actions**

#### **Mile stone 1.**

Following an options appraisal process (see Document 2, for the option appraisal report) the TFG presented a report to the Policy and Service Review Community Forum on the 1st December 2005. The Forum RESOLVED:

1. To recommend approval of the Task and Finish group recommendations.
2. To note the activities and time scales indicated within the report against the suggested activities and make a recommendation to the TFG to report back to the Forum in line with the indications of the report
3. To ask the Unit Business Manager to facilitate the Forums recommendations through the budget process/cycle

The Forum recommendations of 01/12/05 being: -

1. That the option to form a partnership with our neighbouring authorities to procure a service based on 7 In-Builds (strategically placed throughout the Borough) with two more facilities being cleaned with a private service provider be implemented/investigated with an anticipated increase in the revenue budget to be in the order of £55k p/a. This would mean that 5 facilities would shut.

2. That, should recommendation 1 not be approved through the executive budget process, to reduce the service down to the 7 facilities currently disabled adapted and spend the £37.2K required making them DDA compliant. This expenditure to be raised through savings in closing the other 7 facilities

## **Mile stone 2.**

### **Budget Approval**

Following the Forum meeting of 1<sup>st</sup> December 2005, the Council at its meeting on 27<sup>th</sup> February 2006 approved the budget for 2006/07. This budget included a provision to implement option 1 above.

### **Legal Opinion**

Following a question to the Councils Monitoring Officer from a Council Member, Legal opinion was received with regard to the issue of operating facilities that are not fully compliant with the Disability Discrimination Act 1995 (DDA). This legal opinion concluded that the Council is required to operate all its facilities in compliance with the DDA. Implementing Option 1 or 2 will ensure the Council is compliant with the DDA.

### **Final TFG meeting**

The TFG met on 7<sup>th</sup> March 2006; its main purpose was to select which seven facilities would be included in the new scheme. The main selection criteria was based on the criteria described in earlier TFG report (see Document 2) The three main points being:-

- a) The provision of a 'Borough-Wide' service
- b) Service to be delivered within budget constraints
- c) Potential Income Generation

Based on the above the TFG agreed that the following facilities should be selected for modernisation:

1. Freckleton
2. St Anne's Square
3. Stannah Bank
4. Promenade (opposite the Town Hall)
5. Lowther Pavilion
6. Fairhaven Road Car Park (Beach Terrace Café)
7. Ashton Gardens

At the time of the TFG meeting the situation with respect to the Ashton Gardens Lottery bid was unknown. Since then the Ashton Gardens lottery bid has been successful, consequently, Ashton Gardens will receive separate funding for a toilet facility as part of a Lottery Bid. It was decided by the TFG that if this bid were successful then the East Beach facility would be selected as a replacement. Consequently Ashton Gardens will be replaced by East Beach.

In addition to these seven facilities, two other facilities will be operated Kirkham (Market Sq.) and Pleasant St Lytham. Whilst the procurement process proceeds, temporary facilities will be installed at Ashton Gardens and Freckleton. Therefore the Council will operate **Ten facilities** (All year)

The facilities at North Beach, St. Anne's, and Mill/Moor St Kirkham have been closed for the last twelve months and will remain closed. The facilities at Wrea Green and the facility at Fairhaven (behind bowling



greens) will close. The facilities at East Beach and Fairhaven Road Car Parks will remain closed until they are re-built as part of the new arrangements. The asset management team will investigate all the options available to the Council with regard to the closed facilities, which shall include consultation with the relevant Parish Councils.

The Ten Facilities that the Council will ultimately operate are: -

- 1 Freckleton (Recreation Ground)
- 2 St Anne's Square (St. Anne's Rd West)
- 3 Stannah Bank Car Park
- 4 Promenade (opposite the Town Hall)
- 5 Lowther Pavilion
- 6 East Beech (Next to Windmill)
- 7 Fairhaven Road Car Park (Beach Terrace Café)
- 8 Ashton Gardens (Lottery Bid)
- 9 Pleasant St Lytham
- 10 Kirkham. Market Sq.

### **Current situation**

Officers of Fylde and Wyre have started the joint procurement process. New build is expected to take place late 2006. The procurement process has been started even though the Forum has not made a final decision as the process to write new joint partnership documents and start the initial tender process is lengthy and the details can be altered to suit the final member decision.

A letter has been received from St. Anne's Parish Council requesting that their concerns be aired at the Forum meeting of 18<sup>th</sup> April (May). It is attached as Appendix 3

### **Future Actions**

Following the Forum meeting of 18<sup>th</sup> May, the recommendations of the Forum will be taken to the Council Cabinet meeting on 12 July 2006 for consideration.

The procurement process will be completed and contractors are expected to be on site late 2006.

All permissions will be sought for the temporary facilities at Ashton Gardens and Freckleton

### **Recommendation**

The Task and Finish Group recommend that the Ten Facilities listed above be approved as the Councils future Public Toilet facilities within the borough

## Appendix 1

### Resources

(a) Location of Public Conveniences

The existing 14 (15) public toilets are listed as follows:-

\* Seasonal only

Fylde Borough Council Public Conveniences		
	Site	Location
1	St Anne's Rd West	(St Anne's Town Center)
2	Ashton Gardens	St George's Rd St Anne's
3	North Promenade Car Park (Currently Closed)	St Anne's promenade
4	Fairhaven Road Car Park (Currently Closed)	Next to Beach Terrace Café, St. Anne's
5	Fairhaven Lake	Inner Prom, St. Anne's
6	Stannah Bank Car Park	Inside Fairhaven lake, St Anne's
7	Lowther Gardens	West Beach, Lytham
8	East Beach (Currently Closed)	Adjacent Windmill, Lytham
9	Pleasant Street Car Park	Center of Lytham
10	Freckleton	Recreation Ground (rear Coach & Horses)
11	Kirkham	Church St. Market Sq.
12	Kirkham (Currently Closed)	Moor/Mill St
13	Wrea Green	Back of the Grapes, Station Rd
14	* Seasonal only Promenade Monument	Front of Town Hall, St. Anne's
15	Disused Facility Ansdell Rd South	Junction of Cambridge Rd, St. Anne's

Location/Spread (by Conurbation)

7 in St. Anne's

3 in the Lytham

2 in Kirkham

1 in Freckleton

1 in wrea Green

(b) Public Convenience Budget for 2006/07

Estimate for 2006/07, (expenditure for cleansing and rates, Insurance etc, but not including building maintenance). £213,553

**Appendix 2: St. Anne's Parish Council letter**

Saint Anne's on the Sea Town Council

W. J. Twist  
Acting Clerk

22 West Moss Lane  
Lytham St Anne's  
FY8 4NH

Mr David Jenkinson  
Streetscene Manager  
Town Hall  
St Anne's  
FY8 1LW

25<sup>th</sup> MARCH 2006

Dear Mr Jenkinson

**Public Toilet Facilities – St Anne's**

My Council has been concerned for some time at the closure of certain toilet facilities in the town. It is particular anxious to see the reopening of the two facilities on the seafront, namely Fairhaven and North Beach. You will appreciate that these two are, or would be if open, used by the many visitors who park nearby, or arrive by coach. It wishes to draw to the Borough Council's attention the poor image this gives particularly when the benefits of the tourist trade are so apparent to the Borough. It is of course a lack of amenity in this area for residents.

It is understood that the Task and Finish Group are examining the matter with a view to reporting to a Forum of the Council on the 18<sup>th</sup> April that seven facilities are to be constructed to modern requirements, but it is not known to my Council which these are.

My Council are anxious that it's views are passed to the appropriate Committee and that it recommends that the two units on the seafront be included in any rebuild which is proposed to be carried out.

I shall be glad to receive your reassurance that these views will be passed on to the Group and the Forum.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'W. J. Twist', written over a horizontal line.

Acting Clerk

Tel No 01253 730741 E Mail [maewilf@btinternet.com](mailto:maewilf@btinternet.com)

## Appendix 3: Timetable of Meetings & TFG Member listing

### Timetable

<b>Community Forum Meeting (Dates)</b>	<b>TFG Meeting (Dates)</b>	<b>TFG Purpose</b>
09 June 2005	21 June 2005	Determine TFG Terms & Conditions
06 October 2005	24 August 2005	Determining the final 3 Appraisal Options
01 December 2005	23 November 2005	Determining the recommendations for 1/12/05 Forum
18 May 2006	07 March 2006	Determining recommendation for Location of the 7 new facilities

### TFG Members

<b>Elected Members</b>	<b>Officers</b>
Simon Renwick	David Jenkinson
Martin Taylor	Jamie Dixon
Tim Ashton	Lew Dickinson
Barbara Pagett (Unofficial Co-opted)	
Stephen Carpenter (Original member of TFG – Resigned )	

### **List of Documents**

Document 1: Initial Scoping Document

Document 2: Specific Options Appraisal Report

**Document 1: Initial Scoping Document**

**FYLDE BOROUGH COUNCIL**

**Draft Outline for a TFG Report into the  
Public Convenience Service**

1. Strategic Purpose of the Service
2. Description of the Service
3. Statutory Basis of the Service
4. Outcomes and Objectives of the Service
5. Links to the Corporate Plan
6. Links to Statutory Plans
7. Links to Other Service Bodies
8. Resources
9. Underlying Issues
10. Scope of the Review
11. Objective(s) of the Review
12. Generic Options Appraisal

## **1. Strategic Purpose of the Service**

The strategic purpose of the Public Convenience Service is to:-

- Provide and maintain public health facilities
- Protect the environment
- Enhance the holiday environment

## **2. Description of the Service**

The Public Convenience Service consists of the provision of 14 (15 one not used) blocks of toilets, their operation, repair and maintenance and cleaning. All are unattended; 13 being open all year round and 1 being open only during the summer period. The cleaning of the toilets is undertaken (at present) by the Direct Services Organisation and repairs/maintenance is carried out under the control of the Asset Management Team. Monitoring is currently undertaken by the Street Scene Unit.

## **3. Statutory Basis of Service Provision**

There is no statutory requirement for the Council to provide public conveniences. However, Fylde relies upon tourism and the provision of toilet facilities for visitors must be considered a requirement. There is also a need for public convenience provision in other (residential) areas because of the elderly population the Borough supports.

## **4. Outcomes & Objectives of the Service**

### **Objective**

To provide a cost effective service offering a clean hygienic public toilet service, with adequate opening times to meet the needs of both the residents and visitors.

### **Achieved by**

- Providing 14 blocks of public conveniences (currently).
- Provision of facilities for the disabled.
- Locating public conveniences in optimum usage locations.
- Ensuring optimum opening times, especially during the summer.
- Providing useable facilities through regular checking and cleaning.
- Rapid reaction to repairs and faults to ensure conveniences are available for use.
- Adopting best practice.
- Building closer working relationships with employees and trade unions.
- Designing problems out using vandal resistant equipment etc.
- Seeking continuous improvement.
- Provision of toilet paper and hand washing facilities.
- Provision of sanitary and nappy disposal facilities.
- Safe removal and disposal of needles, drugs, etc.
- Cleaning of body fluids.

## **5. Links to Corporate Plan**

The Corporate Plan contains 5 Corporate Objectives, all of which are directly affected by the Public Convenience service:-

### **CORPORATE OBJECTIVES**

The Council's investment and activities are focused on achieving our five key objectives which aim to :

Conserve, protect and enhance the quality of the Fylde natural and built environment

Work with partners to help maintain safe communities in which individuals and businesses can thrive

Stimulate strong economic prosperity and regeneration within a diverse and vibrant economic environment

Improve access to good quality local housing and promote the health and wellbeing and equality of opportunity of all people in the Borough

Ensure we are an efficient and effective council.

## **6. Links to Statutory Plans**

The Public Convenience Service contributes to the aims and objectives of the following Plans:-

- Tourism Strategy.
- Community Safety Strategy.

## **7. Links to Other Service Bodies**

The Public Convenience Service has links to other service bodies, both internally (for example, finance, legal, Asset Management service's) and external (for example, equipment suppliers, United Utilities, Lancashire Police).

## **8. Resources (See Appendix 1 & attached spreadsheet)**

## **9. Underlying Issues**

Most of the Authority's facilities were built many years ago and therefore there are a number of key issues that need to be considered whilst undertaking the review:-

1. The condition of public convenience buildings, fixtures and fittings.
2. Social misuse of public conveniences.



3. The disabled facility provision at all toilets
4. The provision of baby changing facilities at toilets.
5. Charges for the use of public conveniences and the development of unisex toilets.
6. Fully automated and semi-automated public conveniences.
7. Visitor levels during the summer months and the effects on the public convenience service.
8. Developing and improving toilets in the town and holiday areas.
9. Budget implications for providing and maintaining a modern public convenience service.
10. The public's perception of Fylde's public conveniences.

## **10. Scope of The TFG**

The elements of the Public Convenience Service are:-

- Define the Services to be provided.
- Investigate Repairs and maintenance levels.
- Quantify income generation.
- Opening and closing times.
- Cleaning standards.
- The suitability of fully and semi-automated toilets.
- Cost of providing the existing service and alternative methods of provision.
- Cost of building upgrades and maintenance.

## **11. Objectives of the Review**

the objective of the TFG is to achieve and sustain service improvements through:-

- Identifying the needs of the stakeholder.
- A review of the current facilities (buildings, fixtures and fittings, design etc).
- The cost and effectiveness of service provision.
- Make recommendations to The Executive Committee on the future provision of the service.

## **12. Generic Option Appraisal**

the following section is a 'Generic' Option Appraisal which members of the TFG are asked to consider and eventually narrow the 'In depth' appraisal process down to three options for the TFG to consider

# **REVIEW OF PUBLIC CONVENIENCES**

## **GENERIC OPTION APPRAISAL REPORT**

---

## Public Conveniences – Generic Options Appraisal Report

<b>Contents</b>	<b>Page</b>
Contents Page.....	<b>14</b>
Introduction .....	<b>15</b>
Generic Options.....	<b>15</b>
Summary.....	<b>16</b>
Detailed Options Appraisal.....	<b>16</b>
Option 1)      Cessation of Service.....	<b>17</b>
Option 2)      Joint Commissioning.....	<b>19</b>
Option 3)      Market Testing.....	<b>21</b>
Option 4)      Transfer.....	<b>23</b>
Option 5)      Externalisation.....	<b>25</b>
Option 6)      Improved Approach.....	<b>25</b>
Resources	<b>29</b>

## Public Conveniences – Generic Options Appraisal Report

### Introduction

The Public Conveniences Service consists of the provision of 14 (15) blocks of toilets, their staffing and operation, repairs and maintenance and cleaning.

All are unattended; 13 being open all year round and 1 being open only during the summer period. The cleaning of the toilets is undertaken (at present) by the Direct Services Organisation, and repairs/maintenance carried out under the control of the Asset Management Team. Monitoring is currently undertaken by the Street Scene Unit.

### Generic Options

A generic option appraisal for the service would include the following options:-

- |    |                     |   |  |
|----|---------------------|---|--|
| 1) | Cessation           | : | ceasing service in whole or part;  |
| 2) | Joint Commissioning | : | joining with other local authorities or public bodies to provide or purchase a service;  |
| 3) | Market Testing      | : | open competition between in-house provider and the private or public sector;   |
| 4) | Transfers           | : | passing of the client role from local authority to another organisation, whilst retaining a residential interest or a minority shareholding; |
| 5) | Externalisation     | : | transfer of service to another provider without an in-house bid;   |
| 6) | Improved Approach   | : | Continuous improvement in line with Corporate Best Value guidance. For example:-   |
|    | a)                  |   | Transfer all responsibility to one Service Unit, (DSO, Asset Management)   |
|    | b)                  |   | Medium/long term plan for refurbishment of a number of toilets in strategic locations.   |

## **Public Conveniences – Generic Options Appraisal Report**

### **Summary**

The TFG should consider the following options with a view to narrowing the review to three specific Options upon which In-depth analysis can take place: -

#### **Option 1) Cessation**

- Fylde, as an authority with many tourists, would not be meeting the needs of the stakeholders and it is likely to have an adverse affect on the Council and its partners.

#### **Option 2) Joint Commissioning**

- the possibility that there could be different service priorities between neighbouring authorities
- not well developed in public convenience services

#### **Option 3) Market Testing**

- could provide specialist skills
- could provide alternative service delivery options
- well tested method of service delivery
- low to medium risk option

#### **Option 4) Transfer**

- there may be difficulties in obtaining a partner
- possible lack of cohesion and co-ordination
- the service option is not well developed

#### **Option 5) Externalisation**

- could provide alternative service delivery options
- could provide up-to-date modern public convenience units
- could negate need for capital investment into the service
- medium risk option

#### **Option 6) Improved Approach**

- deliver priorities of the stakeholders,
- could respond to new service delivery options
- provide the most flexible response, in terms of staff resource, to dynamic management issues
- least risk option

## Public Conveniences – Generic Options Appraisal Report

### Option 1) Cessation of Service

1. *How does the option comply with statutory requirements and Codes of Guidance/Practice of the service?*

The option will comply, because there is no statutory requirement on an authority to provide public conveniences.

2. *How will the option deliver the priorities of stakeholders?*

Part of Fylde's economy is based on tourism. With the Borough having many visitors per annum, toilet provision must be considered essential. Anywhere where large numbers of people congregate, toilet provision is required.

By providing toilet facilities at strategic locations, it ensures that visitors and residents are able to enjoy the areas many attractions. People who use the beaches, walk dogs along the promenade, shop in the town centre, or use the car parks are within walking distance of a public convenience.

Many people feel that the local authority should continue to provide public conveniences (see Street Scene Letters received).

Cessation of the service would therefore not deliver the priorities of the stakeholders and could also have a detrimental effect on Fylde's economy, with tourism being affected.

3. *How will the option deliver the appropriate national or local quality standards?*

Cessation of the service would not deliver national or local standards.

4. *Will the benefits associated with the option be greater than the costs incurred (start up and transfer costs)?*

There would be no benefits associated with this option, except a saving in costs, because no service will be provided.

5. *How does the option provide or enhance the level of capital or revenue investment in the service?*

Cessation of the service would provide the Authority with a direct saving on current net expenditure of £153,333 per annum. However, there would be initial redundancy costs for those employed in the service and ongoing costs associated with maintaining the closed public convenience buildings prior to sale or demolition.

6. *How would the option impact on other Council Services or partners?*

Cessation of the service would impact on other Council Support Services. DWO with more inconvenience to Street Cleansing and other staff who work outside in gaining access to toilet facilities.

There could be an impact on tourism and retail businesses if no public convenience facilities were provided.

7. *What are the risk and consequences of failure or part or all of the option?*

Not applicable.

**8.** *How well developed is this option of service delivery?*

An Audit Commission report in 1999 identified that a quarter of all public conveniences provided by English District Councils and 32% of public toilets provided by English Metropolitan Borough Councils had been closed in the previous 3 years. Therefore, cessation of the service is well developed. However, in places where tourism plays an important role in the economy, cessation of the service is not well developed.

**9.** *How will the option deliver continuous improvement in terms of service and costs?*

Not applicable.

## Public Conveniences – Generic Options Appraisal Report

### Option 2) Joint Commissioning

**1.** *How does the option comply with the statutory requirements or Codes of Guidance/Practice of the Service?*

- (i) There is no statutory requirements to provide public conveniences, however, the Public Health Act 1936 allows local authorities to “provide sanitary conveniences in proper and convenient situations”. The Act also allows for a fee to be levied for their use; however, no fee can be charged for the use of urinals.
- (ii) There are no Statutory Codes of Practice for the public convenience service, however:-
  - a) There are British Standards for disabled facilities and for the manufacturing of toilet features.
  - b) The British Toilet Association has published guidelines for toilets and cleaning.
  - c) The Institute of Waste Management has issued a report on public conveniences, policy, planning and provision.
- (iii) The joint commissioning of the Public Conveniences Service would comply, since there are no statutory requirements and Codes of Guidance/Practice would be incorporated in any joint commissioning agreement.

**2.** *How will the option deliver the priorities of stakeholders?*

The service delivery standards to meet the stakeholders’ expectations would have to be specified in documentation between the external organisation and the Council. There would be a requirement for management information on service delivery, consultation, monitoring, and reviews of the service and a flexibility built-in to allow change in service emphasis as required by the outcomes of these processes or legislation.

**3.** *How will the Option deliver the appropriate national or local quality standards?*

The service standards would be specified in the appropriate documentation and the service objectively monitored to record service delivery standards against local and national statutory quality standards.

**4.** *Will the benefits associated with the option be greater than the costs incurred (start up and transfer costs)?*

The joint commissioning option would provide benefits greater than the start up costs.

A consortium and/or partnership approach would bring economies of scale on developing specifications and the procurement processes. There may be greater flexibility to deal with peaks in the service by a partner bringing in additional resources to meet the short-term service demand.

**5.** *How does the option provide or enhance the level of capital or revenue investment in the service?*

The consortium option is likely to develop economies of scale on the capital and revenue costs of the Public Conveniences Service. Benefits may be derived from better utilisation of plant and equipment,



buildings, vehicle running costs and staff.

If the partnership developed with a private sector partner, this could benefit the service with both capital and revenue opportunities, if the partner was given the concession for advertising within the Borough.

**6.** *How would the option impact on other Council Services or partners?*

The consortium option would impact on support services provided for the Public Conveniences Service.

It would be likely that a reduction in staff would occur because of economies of scale.

The delivery of community and corporate objectives of the partners would need to be addressed and the necessary delivery methods established. Should there be a private partner involvement the Community and Corporate requirement would have to form part of the consortium/partnership agreement.

**7.** *What are the risks and consequences of failure of part or all of the option?*

There are risks associated with the consortium option in that there are no known examples of a consortium operating for delivery of public convenience services. However, the risk is considered to be small in that the resources, staff and service expertise would still be available to each of the Authorities to commence an independent service.

There would also be political implications of developing the consortium option between adjacent authorities.

**8.** *How well developed is this option of service delivery?*

The option is not well developed for public convenience services.

**9.** *How will the option deliver continuous improvement in terms of service and costs?*

A consortium with our neighbouring authorities could deliver continuous improvement, in terms of service and cost, through agreement in the same way as for the improvement approach option. See Improved Approach Option Q9.

## Public Conveniences – Generic Options Appraisal Report

### Option 3) Market Testing

**1.** *How does the option comply with the statutory requirements or Codes of Guidance/Practice of the Service?*

- (i) There is no statutory requirement to provide public conveniences, however, the Public Health Act 1936 allows local authorities to “provide sanitary conveniences in proper and convenient situations”. The Act also allows for a fee to be levied for their use; however, no fee can be charged for the use of urinals.
- (ii) There are no Statutory Codes of Practice for the public convenience service, however:-
  - a) There are British Standards for disabled facilities and for the manufacturing of toilet features.
  - b) The British Toilet Association has published guidelines for toilets and cleaning.
  - c) The Institute of Waste Management has issued a report on public conveniences, policy, planning and provision.
- (iii) The market testing of the Public Conveniences Service would comply, since there are no statutory requirements and Codes of Guidance/Practice would be incorporated in any agreement.
- (iv) The cleaning of unattended public conveniences has been subjected to Compulsory Competitive Tendering within the Street Cleansing Contract and is currently undertaken by the Council’s DSO to defined standards/specification.

**2.** *How will the option deliver the priorities of stakeholders?*

The service delivery standards to meet the stakeholders’ expectations would have to be specified in documentation between the external organisation and the Council. There would be a requirement for management information on service delivery, consultation, monitoring, and reviews of the service and a flexibility built-in to allow change in service emphasis as required by the outcomes of these processes or legislation.

**3.** *How will the Option deliver the appropriate national or local quality standards?*

The service standards would be specified in the appropriate documentation and the service objectively monitored to record service delivery standards against local and national statutory quality standards.

**4.** *Will the benefits associated with the option be greater than the costs incurred (start up and transfer costs)?*

The market testing option would incur start up costs involved in producing a specification of the service and the procurement process, together with costs in evaluating tenders based on an appropriate split of price and quality. This process requires a substantial amount of time to complete. These costs would be justified to market test the Public Conveniences Service against the private sector, to derive costs and quality of service delivery comparisons.

**5.** *How does the option provide or enhance the level of capital or revenue investment in the service?*

The option may provide an opportunity for the private sector to invest in the Public Conveniences Service, if the term of a market testing option was greater than 10 years. This would allow any external company to make a return on the capital invested, i.e. on building, plant and equipment. Blackpool has entered into a 15 year contract with DANFO – “peace of mind” contract.

There could be a possibility of increased revenue through income charges, or selling advertising at the public conveniences.

The option could lead to an increase costs because the service needs capital investment and a Voluntary Competitive Tender (VCT) contract would need to take this into account.

**6.** *How would the option impact on other Council services or partners?*

The market testing option may impact on Support Services provided for the Public Conveniences Service. Although it is likely a client role would still remain as discussed in Q1 above. There would be no impact on Support Services if the in-house organisation retained the service after market testing.

Communications with an external service provider would be more difficult with it being outside of the Council’s organisation, with a different culture and a loss of inter-departmental links between Council officers.

**7.** *What are the risks and consequences of failure of part or all of the option?*

Failure to deliver part or all of the service would, in the short term, affect customers’ expectations. No action could be taken against the Council, since it is not a statutory function.

It may affect tourism and retail businesses with customers not wishing to visit a tourist town with no public toilet facilities.

The cessation is likely to be for a short time until alternative external provision could be arranged or a Council in-house solution implemented, although the latter would be limited, as the experience and expertise, and staffing is unlikely to be available.

**8.** *How well developed is this option of service delivery?*

The market testing option is well developed and a number of authorities, such as Westminster City Council and Southend and Blackpool have operated a contract with private organisations for many years.

**9.** *How will the option deliver continuous improvement in terms of service and costs?*

This will depend upon the successful tenderer, if it were the in-house contracting organisation it would be delivered as described in Q9 of the Improved Approach. An external provider being successful would deliver the improvement as described in Q9 of the Externalisation Option.

## Public Conveniences – Generic Options Appraisal Report

### Option 4) Transfer of the Current Service

The transfer option of the service to a trust or joint venture company.

**1.** *How does the option comply with the statutory requirements or Codes of Guidance/Practice of the Service?*

- (i) There is no statutory requirement to provide public conveniences, however, the Public Health Act 1936 allows local authorities to “provide sanitary conveniences in proper and convenient situations”. The Act also allows for a fee to be levied for their use; however, no fee can be charged for the use of urinals.
- (ii) There are no Statutory Codes of Practice for the public convenience service, however:-
  - a) There are British Standards for disabled facilities and for the manufacturing of toilet features.
  - b) The British Toilet Association has published guidelines for toilets and cleaning.
  - c) The Institute of Waste Management has issued a report on public conveniences, policy, planning and provision.
- (iii) The transfer of the Public Conveniences Service to a trust or Joint Venture Company would comply, since there are no statutory requirements, and Codes of Guidance/Practice would form part of any agreement.

**2.** *How will the option deliver the priorities of stakeholders?*

The service specification would need to include stakeholder priorities. A mechanism would need to be established to enable the service to respond to dynamic management issues. Similarly, management information requirements would need to be specified to enable the effective monitoring of service delivery.

**3.** *How will the Option deliver the appropriate national or local quality standards?*

The service specification would need to include reference to appropriate National/ Local quality standards and management information requirements would need to be specified to enable the effective monitoring of service delivery.

**4.** *Will the benefits associated with the option be greater than the costs incurred (start up and transfer costs)?*

It may not be possible to assess the costs involved in a transfer option to a Joint Venture Company (JVC) or trust, and therefore it may not be possible to determine if the benefits of the option would be greater than the start up costs.

However, this option would incur the following costs:-

- Start up costs to produce a detailed service specification, essential to the success of an external transfer.
- The establishment/retention of the ‘client’ role to manage the service contract and monitor service

delivery and performance.

- Legal costs to draw up the agreement/trust deed.
- Potential one-off costs in relation to current staff redundancies if staff did not transfer to the successful bidder.

**5.** *How does the option provide or enhance the level of capital or revenue investment in the service?*

A JVC with a private partnership could provide capital for investment into the service which could possibly improve the service, therefore allowing for charges, thus increasing revenue.

**6.** *How would the option impact on other Council services or partners?*

The transfer option would impact on Support Services provided for the Public Conveniences Service. An external provider would not need the usual support services, i.e. payroll, personnel, ICT support, etc. This could result in overhead cost savings. Although it is likely a client role would still remain.

Communications with a transfer option would be more difficult with it being outside of the Council's organisation, with a different culture and a loss of inter-departmental links between Council officers.

There would be a loss of operational expertise and service knowledge experience that could prevent an internal bid for the service in the future.

**7.** *What are the risks and consequence of failure of part or all of the option?*

Although not seen as a great risk, failure could cause cessation of the service, which might be a short-term public health risk. It could have an affect on tourism if it happened during the Season (although not a statutory service). Costs, although not great, could be incurred to put facilities right/back on line. This would depend upon how the partnership was made up.

**8.** *How well developed is this option of service delivery?*

It is felt that the option is not well developed, transfers of public convenience services to a trust or a joint venture company were not known.

**9.** *How will the option deliver continuous improvement in terms of service and costs?*

The option would develop continuous improvement of the Public Conveniences Service, by ensuring that annual reviews of the service, and quality management systems were part of the requirements of the JVC or trust arrangements. A monitoring system, to ensure the achievement of targets, would need to be established.

## Public Conveniences – Generic Options Appraisal Report

### Option 5) Externalisation of the Current Service

1. *How does the option comply with the statutory requirements or Codes of Guidance/Practice of the Service?*

- (i) There is no statutory requirement to provide public conveniences, however, the Public Health Act 1936 allows local authorities to “provide sanitary conveniences in proper and convenient situations”. The Act also allows for a fee to be levied for their use; however, no fee can be charged for the use of urinals.
- (ii) There are no Statutory Codes of Practice for the public convenience service, however:-
  - a) There are British Standards for disabled facilities and for the manufacturing of toilet features.
  - b) The British Toilet Association has published guidelines for toilets and cleaning.
  - c) The Institute of Waste Management has issued a report on public conveniences, policy, planning and provision.
- (iii) The transfer of the Public Conveniences Service to an external organisation would comply, since there are no statutory requirements, and Codes of Guidance/Practice would form part of any agreement.

2. *How will the option deliver the priorities of stakeholders?*

The service delivery standards to meet the stakeholders’ expectations would have to be specified in documentation between the external organisation and the Council. There would be a requirement for management information on service delivery, consultation, monitoring and review of the service and a flexibility built-in to allow change in service emphasis as required by the outcomes of these processes or legislation.

3. *How will the Option deliver the appropriate national or local quality standards?*

The service standards would be specified in the appropriate documentation and the service objectively monitored to record service delivery standards against local quality standards.

4. *Will the benefits associated with the option be greater than the costs incurred (start up and transfer costs)?*

The externalisation option would incur the following costs:-

- cost to produce a specification
- cost of the procurement process
- One-off costs in relation to current staff redundancies if the staff did not transfer to the external provider or if a different type of service provision was used, such as semi or fully automated toilets.
- costs for the establishment/retention of client role
- costs for the disposal of public convenience buildings if an alternative service provision was used

*Potential Benefits:-*

- alternative approaches to service delivery
- potential savings on staff costs and buildings
- no requirement for capital to invest in old buildings
- savings in staff costs

5. *How does the option provide or enhance the level of capital or revenue investment in the services?*

The option could enhance the level of capital or revenue investment, if the external partners were given the concession for advertising within the Borough; the stakeholders priorities of toilet provision is high, with many people feeling that the local authority should provide public conveniences, and by permitting the contractor to advertise it would help meet this key priority, with them providing a number of toilet facilities in exchange for the concession in advertising.

6. *How would the option impact on other Council services or partners?*

The externalisation option would impact on Support Services provided for the Public Conveniences Service. Although it is likely a client role would still remain.

Communications with an externalised service may be more difficult with it being outside the Council's organisation, with a different culture and a loss of inter-departmental links between Council officers.

There would be a loss of operational expertise and service knowledge experience that could prevent an internal bid for the service in the future.

7. *What are the risks and consequences of failure of part of all of the option?*

Should this option fail, there would be a possibility that the Authority would be left with no service, because the facilities and assets would have passed to an external organisation, or been demolished. Whilst this is a risk, it is only minimal.

8. *How well developed is this option of service delivery?*

Whilst this option is not well developed as an externalisation, the actual provision of toilet facilities, under contract or leasing arrangements, is very well developed.

9. *How will the option deliver continuous improvement in terms of service and costs?*

The public convenience service does not make any income as no charges for the use of WCs is made, but the overall cost of the service is £153,333. Therefore, the service is heavily subsidised by the Council Taxpayers.

The option would develop continuous improvement of the public conveniences service by ensuring that annual review of the service and quality management Self-Assessments are part of the requirements of the externalisation arrangements.

There would be a cost increase year on year, as the externalisation agreement would be subject to a price index clause.

## Public Conveniences – Generic Options Appraisal Report

### Option 6) Improved Approach

**1.** *How does the option comply with the statutory requirements or Codes of Guidance/Practice of the Service?*

- (i) There is no statutory requirement to provide public conveniences, however, the Public Health Act 1936 allows local authorities to “provide sanitary conveniences in proper and convenient situations”. The Act also allows for a fee to be levied for their use; however, no fee can be charged for the use of urinals.
- (ii) There are no Statutory Codes of Practice for the public convenience service, however:-
  - a) There are British Standards for disabled facilities and for the manufacturing of toilet features.
  - b) The British Toilet Association has published guidelines for toilets and cleaning.
  - c) The Institute of Waste Management has issued a report on public conveniences, policy, planning and provision.
- (iii) Since there are no statutory requirements, an improved approach would comply. However, to comply fully with the non-statutory guidance and standards would require some investment, i.e. disabled toilets to meet British Standard BS 5810.

**2.** *How will the option deliver the priorities of stakeholders?*

An exercise to determine Stakeholders priorities will need to be undertaken. A desk top exercise identified the following as a ‘Starting Point’ :-

- (i) The run down/poor décor of the conveniences.
- (ii) Improper use at some public conveniences.
- (iii) No attendant.
- (iv) Obscene graffiti/misuse of facilities.
- (v) Isolated locations.
- (vi) Unpleasant smells/lack of cleaning/hygiene.

An improved approach could address the operational and cleaning priorities. This would be carried out through the implementation of an improvement plan. Some of the priorities though are due to the type and state of the buildings, and it would require a substantial amount of capital investment to alter, refurbish and improve many of the Authority’s buildings. Some buildings may need to be completely demolished and new conveniences provided. An improved approach could address these priorities by leasing or purchasing toilet facilities from other providers.

**3.** *How will the Option deliver the appropriate national or local quality standards?*

The service standards would be specified in the appropriate documentation and the service objectively monitored to record service delivery standards against local and any national quality standards.

**4.** *Will the benefits associated with the option be greater than the costs incurred (start up and transfer costs)?*



The option would not incur any start up costs, as the service is currently being delivered in-house. However, standards for the service will need to be established through a document specifying service levels and standards. These would need to meet stakeholder needs. To develop a service to meet the standards, it is likely that it will increase both capital costs for the refurbishment of the facilities, and increased revenue costs for frontline staff to meet improved standards.

**5.** *How does the option provide or enhance the level of capital or revenue investment in the service?*

The improved approach would not enhance the level of capital or revenue investment in the service.

The only ways to increase the revenue would be:-

- (i) To introduce a charge for the use of WC, but costs would be incurred in coin locks.
- (ii) Advertising at the facilities, but it is envisaged that any income would be minimal.

**6.** *How would the option impact on other Council services or partners?*

The option would not impact upon other Council services or partners, as the support services would still be required to deliver the service.

The improved approach would retain expertise and knowledge of client and operational areas of the service within the Council.

**7.** *What are the risks and consequences of failure of part or all of the option?*

Failure to deliver part or all of the service would, in the short term, affect customer's expectations. No action could be taken against the Council, since it is not a statutory function; however, it may affect tourism and retail businesses, with customers not wishing to visit a town, especially one that relies on tourism, with no toilet facilities.

The risk of failure under this option is considered low risk.

**8.** *How well developed is this option of service delivery?*

The current provision of the public convenience service in Fylde is delivered in-house and this service delivery option is well developed, with close liaison between relevant Service units.

**9.** *How will the option deliver continuous improvement in terms of service and costs?*

The service will develop an improvement plan and will develop benchmarking with appropriate organisations, to compare methods of service delivery, best practice, and cost to deliver a best value service. Reviews of the service will be undertaken annually, to include EFQM Self Assessment, to compare year on year performance. Targets for service improvements will be set in the Service Unit Plans. The improved approach option will continue to deliver the set targets for the service. The service targets will be delivered through the Service Plan, which will align service and corporate objectives to deliver those elements that link to the Corporate and Community Plans.

## Appendix 1: Resources

- (a) See attached Information

The attached excel spreadsheet gives a complete up to date picture of the current position with respect to the public toilets. Please note facility number Ten is not in use and has not been so for some considerable years.

A CD has been produced detailing all the facilities and will be sent to members of the TFG under different cover.

- (b) Public Convenience Budget for 2005/06

Net £153,333.

- (c) Contract rates for the cleaning of public conveniences

Based on the rates submitted as part of the Street Cleansing Contract. The projected figure for 2005/06 - £106,696.

**Document 2: Specific Options Appraisal Report**

**REVIEW OF PUBLIC CONVENIENCES**

**Task & Finish Group**

**SPECIFIC OPTION APPRAISAL REPORT**

**October 2005**

## **Public Conveniences – Specific Options Appraisal Report**

<b>Contents</b>	<b>Page</b>
Introduction & Overview	<b>32</b>
Specific Option Analysis Overview of Findings	<b>33</b>
Detailed Analysis of Specific Option Appraisal	<b>34</b>
Corporate Approach	<b>35</b>
Quality & Performance	<b>36</b>
Financial Assessment	<b>40</b>
Impact on Employment	<b>42</b>
Risks Associated with the Option	<b>44</b>
Potential for Innovation	<b>47</b>
<b>Actions/Decisions required from next TFG meeting</b>	<b>49</b>

## **Public Conveniences - Specific Option Appraisal Report**

### **Introduction & Overview**

The Public Convenience Service consists of the provision of 14 blocks of toilets, their operation, repairs and maintenance and cleaning. Of the 14 blocks of public conveniences, all are unattended. Currently 2 are closed; 11 open all year round and 1 is open during the summer period. The cleaning of the toilets is undertaken (at present) by the Direct Services Organisation, and repairs/maintenance carried out under the auspices of the Asset Management team. Monitoring is currently undertaken by the Street Scene Unit.

The provision of public conveniences is not a statutory responsibility. However, with the Borough's economy partly based on tourism, toilet provision may be classed as essential.

The Task & Finish Group (TFG) on 24 August 2005 considered the six options outlined in an Initial scoping document with a view to narrowing the review to Specific Options for consideration. Consequently, the TFG have decided in-depth analysis shall take place of the following options: -

- Option 1)      Cessation (reducing the number of facilities operated)**
- Option 2)      Joint Commissioning (working with other Local Authorities)**
- Option 3)      Market Testing (Tendering for a new Contractor/Service provider)**
- Option 4)      Transfer (To another service provider)**

## **Specific Option Analysis – Overview of Findings**

The following bullet points reflect the current findings with regard to each of the above:-

### **Option 1: Cessation/Ending (Reduce the number of facilities we operate)**

- Could provide facilities at strategic locations within current revenue budget level
- Well tested method of service delivery
- Low to medium risk option
- Could compliment other service options
- Delivers some priorities of stakeholders
- Could respond to new operational service delivery options
- Provides a flexible response, in terms of staff resource, to dynamic management issues
- Least risk option in terms of being tried and tested
- We will still have Victorian/tired facilities

### **Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

- Could provide facilities at strategic locations within current revenue budget level
- Both our Local Authority neighbours have recently entered into long term management contracts using a single service provider which we could enter into, under a simple Service Level Agreement, negating the costs associated with carrying out a process under Option 3.
- Low to medium risk option
- Could compliment other service options
- Could respond to new operational service delivery options
- Provides a flexible response, in terms of staff resource, to dynamic management issues
- Minimal risk option in terms of being tried and tested by our neighbours
- Elements of Option 1 could be incorporated whereby, facilities that are of a suitable standard can be retained in their current condition (at least two) and some others refitted.
- To achieve budget compliance a decision would need to be taken to reduce the overall number of old facilities we operate to accommodate strategically located facilities. I.e. reduce the number of facilities we provide to Two of our current facilities and refit a further six giving a total of 8 facilities strategically located throughout the borough. TFG members would need to determine where these strategic facilities are to be located.
- We will be able to provide modern attractive facilities

### **Option 3: Market Testing**

- Could improve specialist skills
- Could provide alternative delivery options
- Well tested method of service delivery
- Low to medium risk option
- Could respond to new operational service delivery options
- Will take 6 – 12 months to complete
- Will cost in excess of £10k in advertisement's and Officer time to carry out a tender exercise
- Private organisations require profit.
- We will still have Victorian/tired facilities

**Option 4: Transfer (to another service provider)**

- Could improve specialist skills
- Could provide alternative delivery options
- Well tested method of service delivery
- Low to medium risk option
- Could respond to new operational service delivery options
- Will take 6 months to complete
- Private organisations require profit.
- We will still have Victorian/tired facilities
- Could be cost effective whilst investment decisions are taken

If one was to further evaluate the above options the following conclusions could be stated: -

A combination of Option 1, Cessation/Ending (Reduce the number of facilities we operate) and Option 2: Joint Commissioning (working with other Local Authorities & service providers) provides the right mix of opportunities to provide a first class service and yet stay within available revenue budget.

Option 3: Market Testing, just to produce a new cleaning service provider, is not considered suitable for Fylde's Public Conveniences Service. Stakeholders priorities, needs and expectations are generally not met, due purely to the poor state of the buildings. Lack of real investment over many years has meant that the location, type, fixtures and fittings, and the internal and external fabric of the buildings do not meet the stakeholders requirements.

The Authority's current financial situation is that there is limited capital investment or additional revenue budget available, and as the service is required to stay within current budget levels, this option is not suitable for Fylde.

Option 4: Transfer. The Transfer option is suitable in the short term as a precursor to a Joint Commissioning arrangement.

An option that was not approved by the TFG for further in-depth analysis was that of an 'Improved Approach'. However, it was looked at and was found to be Similar to the market testing option, an improved approach may not meet the needs and priorities of the stakeholders, because of the location, type, fixtures and fittings, and the internal and external fabric of the current public convenience buildings. Significant capital investment would be required immediately to refurbish, replace and renew buildings and facilities.

**Detailed Analysis Of Specific Option Appraisal**

To avoid any further confusion from here on, in the rest of this document, 'Market Testing' and 'Transfer' are considered one and the same thing because they are very similar in content and are described as **option 3**. Option 1 and 2 remain as described previously because they are separate issues.

This detailed analysis follows a question and answer format (similar to the Best Value approach)

### **Corporate Approach**

#### ***How does the option contribution to the Core Values and Corporate Priorities as outlined in the Corporate Plan.***

The Council's investment and activities are focused on achieving our five key objectives that aim to:

- Conserve, protect and enhance the quality of the Fylde natural and built environment
- Work with partners to help maintain safe communities in which individuals and businesses can thrive
- Stimulate strong economic prosperity and regeneration within a diverse and vibrant economic environment
- Improve access to good quality local housing and promote the health and wellbeing and equality of opportunity of all people in the Borough
- Ensure we are an efficient and effective council

An in house provision would continue to reflect Corporate Priorities and would be flexible enough to adapt the service to meet these needs. The service would introduce improved cleaning practices and develop methods for better service delivery. Business plans, consultation, staff development, quality management and Best Value Reviews would be ongoing, with changes being made and developed in line with operational and organisational priorities.

The budget would be redistributed in the optimum way to achieve Corporate Priorities. However, it needs to be recognised that the service would need significant capital investment to improve the public conveniences buildings, if Corporate Priorities are to be achieved and improved.

Any contract specification for the Public Conveniences Service would include the Corporate Priorities, Strategies and stakeholder requirements. A long term contract could be let, which would require providers to invest into the service so that Corporate Priorities are met and improved, For example, disabled facilities would be required to meet BS5810: and Disability Discrimination Act; baby changing facilities would be provided at all public conveniences; crime and disorder would continue to be designed out and opening times would reflect public requirements. To ensure compliance, performance management systems and performance indicators would be a requirement of the contract.

Corporate Priorities and Strategies would need to be included within any Joint commissioning (JC) agreement. The service provider would be able to utilise the latest up-to-date equipment and automatic and semi-automatic facilities, which would give a new approach to public toilet provision in Fylde. The equipment and facilities available already feature vandal resistant equipment, the ability to open and close as usage demands, are designed for improved safety, have baby change facilities, are self cleaning, meet BS5810 for disabled use, are designed to blend into an area and are constructed above ground; all of which improve on the current service provision. To ensure compliance, performance management systems and performance indicators would be a requirement of the Joint commissioning agreement.



## **Quality & Performance**

### ***How will the option improve accountability to customers and other stakeholders?***

#### **Option 1: Cessation/Ending**

Any change to the current number of facilities operated would need to meet year-on-year improvements, in line with corporate requirements and business plans. A Service Improvement Action Plan for the service would address priorities and how they are to be achieved using existing resources. Performance levels and indicators would be maintained, evidence monitored, and reported to the appropriate Committee for scrutiny.

The in house service would be flexible and able to adapt to meet any results of consultation with customers and stakeholders for operational issues; however, capital investment would be required into the buildings to meet all requirements.

Ending the complete service would not meet the Stakeholders requirements and therefore it will not improve the accountability.

Discussions with Parish Councils will take place with Parish's where facilities may be considered for closing with a view to the Parish's providing those facilities at their expense.

#### **Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

The JC agreement would specify targets and outputs, with the provider being required to maintain and monitor performance indicators, and evidence improved performance within the service. Customers and stakeholders have identified a number of priorities, such as the state of buildings, isolated locations, unpleasant smells and opening times.

JC means in essence, bringing in the experts to provide an up to date modern, efficient service. Effectively, this entail's engaging with Blackpool Borough Council, Wyre Borough Council and Danfo (the service provider).

The service provider would utilise new materials and provide modern appropriate, fit for purpose facilities. The provider would require a long term agreement of 10 -15 years and, therefore, the JC agreement would require the provider to be flexible, adaptable and be able to change service provision to meet the results of customer and stakeholder consultations and best value reviews, which will be ongoing throughout this agreement period.

There would be a system for customer and stakeholder reviews capable of providing feedback on performance, which would feed into regular liaison meetings with the Authority.

#### **Option 3: Market Testing**

The contract would specify clear targets and outputs, with the provider being required to maintain and monitor performance indicators, and evidence improved performance within the service. Regular stakeholder consultations and best value review would be undertaken by the provider, if a long term contract was let, and there would be a system of customer satisfaction reviews capable of providing feedback on performance. The above would feed into regular liaison meetings with the Authority.

***Does the option add value to the Council and its services?*****Option 1: Cessation/Ending**

This option adds value to the Council because a public convenience service will be provided for the Fylde residents and tourists. The current provision will be reduced in line with budget provision and thus the service will have added value. However, this option may not be able to improve sufficiently the state of convenience buildings, so the added value is minimal.

It could be argued that reducing the number of facilities we operate does not add value to the Council and its services. BUT, for reasons indicated throughout this report, operating 14 tired Victorian facilities can not in any way be considered providing a good service

**Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

JC would immediately add value to the Public Conveniences Service because providers would use new, modern facilities, which could open 24 hours a day and address stakeholders priorities. The facilities would improve the image of the service over the current service, which is handicapped by the poor state of the buildings. Also, buildings closed, surplus to the new provisions requirement, could be released for either alternative use or for sale or demolition.

**Option 3: Market Testing**

This option may add value to the Public Conveniences Service because the service is market tested, and using the price/quality assessment procedure, the most economical and effective provider will be selected. It could allow for added service value if an external provider uses different methods, equipment and materials, etc.

There would only be improvement to buildings if there were a significant yearly price increase, so the provider could invest into refurbishment, repairs maintenance, etc.

***How will the option address stakeholder priorities/needs?*****Option 1: Cessation/Ending**

Closing them all wont.

Closing selected facilities will allow a service to continue and therefore it can be argued the stakeholder needs are met in terms of having facilities to use

Closing toilets does not address the ability to improve the public conveniences buildings, which is considered a main need.

**Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

The initial stakeholders priorities and needs would be addressed in JC agreement.

The provider would be required to improve the building infrastructure and the facilities provided within them would be Modern, clean, user friendly and standards compliant. Each facility would be DDA compliant

**Option 3: Market Testing**

There would have to be a clear specification of stakeholder involvement throughout the planning at annual plan level, and individual review levels. The stakeholders needs and priorities would be ascertained in reference to service or business plans. A wish list of needs and priorities in relation to the buildings could be included in the contract, with separate prices identified, so that needs and priorities can be considered against the cost.

The specification would embody the levels of quality and performance that are expected by the stakeholder.

***How will the service standards be determined?*****Option 1: Cessation/Ending**

The service standards are specified in the appropriate documentation

**Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

The service standards would be specified in the appropriate documents and the service objectively monitored to record service delivery standards against local quality standards.

**Option 3: Market Testing**

The service standards would be specified in the appropriate documentation and the service objectively monitored to record service delivery against local quality standards. The British Toilet Association best practice guidance could also be considered.

***How will continual improvement be achieved?*****Option 1: Cessation/Ending**

Improvements will need to identified on an individual facility basis as part of a comprehensive action plan.. The plan will be underpinned by performance indicators relating to the Units service Plan, including comprehensive time, and recording and planning system is in place to facilitate the above.

The improvement of the buildings would depend upon the availability of significant capital investment

**Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

The option would develop continuous improvement of the Public Conveniences Service by ensuring that annual reviews of the service and quality management self-assessments were part of the requirements of the JC arrangements. The service would be continuously monitored.

**Option 3: Market Testing**

The requirement for continuous improvement would need to be included in the service specification, and a method of agreeing improvements with stakeholders through consultation, and monitoring the achievement of targets, would need to be established.

***Is the option adaptable to structural, legal or technological changes?*****Option 1: Cessation/Ending**

The ability to adapt to change would be dependent upon resources and the skills available. The in house teams have a history of responding to changes, both in structure of the organisation, and compliance with changes in legislation. Technological change is difficult because the Authority's old buildings are in a poor state, and significant capital investment would be required.

The Council is not legally required to provide public toilets. If the Council does provide facilities, they must be fit for purpose and be DDA compliant. The cost to bring all the facilities up to DDA compliance will be in the region of £180k. (Building works only – That is not to improve the general state of the facilities)

**Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

The provider would be able to adapt to legal and technological changes that would need to be included within the specification. Structural change to the Authority is unlikely to affect a JC agreement

**Option 3: Market Testing**

It is considered that external providers would have access to the necessary resource to ensure they adapted and responded to technological and legal changes. Structural changes to the Authority, causing change to the service required, would need to be dealt with within the service planning process.

***Is the Service capable of service level specification or specification of outcomes?*****Option 1: Cessation/Ending**

The in house service would specify the outcomes of the service based on the Corporate Values and customer and stakeholder needs and priorities. A performance action plan would be identified for each area of the service and quantifiable outcomes monitored and maintained.

**Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

This option would require an agreement that would have a clear specification of outcomes. This would involve the drawing up of a service level specification in the appropriate amount of detail, to enable measurement and monitoring. The rapidly changing nature of modern business would require a specification that had an acceptable level of flexibility to both parties, to address dynamic business risk.

**Option 3: Market Testing**

Should an alternative service provider (contractor) be engaged, in part or whole, there would have to be a clear specification of outcomes. This would involve the drawing up of a service level specification in the appropriate amount of detail, to enable measurement and monitoring. The rapidly changing nature of modern business would require a specification that had an acceptable level of flexibility to both parties, to address dynamic business risk.

## **Financial Assessment**

### ***How will the option impact on the cost of other Council Services – over what period?***

#### **Option 1: Cessation/Ending**

There would be no impact upon the cost of other Council Services.

#### **Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

Should the service be provided externally, there would, in the short and medium term, be existing costs of support services until any excess capacity was reduced.

There would be no redundancy costs to frontline supervisory and operational staff.

#### **Option 3: Market Testing**

Should the service be provided externally, there would, in the short and medium term, be existing costs of support services until any excess capacity was reduced.

There would be no redundancy costs to frontline supervisory and operational staff.

### ***What are the implementation and transfer costs?***

#### **Option 1: Cessation/Ending**

There would be no implementation and transfer costs because all costs would be met within existing budget and using existing resources such as staff time.

#### **Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

JC, the following processes have been identified:-

<b><u>JC Agreement</u></b>	A service specification, identifying outcomes and service levels, needs to be developed
<b><u>Legal Costs</u></b>	A JC agreement would be required, which encompasses a service specification, period of service provision, roles and responsibilities. A JC already exists that could be adapted to suit quite easily
<b><u>Client Function</u></b>	A client function would need to formulate the service specification and to monitor the delivery of the specification. In Street Scene already
<b><u>Procurement Process</u></b>	The value of the services is under EU thresholds and a SLA with Blackpool and or Wyre would be required.
<b><u>Redundancies &amp; TUPE Costs</u></b>	There will be no transfer of staff, therefore redundancy of staff would not be an issue.
<b><u>Planning Resources</u></b>	Planning costs and resources for new units may be required to locate in the most appropriate place.

The costs of the process are difficult to assess; but as the majority of the above already sits within the Street Scene Unit costs would be contained within existing budgets.

### **Option 3: Market Testing**

In following the route of a complete market testing exercise, the following processes have been identified:-

<b><u>Service Specification</u></b>	Performance levels and outputs identified and developed.
<b><u>Legal Costs</u></b>	A contract would be required, which encompasses the specification, period of service provision, roles, responsibilities and remedies.
<b><u>Establishment of Client Function</u></b>	A client function would need to be established to formulate the service specification and to monitor the delivery of the specification.
<b><u>Tender Exercise</u></b>	The invitation of tenders would require due process and compliance with Contract Regulations, including the placement of appropriate advertisements.
<b><u>Internal Bid</u></b>	There would be a requirement to assemble an internal bid to enter the tendering process.

The costs of the process are difficult to assess, but many would be contained within existing budgets. In terms of advertising and officer time £10k would be a fair assumption

### ***What are the ongoing costs associated with this option?***

#### **Option 1: Cessation/Ending**

Continuous improvement will require ongoing resource, with the aim of improving the quality of service.

It is likely that there would be increased repair, maintenance, renovation and replacement costs to the public conveniences buildings, just to keep them operating, these extra costs could not be met through existing budgets.

#### **Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

The ongoing costs associated with the JC option is the contract cost of providing the service, which will increase in line with a cost price index review clause yearly.

#### **Option 3: Market Testing**

If the service were provided by an external provider then the ongoing costs would be the contract price increasing yearly, by cost price index review, and the costs of providing a client role.

Due to the present condition of the buildings, it is expected that the costs of providing the service, and improving the buildings, will be much greater than present revenue budget. If not, it is likely that there would be increased repair, maintenance and renovation costs to the public conveniences buildings just to keep them operating, these increased costs could not be met through existing budgets.

***Will the necessary level of revenue and capital investment be available?*****Option 1: Cessation/Ending**

The current revenue budget would provide for the provision of a reduced number of facilities option: however, the public conveniences buildings are in a poor state and require significant capital investment. £180k is needed just for DDA compliance issues, that does not take account of 'Improving' the general fabric of the buildings.

**Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

The existing revenue budget may be sufficient to invest in a new service provision and carry out the operation of that service but with a reduced number of facilities.

**Option 3: Market Testing**

The level of investment could be influenced by the length of a contract; however, it is unlikely that a private provider would invest the capital required to meet the improvements needed to bring the public conveniences buildings up to modern standards. The revenue level could meet the current service requirements for a private provider, or an in house provider, but it is likely not to meet future repair and maintenance requirements for the buildings as they get older.

***Will monies/assets be freed for redistribution by the Council?*****Option 1: Cessation/Ending**

See Table in Resources, Appendix 1.

**Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

JC would require fewer toilets blocks, which would allow buildings excess to requirement to be freed for other use or sale.

**Option 3: Market Testing**

Market testing would not free monies or assets for redistribution by the Council. A private provider may free monies and assets if a long term contract is available.

**Impact on Employment*****Will the option comply with TUPE Transfer Requirements? Over what time scales?*****Option 1: Cessation/Ending**

TUPE would not be applicable under a continued service delivery.

**Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

TUPE Regulations would not apply, as no employee would transfer.

**Option 3: Market Testing**

TUPE Regulations would not apply, as no employee would transfer.

***Does this option protect or enhance employee and Trade Union Rights?*****Option 1: Cessation/Ending**

Continued service provision would protect and continue the current status.

**Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

Employees would be employed by another service provider therefore these issues are the external service providers concern, not the Council.

**Option 3: Market Testing**

The private sector would have to comply with statutory employment rights for trade union representation and this area of rights would be considered as part of the price/quality process for evaluation of the tender.

***How does the option promote staff training and development?*****Option 1: Cessation/Ending**

Training and development will continue as part of the Corporate schemes, including the possibilities of relevant NVQ qualification course. As part of the improvement action plan, personnel development plans for individual members of staff will be assessed, and training provided according to available finance.

**Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

It is not known how this option would promote staff training and development; however, automated and semi-automated facilities are very technical and it is envisaged that training and development is continuous.

**Option 3: Market Testing**

As part of the price/quality process, training will be evaluated to ensure that any external provider properly trains and develops staff.



***How will the option impact on the local economy?*****Option 1: Cessation/Ending**

There would be no change to the current situation.

**Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

There would be no impact on the local economy.

**Option 3: Market Testing**

It is thought the impact would be marginal, because we only employ have one FTE on the job and that employee will be retained by the Council to work on other activities.

***How will the option promote the health and safety of staff?*****Option 1: Cessation/Ending**

There would be no change to the current situation.

**Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

Statutory Health and Safety requirements will be included as part of any JC agreement and their policy will be evaluated before awarding any contract. It is considered that health and safety is paramount because of the technical nature of their facilities.

**Option 3: Market Testing**

Any successful private sector provider would have to comply with Health and Safety requirements and the company policy would be considered as part of the price/quality evaluation process.

**Risk Associated with the Options*****Are there any legal impediments to implementing this option?*****Option 1: Cessation/Ending**

There is no statutory requirement for a local authority to provide a public convenience service, however, Fylde currently carry out this function, therefore, there is no legal impediment to continuing this provision under an improved approach.

**Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

Since there is no statutory requirement for a local authority to provide a public convenience service, there are no legal impediments to implementing this option.

**Option 3: Market Testing**

Since there is no statutory requirement for a local authority to provide a public convenience service, there are no legal impediments to implementing this option.

***Can the option guarantee the appropriate level of confidentiality?***

The nature of the service is not generally subjected to any confidentiality however, a confidentiality clause would be a standard inclusion in any agreement or contract.

**Option 1: Cessation/Ending**

Not applicable. However, there would be a continuation of Council confidentiality

**Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

Not applicable. However, contract would require provider to comply with a confidentiality clause.

**Option 3: Market Testing**

Not applicable. However, contract would require provider to comply with a confidentiality clause.

***Will any conflict of interest arise with third parties?*****Option 1: Cessation/Ending**

There are no conflicts of interest with third parties.

**Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

There are no conflicts of interest with third parties, however, extra benefits to the Council could be realised by allowing a professional advertising multi-national company to undertake this role, as well as providing the public toilet facilities.

**Option 3: Market Testing**

It is not envisaged there will be any conflict of interest with third parties under this option.

***How will success of the option be judged?*****Option 1: Cessation/Ending**

The delivery of a Best Value Action Plan would be a major indicator of success linked to continuing high levels of stakeholder satisfaction, evidenced through questionnaires and consultation. There would need to be evidence of continuing improvement, which would form part of the business planning process.

Improving performance indicators and the EFQM score would indicate successful service delivery, as would substantial completion of any agreed annual business plan.

**Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

Success would be judged by the results of performance indicators showing improvement, high levels of satisfaction from customer surveys, continuous improvement in EFQM scoring and improved benchmarking results.

Substantial completion of the agreed annual plan would be judged as a success.

**Option 3: Market Testing**

Success would be judged by the results of performance indicators showing improvement, high levels of satisfaction from customer surveys, continuous improvement in EFQM scoring and improved benchmarking results. Substantial completion of the agreed annual plan would be judged as a success.

***What are the risk and consequences of failure of part of all of the option?***

**Option 1: Cessation/Ending**

The in house team currently undertake the service delivery and implements any improvements determined for the service delivered.

However, some of the public conveniences buildings are currently in poor condition and require substantial investment to continue to provide these facilities. If this investment is not available and with the current financial situation of the Council, it is a very unlikely that monies will be available, then some public conveniences will need to be closed in the near future, thus having a risk of failure to provide part of the service

**Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

The success or failure of this option is dependent upon the service specification and the selection of the appropriate service provision and provider. Weakness with either aspect could affect the effectiveness of the service and stakeholders expectations.

Should this option fail, there would be a possibility that the Authority would be left with no service, because facilities and assets would have passed to an external organisation, or been demolished. Whilst this is a risk, it is only minimal since the companies are national and multi-national organisations whose good name is their selling point.

**Option 3: Market Testing**

The success or failure of this option is dependant upon the service specification and the selection of the appropriate contractor. Weakness with either aspect could affect the effectiveness of the service and stakeholders expectations.

Failure to deliver part or all of the service would, in the short term, affect customer's expectations. No action would be taken against the Council, since it is not a statutory function.

It may affect tourism and retail businesses, with customers not wishing to visit a tourist area with no public toilet facilities.

The cessation is likely to be for a short time, until alternative external provision could be arranged, or a Council in house solution implemented.

***How well developed is the provision of this option? What degree of success has there been in implementing this option?***

**Option 1: Cessation/Ending**

The current provision of the public conveniences service in Fylde is delivered in house and this service delivery method is well developed.

**Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

Whilst this option is becoming increasingly well developed as an option, the actual provision of toilet facilities, under contract or leasing arrangements, is very well developed, and the neighbouring authority of Blackpool has gone down this route with Wyre Council deliberating on the issue at this moment in time

**Option 3: Market Testing**

The market testing option is well developed and a number of authorities such as Westminster City Council and Southend have operated successful contracts with private organisations for many years.

**Potential for Innovation**

***Has the option the potential to be innovative?***

**Option 1: Cessation/Ending**

There is potential to be innovative under an improved approach; however, some of the older facilities are a handicap and financial restraints could stifle innovation.

**Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

A different type of facility and service could be in operation under this option. There would be substantial potential for innovation, because there would be no prescribed way of providing the service. Providers will be free to use whatever equipment, systems or methods they feel will meet the needs of Fylde.

**Option 3: Market Testing**

This option has potential to be innovative because outputs would be specified and providers would be free to change systems, operations and service, to meet these outcomes and targets.

***How is the option innovative?*****Option 1: Cessation/Ending**

This option is unlikely to be innovative due to the restraints of the local authority system

**Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

New technology, different types of provision, different services, all could be provided under a full JC agreement, which (for Fylde) is innovative in itself. Providers will be invited to submit their proposals of how they will meet Fylde's public conveniences service requirements. This would allow providers an opportunity to introduce new technology, i.e. automatic and semi-automatic, in-builds, etc., which will update Fylde's facilities.

**Option 3: Market Testing**

The option will be innovative because a flexible approach to service delivery will be allowed. There may be the opportunity for access to new or different skills and practices that could enhance the service delivered, or there may be additional types of services available to be marketed through the public conveniences.

***What are the barriers to innovation?*****Option 1: Cessation/Ending**

The lack of available resource and finance may hinder innovation, which is limited, due to the poor state of some of the public conveniences buildings.

**Option 2: Joint Commissioning (working with other Local Authorities & service providers)**

The level of budget available could restrict the opportunity to use innovative methods and facilities. People's perception and unwillingness to use automated and unisex public conveniences could also hinder innovation, through the perception is that this is changing. People would be prepared to use the facility on the knowledge that it is clean, safe and useable.

**Option 3: Market Testing**

The main barrier is the Council's current financial situation. Some capital investment may be available to improve and change the existing public conveniences buildings, some of which are in a poor state and not necessarily in the right location. Innovation sometimes requires financial resources to initially fund and monitor and there is unlikely to be a possible increase in the revenue budget to meet provider's tender price if it is above the current budget level.

**Actions/Decisions Required from the next TFG meeting**

- 1 Members of the TFG decide on a preferred option.
- 2 If members are not happy with the detailed analysis, or other options are asked to be pursued instructions be given to relevant officers/members to carry out the work.
- 3 A report is prepared for November 4<sup>th</sup> Committee with a recommendation of a preferred option, or, a holding report is written indicating why.
- 4 A Member is nominated to present the report. This task and finish exercise (and its reports) are viewed by many as Officer reports, it shouldn't be, and it's a report from the TFG.

# REPORT



REPORT OF	MEETING	DATE	ITEM NO
CHIEF EXECUTIVE	CABINET	JULY 2006	9

## CPA – DISTRICT COUNCIL FRAMEWORK FROM 2006

### Public/Exempt item

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

### Summary

The report provides Members with details of the Audit Commission's firm proposals for a revised framework for comprehensive performance assessment of district councils, which are scheduled to be implemented from autumn 2006.

### Recommendation/s

1. That Members note the content of the report and the revised framework.
2. That Members adopt a position on the Council's approach to seeking re-categorisation within the new framework.

### Cabinet Portfolio - Leader, Councillor John Coombes

#### Report

The methodology applied in the first round of district council CPA produced a single overall judgement covering service performance and the council corporate ability to improve. Unlike single tier and county councils, district council CPA categories have not been updated on an annual basis.

In September 2005 the Audit Commission (A C) published a consultation paper setting out options for how they might take forward district council CPA. This paper set out a number of options for refining the key elements of CPA (use of resources assessments, service assessments, corporate assessments and direction of travel statements). The options fell into two broad categories:

- options that would allow the A C to re-categorise all district councils (Group A) through a programme to be delivered over a number of years; and
- options that would allow the Commission to identify, from initial evidence of improvement or deterioration, that a district council may be ready to be considered for re-categorisation, before any re-categorisation activity takes place (Group B).

The Council responded to this consultation exercise and expressed a preference for the second of these two options. The current proposals document, attached at Appendix A, very much reflects this Council's preferred position.

It is particularly gratifying to read the guiding principles in paragraphs 25 and 26 of the proposals which refer to the new framework:

- *building on the previous round of CPA of district councils but being much less intensive, both in terms of inspection activity and the impact on the capacity of district councils;*
- *being affordable, both in terms of the level of central government grant and fees paid by councils; and*
- *including appropriate involvement of other organisations supporting improvement, including the use of council peers in our assessment activity.*

It is also reassuring to note that the A C will adopt a targeted and risk-based approach to CPA of district councils from 2006 and that re-categorisation activity will be considered only where there is significant evidence to indicate a potential change in CPA category. For example;

- *where councils can demonstrate performance that is significantly better than that identified in the original corporate assessment, and the council wishes to be considered for re-categorisation; or*
- *where there is evidence of significant deterioration in either service or corporate performance which would potentially result in re-categorisation if a further corporate assessment was undertaken.*

Councils will be given the opportunity to request re-categorisation from October 2006, and subsequently on a six-monthly basis. It is expected that councils will work closely with their relationship managers in deciding if and when to apply for a corporate assessment.

Decisions about whether or not to undertake re-categorisation activity will be made regionally by A C panels which will include council peer representatives. If a panel decides that there is evidence of sufficient improvement or deterioration to justify re-categorisation activity, this will take place through a corporate assessment.



The number of 'themes' against which CPA inspections will be assessed has been reduced from ten to five. Each theme will still be scored from 1 – 4 but the weightings of each 'theme' has been revised as follows:

<u>Label</u>	<u>Score</u>
Well above minimum requirements – performing strongly	4
Consistently above minimum requirements – performing well	3
At only minimum requirements - adequate performance	2
Below minimum requirements - inadequate performance	1

Themes & Weightings

Ambition	-	2
Prioritisation	-	2
Capacity	-	2
Performance Management	-	2
Achievement	-	7

Proposed bandings as as follows:

<u>Category</u>	<u>Score</u>
Excellent	45 – 60
Good	36 – 44
Fair	28 – 35
Weak	21 – 27
Poor	20 or less

The point is strongly made in the document that user focus and diversity issues will continue to be a core element of the corporate assessment.

IMPLICATIONS	
Finance	The report and attachment have a significant impact on the operational and financial management and reputation of the Council.
Legal	The report and attachment have a significant impact on the operational and financial management and reputation of the Council.
Community Safety	None arising directly from the report.
Human Rights and Equalities	None arising directly from the report.
Sustainability	None arising directly from the report.
Health & Safety and Risk Management	None arising directly from the report.

REPORT AUTHOR	TEL	DATE	DOC ID
P Woodward	01253 658600	July 2006	H/cabinet/july06agenda

LIST OF BACKGROUND PAPERS		
NAME OF DOCUMENT	DATE	WHERE AVAILABLE FOR INSPECTION
Attached at Appendix A		

**Appendix A -        Audit Commission Final Consultation Document for  
CPA of District Councils (April 2006)**

Local government

Consultation

April 2006



# CPA – district council framework from 2006

Consultation document for Comprehensive Performance  
Assessment of district councils

The Audit Commission is an independent body responsible for ensuring that public money is spent economically, efficiently and effectively, to achieve high-quality local services for the public. Our remit covers around 11,000 bodies in England, which between them spend more than £180 billion of public money each year. Our work covers local government, health, housing, community safety and fire and rescue services.

As an independent watchdog, we provide important information on the quality of public services. As a driving force for improvement in those services, we provide practical recommendations and spread best practice. As an independent auditor, we ensure that public services are good value for money and that public money is properly spent.

For further information about the Audit Commission, visit our website at [www.audit-commission.gov.uk](http://www.audit-commission.gov.uk)

For additional copies of Audit Commission reports please contact:  
Audit Commission Publications, PO Box 99, Wetherby LS23 75A Tel: 0800 502030

1 Introduction	2
2 Background	5
Range of consultation options	6
Longer-term context	7
3 Proposed framework for district council CPA from 2006	8
Guiding principles	9
Which councils will be considered for re-categorisation?	9
Overall shape of the CPA framework	10
What will stay the same?	10
4 How will the individual elements of CPA fit together?	12
Identifying councils for re-categorisation activity	12
Use of resources	13
Direction of travel	15
Service performance information	16
Timing and priorities for corporate assessment activity	17
Corporate assessment	18
5 Consultation questions	23

© Audit Commission 2006

First published in April 2006 by the Audit Commission for local authorities and the National Health Service in England, 1st Floor, Millbank Tower, Millbank, London SW1P 4HQ

## Introduction

- 1 There are 238 district councils in England which provide a range of services for their communities. These services such as street cleansing, housing, waste collection and sports and leisure have a major impact on the lives of local people. Increasingly, district councils are also making a major contribution to improving the well-being of their populations by working in partnership with others on cross-cutting issues such as making communities safer, more prosperous and healthier.
- 2 District councils are best value authorities. They have a statutory duty to put in place arrangements to secure continuous improvement in their functions having regard to a combination of economy, efficiency and effectiveness. Under the 1999 Local Government Act, the Audit Commission (the Commission) has a duty to assess from time to time how well authorities are fulfilling this general requirement for continuous improvement. The Commission also has a duty to categorise best value authorities according to their relative performance (section 99 Local Government Act 2003).
- 3 The Commission introduced Comprehensive Performance Assessment (CPA) in 2002. CPA is a tool that brings together the most significant elements of our audit and inspection work to form a single judgement about the performance of councils and their arrangements for improving services. It also enables comparison between councils. Since its introduction, CPA has proved to be an effective catalyst for improvement in local services.
- 4 Between June 2003 and December 2004 we completed a CPA assessment of all 238 district councils. This comprised a corporate assessment, similar to that undertaken in single tier and county councils, and diagnostic work in key service areas of housing and public space. It also took account of assessments from the Benefit Fraud Inspectorate (BFI) and the appointed auditor. The results of this exercise, together with learning from it, were published in September 2005.<sup>1</sup>

---

<sup>1</sup> *Comprehensive Performance Assessment: Scores and Analysis of Performance for District Councils in England 2003/04 and Learning from Comprehensive Performance Assessment of District Councils: Improvement Breakthroughs*, Audit Commission, September 2005.

- 5 Since the introduction of CPA in 2002 there have been a number of changes in the operational and regulatory framework which have a bearing on the future shape of CPA for district councils. In particular, the Commission has committed itself to the principles of Strategic Regulation.<sup>I</sup> This means that all our work is risk-based, targeted where it can have the maximum impact, and user focused. The external landscape is also changing, with an increasing focus on locality-based partnerships as the key mechanism for delivering public services through arrangements such as local area agreements.
- 6 The focus of this paper is on the arrangements that the Commission is proposing to put in place for undertaking CPA in district councils between 2006/07 and 2008/09. It builds upon the consultation paper published in September 2005 which set out a range of options.<sup>II</sup> Analysis of the consultation responses has been published separately on our website ([www.audit-commission.gov.uk/cpa/districts/](http://www.audit-commission.gov.uk/cpa/districts/)).
- 7 Having consulted widely on the options, the Commission is now publishing firm proposals on the overall framework for CPA for district councils. However, there are some outstanding issues about specific aspects of the framework and how it will be applied on which we are inviting comment.

## Outline of the consultation document

- 8 Section 2 gives the background and context to the proposals, followed by an explanation of the overall framework and the approach to re-categorisation in Section 3.
- 9 Details of the individual elements within the framework are set out in Section 4, including:
  - identifying councils for re-categorisation activity;
  - use of resources;
  - direction of travel;
  - analysis of service performance; and
  - corporate assessment.
- 10 The consultation questions are listed in Section 5.

---

<sup>I</sup> *Strategic Regulation: Minimising the Burden, Maximising the Impact*, Audit Commission, November 2003.

<sup>II</sup> *The Framework for Comprehensive Assessment of District Councils from 2006: Consultation Document*, Audit Commission, September 2005.

## Responding to the consultation

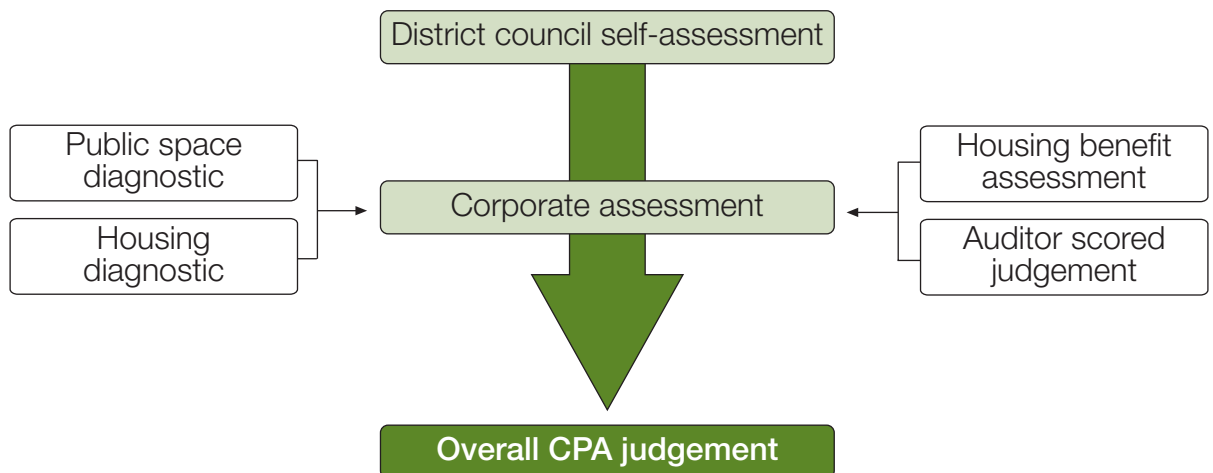
- 11 The consultation will continue until 30 May 2006. Responses on the issues raised in this document should be clearly headed 'District Council CPA consultation' and sent to [cpa@audit-commission.gov.uk](mailto:cpa@audit-commission.gov.uk). Responses to the questions set out in Section 5 would be particularly welcome.
- 12 Please note that we will not be able to accept any responses submitted after 30 May, and that all replies will be considered as being on the record.
- 13 We then aim to publish a summary of the consultation responses alongside the confirmed framework at the end of July 2006.



## Background

- 14 The methodology applied in the first round of district council CPA produced a single overall judgement covering core service performance and council ability to improve. The programme was implemented and reported on a county-by-county basis. Unlike single tier and county councils, district council CPA categories have not been updated on an annual basis because they rely solely on a corporate assessment.
- 15 The arrangements for undertaking the first corporate assessments involved completion of a self-assessment by the council, followed by an accredited peer challenge. This informed the corporate assessment which brought together an external auditor scored judgement, a housing benefit assessment (undertaken by BFI) and two thematic diagnostic assessments to produce an overall CPA judgement.

**Figure 1**  
**2003/04 CPA model**



**Source:** Audit Commission

- 16 The corporate assessment methodology comprised four key questions and ten themes, with each theme scored on a 1-4 scale (where 1 was weak and 4 strong). Three of the ten themes (investment, achievement of service quality and achievement of improvement) were given additional weighting. The weighted scores were added to produce a CPA category of excellent, good, fair, weak or poor.

**Table 1**

**Corporate assessment 2003/04: key questions and themes**

Key questions	Themes
1. What is the council trying to achieve?	1. Ambition
	2. Prioritisation
	3. Focus
2. How has the council set about delivering its priorities for improvement?	4. Capacity
	5. Performance management
3. What improvements has the council achieved/not achieved to date?	6. Achievement of service quality
	7. Achievement of improvement
	8. Investment
4. In light of what the council has learnt, what does it plan to do next?	9. Learning
	10. Future plans

## Range of consultation options

- 17 In September 2005<sup>1</sup> we published a consultation paper setting out options for how we might take forward district council CPA. This paper set out a series of guiding principles and five different ways of combining the key elements of CPA (use of resources assessments, service assessments, corporate assessments and direction of travel statements). The options fell into two broad categories:
- options that would allow the Commission to re-categorise all district councils (Group A) through a programme to be delivered over a number of years; and

<sup>1</sup> *The Framework for Comprehensive Performance Assessment of District Councils from 2006*, Audit Commission, September 2005.

- options that would allow the Commission to identify, from initial evidence of improvement or deterioration, that a district council may be ready to be considered for re-categorisation, before any re-categorisation activity takes place (Group B).

## Longer-term context

- 18** The September 2005 paper also identified the potential for a shift towards area-based assessments after 2008, in response to the changing national policy context. It is therefore important that the new framework is capable of contributing to future area-based assessments of public services and focuses on the achievement of local as well as national priorities.

## Proposed framework for district council CPA from 2006

- 19 There has been a high level of stakeholder engagement in consultation about options for the future framework for district council CPA. Over 600 people attended regional briefing sessions about the options and almost 200 written responses were received. In addition, the district council reference group has been involved in discussing emerging proposals at key points.
- 20 The full analysis of the responses has been published on our website.<sup>1</sup>
- 21 In determining the principles that will underpin our approach to CPA for district councils, the Commission has taken full account of the consultation responses. There is widespread support for the guiding principles outlined in the consultation paper. In particular the principles that the future CPA framework for district councils should be targeted, risk-based and less intensive.
- 22 Two thirds of those commenting on the guiding principles suggest further principles that the Commission should be following, by far the most common relating to the recognition of councils' performance against local priorities.
- 23 There is overwhelming support among respondents (83 per cent) for the Group B approach to re-categorisation (options 4 or 5). This would allow the Commission to identify, from initial evidence of improvement or weakening in council performance, whether further activity should be undertaken to assess whether the council should be re-categorised. This is the approach that we are now proposing to adopt.
- 24 Forty-five per cent of those stating a preference supported Option 4, and 36 per cent supported Option 5: both of these involve a targeted approach to re-categorisation. The only difference between these options is that Option 5 did not include service assessment as part of the model.

---

<sup>1</sup> *The Framework for Comprehensive Performance Assessment of District Councils from 2006: Analysis of Consultation Responses – Summary Report.* Audit Commission, February 2006.

## Guiding principles

25 There was a high level of agreement on the published principles. Strategic Regulation is at the heart of our approach to CPA. This means that the CPA framework for district councils will:

- continue to encourage improvement;
- be seen from the perspective of service users;
- provide value for money for taxpayers;
- be targeted and risk-based; and
- be delivered in partnership with others.

26 Furthermore the new framework will:

- build on the previous round of CPA of district councils but be much less intensive, both in terms of inspection activity and the impact on the capacity of district councils;
- be affordable, both in terms of the level of central government grant and fees paid by councils; and
- include appropriate involvement of other organisations supporting improvement, including the use of council peers in our assessment activity.

## Which councils will be considered for re-categorisation?

27 In line with the principles of Strategic Regulation and the response to the consultation exercise, the Commission will adopt a targeted and risk-based approach to CPA of district councils from 2006. This means that we will undertake re-categorisation activity only where there is significant evidence to indicate a potential change in CPA category. This will apply in the following circumstances:

- where councils can demonstrate performance that is significantly better than that identified in the original corporate assessment, and the council wishes to be considered for re-categorisation; or
- where there is evidence of significant deterioration in either service or corporate performance which would potentially result in re-categorisation if a further corporate assessment was undertaken.

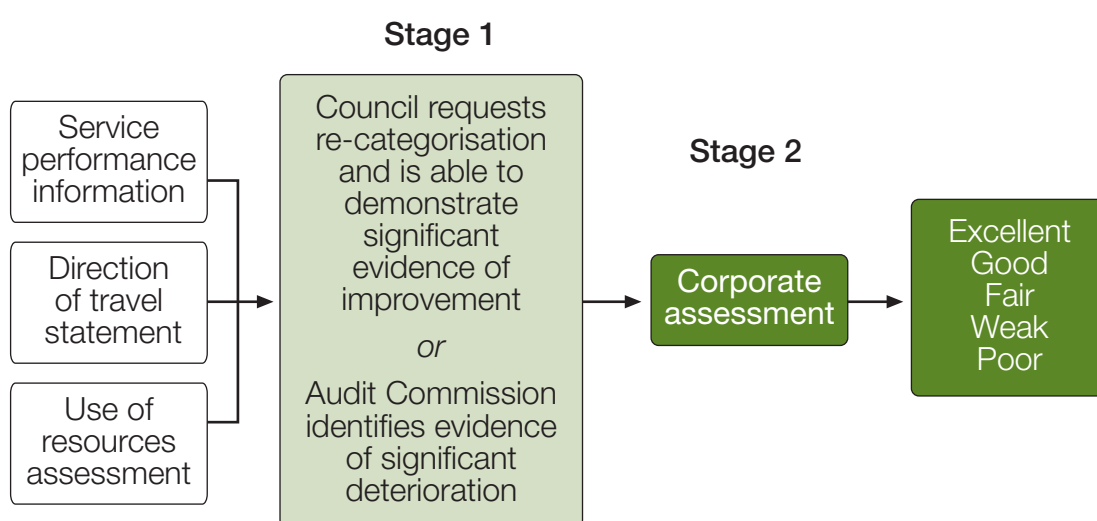
- 28 Where there is no deterioration in performance, councils will only be considered for re-categorisation activity if they request it.

## Overall shape of the CPA framework

- 29 The framework will involve a two-stage approach:
- to decide whether or not there is sufficient evidence of a potential category change; and if so then
  - to undertake a corporate assessment following which a change in category may be warranted.
- 30 Decisions about whether or not to undertake re-categorisation activity will be made regionally by Commission panels which will include council peer representatives. If a panel decides that there is evidence of sufficient improvement or deterioration to justify re-categorisation activity this will take place through a corporate assessment. Further details on each of these elements are provided in the next section.

**Figure 2**

### District council CPA re-categorisation from 2006



**Source:** Audit Commission

## What will stay the same?

- 31 Although it is intended to introduce some changes into the way district council CPA will take place from 2006, the Commission will not introduce a harder test into re-categorisation activity. The categories must remain the same and corporate assessment broadly similar, to ensure comparability between 2003/04 categories and those determined from 2006 onwards.

# 4

## How will the individual elements of CPA fit together?

- 32 Key messages from the consultation responses on the main elements of CPA have informed the development of the methodology. Both use of resources assessments and direction of travel statements were felt to be key elements in any future CPA framework. However, corporate assessments were seen by many as the most important element because of the significance of corporate leadership in driving improvement.
- 33 The other issue that was highlighted in a number of responses was a wish for a transparent process to determine which councils would receive re-categorisation activity.

### Identifying councils for re-categorisation activity

- 34 Councils will be given the opportunity to request re-categorisation activity from October 2006, and subsequently on a six-monthly basis. It is expected that councils will work closely with their relationship managers in deciding if and when to apply for a corporate assessment.
- 35 The key decision on whether or not this will be undertaken will be made by regionally coordinated panels, with council peer representatives and out-of-region Commission involvement to ensure consistency and transparency. The panels will also consider those cases where there is evidence of deterioration. In deciding whether or not to undertake a corporate assessment, the Commission will take into account both quantitative and qualitative evidence of improvement or deterioration. The test the panels will apply is whether there is a realistic prospect of a change in category if the corporate assessment is carried out. Key sources of evidence will include:
- use of resources assessment (scored);
  - direction of travel statements;
  - service performance information summarised to show any changes in performance since 2002/03 and current performance, service inspection reports (if any) and Benefits Fraud Inspectorate scores; and
  - any other relevant evidence of improvement or deterioration.



- 36 This first stage will not involve any fieldwork or on-site activity, although some discussion with the council may be necessary. Further details of the arrangements for requesting re-categorisation activity will be published in due course.
- 37 The Commission has published a review procedure which covers situations where audited and inspected bodies are dissatisfied with scored judgements in local government, housing and fire and rescue services.<sup>1</sup> These arrangements will also apply to the decision about whether there should be a full corporate assessment.

## Use of resources

- 38 Following the use of resources assessments at councils in 2005/06, the Commission undertook a post-implementation review, and in February and March 2006, we consulted on proposals to refine and improve the assessment. A large number of district councils contributed to this consultation. An analysis of the responses to the consultation is available on our website: [www.audit-commission.gov.uk/cpa/districts](http://www.audit-commission.gov.uk/cpa/districts).
- 39 In summary, the key messages from the consultation responses were:
- ninety per cent of those respondents who expressed an opinion broadly agree with the proposed changes;
  - two-thirds of respondents agree with alignment of the assessment with the financial year;
  - most respondents would prefer the alignment with the financial year and the introduction of new 'must have' criteria to be deferred to March 2007;
  - ninety per cent of respondents agree with the proposal to reduce the need for a new self-assessment though many found it a useful exercise in 2005;
  - more than 80 per cent of respondents consider the use of resources key lines of enquiry (KLOE) and their focus to be appropriate; and
  - respondents generally found the cost profiles helpful to some degree and contributed suggestions for improvement.

---

<sup>1</sup> *Review Procedure for Scored Judgements*, Audit Commission, May 2005.

- 40 While the overall response is broad agreement with the changes proposed, there is a clear message that councils would like more notice of planned changes to the use of resources KLOE. We intend to meet this request by phasing in the changes, which means that we will:
- incorporate into the 2006 assessment the modifications to the wording of the criteria and descriptors proposed in Table 1 of the consultation document, as these received broad support;
  - defer to the 2007 assessment the alignment of the assessment to the financial year, to allow optimal integration with work carried out by auditors as part of the Code of Audit Practice;
  - defer to the 2007 assessment the upgrade of specified criteria to ‘must have’ status, proposed in Table 2 of the consultation document; and
  - require only those councils that scored 1 for value for money to produce a new self-assessment. Councils that scored more than 1 for the value for money theme would only be asked to submit an updated self-assessment to reflect any significant changes.
- 41 In response to detailed comments received, we have made some further improvements to the wording of the criteria for the 2006 assessment. Most notably, we have modified the value for money descriptors so it is clearer that we are looking to see that ‘best value’ is demonstrated when comparing costs and services to other similar councils.
- 42 The KLOE that will form the basis of the assessments to be reported in March 2007 are available on the Commission’s website at [www.audit-commission.gov.uk/cpa/districts](http://www.audit-commission.gov.uk/cpa/districts).
- 43 We do not propose any changes to the way in which the use of resources scores are brought together into an overall score. This will remain the same as in 2005.
- 44 We expect to release an updated version of the cost profiles in early June 2006.
- 45 In 2005, a council needed to score 3 on at least three themes to achieve an overall score of 3 for use of resources. This would still apply, but we are now seeking views on whether an additional rule should be introduced which would give the value for money theme additional weighting. This would mean that a council could only score 3 or more overall for use of resources if its value for money judgement was scored at 3 or above.

- 46 As far as district councils are concerned, the next use of resources assessment will follow the same timescale as for the 2005 assessment and cover the period February 2006 to January 2007. The following assessment will be based on the 2006/07 financial year and we will then bring forward the reporting of our judgements to December 2007.
- 47 We appreciate that district councils were not in a position to comment on the reporting stage of the assessment during the recent separate consultation on the use of resources because this did not take place until the end of March 2006. We now welcome any comments on the reporting stage and any overall issues that have only become clear at the end of the process.
- 48 For 2007/08, we will consider completing the process of phasing in the more challenging aspects of the assessment by putting all existing criteria in the KLOE on an equal footing, but we will consult with councils and stakeholders prior to doing this. We will also address how we might make the assessment more proportionate, particularly for high-performing councils.

## Direction of travel

- 49 The evidence collected in the course of preparing direction of travel statements will inform decisions about re-categorisation.
- 50 In September 2005, we issued interim guidance for district councils on our proposals for direction of travel statements. These statements are designed to recognise progress achieved since the last CPA categorisation.
- 51 The direction of travel statements provide public assurance through a robust annual assessment of whether councils are complying with their duty of making arrangements to secure continuous improvement. In 2005/06, district councils received an unscored summary commentary for inclusion in the annual audit and inspection letter on the council's overall progress in delivering its improvement priorities since CPA categorisation.
- 52 The Commission intends to maintain this light touch approach to direction of travel. However, in response to feedback from the district council reference group, we propose to introduce some common statements which can be used to report progress in annual audit and inspection letters in a more consistent way.

## Service performance information

- 53 The systematic analysis of service performance information will form a key part of the evidence considered by the Commission in deciding whether or not to undertake a corporate assessment. This element will include:
- analysis of performance indicators; and
  - inspection scores – both those undertaken by the Commission and by other regulators such as the BFI.
- 54 The weight given to the analysis of service performance information as a source of evidence will depend on the circumstances of the individual council and other evidence. We do not intend to calculate or report separate scored service assessments for district councils. However, we will present and analyse service performance information for district councils in a clear and consistent way.
- 55 The Commission will produce a tool which sets out, for each district council, improvement and current performance on an agreed set of performance indicators (PIs). This tool will be made available to district councils as soon as possible after the publication of the final methodology to assist with their internal discussions about whether to apply for a new corporate assessment.
- 56 We have identified a number of PIs, both best value PIs and other performance measures, which will be used in the analysis of service performance information for district councils. These PIs are based on those used in the service assessment of single tier and county councils in 2005. They have been selected as robust and reliable measures of service performance, covering a broad range of the services that district councils provide. The PIs we are proposing to include can be found in the *District Council PI set for use in the analysis of service performance information* available on our website at [www.audit-commission.gov.uk/cpa/districts](http://www.audit-commission.gov.uk/cpa/districts).
- 57 District councils will be able to use other robust performance information as part of the evidence they wish to be considered if making a case for re-categorisation.

- 58 When deciding whether to carry out a new corporate assessment, the Commission will consider the following evidence from the analysis of service performance information:
- the extent of improvement – what proportion of the PIs in the set are improving;
  - the strength of improvement – whether improvement seen at the individual PI level is significant or better than expected; and
  - the areas of improvement – whether improvement is seen in areas of previously weak performance or areas of local priority.
- 59 The extent of improvement and current performance will be considered in the context of other district councils.
- 60 The analysis of service performance information will not be used to make a decision about a new corporate assessment in a mechanistic way as other evidence and local circumstances will be taken into account.

## Timing and priorities for corporate assessment activity

- 61 In line with Strategic Regulation, the Commission will focus its efforts where it can achieve maximum impact. In undertaking re-categorisation activity, priority will be given in the first instance to those councils where there is evidence of deteriorating performance. Subsequently, priority will be given to councils in the poor and weak categories where there is significant evidence of improvement and where the council has requested re-categorisation activity.
- 62 In order to give councils adequate notice, it is planned to undertake the first re-assessments in January 2007. The detailed programming of those councils prioritised for re-assessment will depend on factors such as:
- proximity to next category boundary in the 2003/04 assessment;
  - length of time since the last published CPA category; and
  - strength of evidence for re-categorisation.

## Corporate assessment

- 63 Self-assessment will remain the starting point for corporate assessment. The Commission is working with other members of the Local Services Inspection Forum (LSIF) to rationalise and align self-assessment requests to reduce the burden on councils. The content of district council self-assessments will be informed by the outcome of this work.
- 64 The 2003/04 corporate assessment methodology has been streamlined to make it more proportionate. Changes proposed include:
- no diagnostic assessments;
  - auditor's judgement (now use of resources) and BFI assessments are no longer separate components, although they will be integral to the evidence considered for corporate assessment;
  - direct involvement of a council peer in the assessment process;
  - five corporate assessment themes instead of ten;
  - greater reliance on pre-site analysis to minimise the on-site work; and
  - the introduction of web-based stakeholder surveys, as currently used in corporate assessment for single tier and county councils. This involves web-based surveys of key partners within the locality to ascertain their views of the council, reducing the need for extensive interviews and written evidence.
- 65 We anticipate that corporate assessments will be more proportionate and significantly less resource intensive than those undertaken in 2003/04.

## Key questions and themes

- 66 The new KLOE have been updated and streamlined but map directly across to the original KLOE used for corporate assessment in 2003/04. Some changes have been made to reflect the continuous improvement which has taken place in local government since 2003/04. There are also some changes of emphasis; notably more explicit references to partnership. The key questions and themes are set out below.
- 67 The self-assessment will be used by councils to explain their achievements in the context of their locally determined priorities. However, as before, councils will be expected to demonstrate that they have focused on an appropriate balance between local and national priorities.

**Table 2****Corporate assessment from 2006: key questions and themes**

Key questions	Themes
1. What is the council, together with its partners, trying to achieve?	1. Ambition for the community
	2. Prioritisation
2. What is the capacity of the council, including its work with partners, to deliver what it is trying to achieve?	3. Capacity
	4. Performance management
3. What has been achieved?	5. Achievement of improvement

- 68 The proposed corporate assessment KLOE which underpin these are set out in full on our website: [www.audit-commission.gov.uk/cpa/districts/](http://www.audit-commission.gov.uk/cpa/districts/). These will be fine-tuned through further piloting which will take place in summer 2006. The final version will take account of both the learning from the pilot projects and responses to the consultation.

**Scoring**

- 69 In line with our other inspection activity and that of other regulators, the Commission proposes to adopt the LSIF scoring system for corporate assessment theme scores. This remains a four-point scale, but with some changes to the labels. These are as follows:

**Table 3****Corporate assessment theme scores from 2006**

Score	Label
4	Well above minimum requirements – performing strongly
3	Consistently above minimum requirements – performing well
2	At only minimum requirements – adequate performance
1	Below minimum requirements – inadequate performance

- 70 The main reason for this proposed change is to make it more explicit about what level of performance a council requires in order to achieve a particular score. A series of descriptors to support the KLOE have been developed and can be found at [www.audit-commission.gov.uk/cpa/districts/](http://www.audit-commission.gov.uk/cpa/districts/).
- 71 As there are now five themes instead of ten, the theme weightings have been adjusted accordingly. This is based on mapping the previous KLOE to the new ones. All the new theme scores will be multiplied by a weighting factor, to align them with the original themes, so that they form approximately the same proportion of the overall score. The proposed weighting for the new themes is as follows:

**Table 4****Proposed weighting for corporate assessment theme scores from 2006**

Theme	Weighting
Ambition	2
Prioritisation	2
Capacity	2
Performance management	2
Achievement	7

- 72 As not all district councils will undergo a re-assessment, we will keep the same CPA categories to ensure comparability with the 2003/04 assessments. District councils will continue to be categorised as:
- Excellent;
  - Good;
  - Fair;
  - Weak; and
  - Poor.
- 73 We recognise that the individual theme scores will be affected by changes to the scoring system. We propose to compensate for this by adjusting the category bandings. The proposed bandings are outlined below:



**Table 5****Proposed bandings for corporate assessment**

<b>Category</b>	<b>Required score</b>
Excellent	45 - 60
Good	36 - 44
Fair	28 - 35
Weak	21 - 27
Poor	20 or less

**User focus and diversity**

- 74 User focus and diversity will continue to be a core element of the corporate assessment. Judgements on each of the themes will take into account how effectively a council is addressing these issues within the local context. We will also ensure that any areas of notable or poor performance are highlighted in our reports.

**Reporting**

- 75 In 2003/04, district council CPA reports were published quarterly, on a county-by-county basis. We will continue to publish reports on a quarterly basis and update results on our website as re-categorisation takes place.

**Quality assurance**

- 76 The Commission has in place an effective quality assurance framework for single tier and county council corporate assessment.<sup>1</sup> This will also apply to district council CPA. Specific arrangements will be put in place to assure the quality of our work at each stage. Within corporate assessment this will cover:
- pre-assessment analysis;
  - initial challenge and scoping;
  - on-site evidence gathering; and
  - reporting.

<sup>1</sup> CPA – *the Harder Test*, Audit Commission, June 2005.

- 77 Our approach to ensuring the quality of our work will also be built into our processes for selecting and training those carrying out corporate assessment related work. We will:
- aim to select only highly experienced, trained and accredited staff and contractors to deliver our corporate assessments;
  - continue to work with the Improvement and Development Agency on recruiting and developing council peers;
  - regularly review and seek feedback from authorities on the performance of teams; and
  - allocate teams to authorities on the basis of their understanding of the type of authority.
- 78 The Commission has adopted a review procedure applicable to all its scored judgements from April 2005. This will therefore apply to:
- corporate assessments;
  - service inspections;
  - use of resources judgements (a Commission judgement although the work is carried out by appointed auditors); and
  - the decisions by regional panels on whether or not to undertake re-categorisation activity.
- 79 More information on the review procedure for scored judgements can be found at [www.audit-commission.gov.uk](http://www.audit-commission.gov.uk).

# 5

## Consultation questions

---

### 1 The overall framework (pages 8-11)

---

- 1.1 Do you agree or disagree with the overall approach proposed for the future CPA framework for district councils? If so, which aspects do you disagree with?
- 

### 2 Re-categorisation (pages 12-13)

---

- 2.1 Do you agree or disagree that we should undertake re-categorisation activity only where there is significant evidence to indicate a potential change from the original CPA category?
- 
- 2.2 Do you agree or disagree with our proposals about how a council can seek re-categorisation and how that decision will be made?
- 
- 2.3 We have suggested a range of evidence that the Commission should take into account in deciding whether or not to undertake a corporate assessment. Do you agree or disagree with this? Is there any other evidence we should consider?
- 

### 3 Use of resources (pages 13-15)

---

- 3.1 Following the consultation recently undertaken for use of resources assessments, do you have any additional comments?
- 
- 3.2 What are your views about the most appropriate timing of the use of resources assessment and reporting for district councils in the future?
- 

### 4 Direction of travel (page 15)

---

- 4.1 Do you agree or disagree that we should continue the approach to direction of travel statements introduced in 2005? If you disagree, how should it be changed?
- 
- 4.2 Do you agree or disagree with the proposal to introduce some common statements so that progress is reported in a more consistent way?
- 

### 5 Analysis of service performance information (page 16-17)

---

- 5.1 Do you agree or disagree with our proposals for the analysis of service performance information which will be used as part of the evidence in deciding whether or not to undertake a corporate assessment?
-

---

5.2 In relation to the proposed set of performance indicators, do you agree or disagree that these are appropriate in the context of considering either improvement or deterioration in services? If you disagree, which indicators would be more suitable?

---

5.3 Do you think the proposed set of performance indicators are broadly representative of the services district councils provide?

---

## **6 Corporate assessment (pages 17-22)**

---

6.1 What are your views on the proposed changes to the corporate assessment process including:

- a) a reduction in corporate assessment themes from ten to five;
  - b) involvement of a council peer on the assessment team;
  - c) the introduction of web-based stakeholder surveys;
  - d) no diagnostic assessments and a greater reliance on pre-site analysis to minimise the on-site work; and
  - e) the use of BFI assessments, use of resources as part of the range of evidence taken into account rather than specific components of the corporate assessment.
- 

6.2 Do you agree or disagree with the key lines of enquiry proposed for use in corporate assessment from 2006? If you disagree, what amendments do you propose?

---

6.3 Do you agree or disagree with the proposed approach to scoring and weighting, which adopts the LSIF scoring system, but allows comparability with previous assessments? If you disagree, what alternatives do you propose?

---

## **7 Supporting Strategic Regulation**

---

7.1 In addition to our questions about the proposals for specific changes to the CPA framework, we are also interested in your views on any areas of change, which might support the Commission's principles of Strategic Regulation.

---

7.2 How could CPA be used over the next two years to ease the transition to a new assessment framework from 2008?

---

- 
- 7.3 Are there any ways in which the CPA framework could be refined so that it:
- a) continues to encourage improvement?
  - b) encourages innovation to a greater extent?
  - c) further reflects the interests of users and residents?
- 
- 8 Are there any other comments you would like to make in relation to the proposals in this paper?
-

This report is available on our website at [www.audit-commission.gov.uk](http://www.audit-commission.gov.uk). Our website contains a searchable version of this report, as well as a text-only version that can easily be copied into other software for wider accessibility.

If you require a copy of this report in large print, in braille, on tape, or in a language other than English, please call 0845 0522613.

To order additional copies of this report or other Audit Commission publications please contact  
**Audit Commission Publications, PO Box 99, Wetherby,  
LS23 7SA Tel 0800 502030.**

Audit Commission  
1st Floor, Millbank Tower,  
Millbank, London SW1P 4HQ  
Tel: 020 7828 1212 Fax: 020 7976 6187  
Textphone (minicom): 020 7630 0421  
[www.audit-commission.gov.uk](http://www.audit-commission.gov.uk)

# REPORT



REPORT OF	MEETING	DATE	ITEM NO
CONSUMER WELLBEING & PROTECTION UNIT	CABINET	12 JULY 2006	10

## HOUSES IN MULTIPLE OCCUPATION (HMO) LICENSING POLICY

### Public/Exempt item

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

### Summary

Under the Housing Act 2004 local authorities are required to licence certain houses in multiple occupation. The policy attached at Appendix 1 has been developed as a common approach for Fylde and Wyre Borough Councils. It is also possible to charge fees for this licensing in order to recoup the associated costs. Hence a common fee structure has also been developed by the two authorities.

### Recommendation/s

1. That the HMO licensing policy and associated fees be approved.
2. That delegated authority be given to the Executive Manager Consumer Wellbeing and Protection, in consultation with the Community and Social Wellbeing Portfolio Holder, to amend the HMO Licensing Policy and fee structure in the future.

### Executive Portfolio

The item falls within the following executive portfolio[s]:

Community and Social Wellbeing

Councillor Patricia Fieldhouse

## **Report**

1. The Housing Act 2004 introduces mandatory licensing for certain Houses in Multiple Occupation. Licensing has been introduced to ensure that HMOs are safe, healthy and properly managed and that issues of anti-social behaviour can be better addressed.
2. The private rented sector is a valuable housing resource. Approximately 10% of accommodation in England is provided in the private rented sector. This sector is especially useful for a range of groups who are generally ineligible for social housing, such as those requiring employment-related mobility, single people and childless couples. It is recognised that the private rented sector provides a key element in fulfilling the overall housing needs of the Borough. This is equally true of the HMOs that will be subject to licensing provisions.
3. Whilst much of the private sector provides a good standard of accommodation, there is a significant part of the sector where improved property conditions and management standards are needed. Of particular concern in terms of standards are some HMOs. The most common problems associated with multiple occupancy relate to poor fire safety standards, overcrowding, inadequate facilities and poor management.
4. Research indicates that many HMOs present significantly greater health and safety risks to tenants than comparable single occupancy dwellings. They can be difficult to manage and the way a property is occupied can contribute towards increased risks for tenants even when an HMO is in an acceptable state of repair.
5. The Housing Act 2004 has placed a duty on local authorities to licence HMOs. The aim of licensing is to raise standards in the private sector. Licensing will also ensure that those HMOs which present the most significant health and safety risks (whether those risks are related to property conditions or not) come to the attention of the local authority and will place a more direct obligation on poor landlords to provide adequate standards.
6. The requirement for a HMO to be licensed arises when:
  - it is three or more storeys high.
  - it has five or more people in more than one household.
  - the occupants share amenities such as bathrooms, toilets or cooking facilities.

Certain properties are exempt from the licensing scheme, these are detailed in paragraph 3.1 of the attached policy. There are approximately 500 HMOs in Fylde, of which it is anticipated that a maximum of 30 of these will fall within the remit of mandatory licensing

7. Legislation does not require the development of a formal HMO Policy. However, the attached policy, developed in conjunction with neighbouring authorities, sets out our approach to implementing a HMO Licensing system and delivering against the following objectives:
  - ensuring that all landlords of HMOs, or their agents, are fit and proper persons.
  - implementing minimum standards of management of HMOs.



- identifying high risk HMOs and their landlords and to deal with the health and safety issues involved.
8. Although some of the standards and requirements are prescribed in the Housing Act and its secondary legislation, the legislation makes provision for additional conditions to be attached to a licence to secure improved property standards and management arrangements. Our proposals with respect to such discretionary areas are set out in Sections 6 and 7 of the attached Licensing Policy at Appendix 1.
  9. This policy has been prepared to strike a balance between the needs of landlords (on whom the provision of this accommodation depends) and the necessity to ensure that the lettings they provide are properly managed for the safety and welfare of the tenants and neighbouring occupiers.
  10. The Act also gives local authorities discretion to designate areas or other property types for selective licensing. Such schemes can be used to focus on localised problems and could extend the licensing requirements to cover other types of HMOs. However, any decision to designate an area for selective licensing must be consistent with housing strategy objectives and the Council's overall approach to homelessness, empty properties and anti-social behaviour. Selective licensing cannot be implemented unless the authority:
    - has considered whether there are other courses of action available, and
    - can clearly show that making the decision will have positive benefits, will make a significant contribution towards achieving strategic objectives and that it will continue to be necessary once other options have been taken into account.

At this time it is not considered appropriate to introduce a selective licensing scheme.

11. The Government has not prescribed licensing fees and has determined that Local Authorities must set their own fee structures. Government has clearly indicated that it expects Councils to cover the administrative costs of running such schemes through licensing charges. Any fee charged must be reasonable and only cover the cost of the licensing scheme.
12. Government advises that fees should not place an unnecessary burden on landlords which could jeopardise the supply of affordable private rented accommodation. The National Residential Landlords Association have clearly indicated that they will be closely scrutinising fee levels being charged by local authorities across the country to ensure that they are fair and reasonable. However, the processes involved in determining licence applications are complex and this must be reflected in the fee if the Council Tax payer is not to bear these costs.
13. Government has promoted a sub-regional approach to developing fee structures and accordingly we have worked with neighbouring authorities (Wyre and Blackpool) to encourage consistency. The attached HMO Licensing Policy and fee structure are proposed for adoption by both Fylde and Wyre Borough Councils – although it is quite likely that Blackpool will adopt the policy and fee structure.
14. It is estimated that currently up to 30 HMOs in Fylde fall within the remit of mandatory licensing. If all 30 of these premises were licensed this would generate income in the region of £24,000 over a five year period. The additional income will be used to provide additional capacity to deliver the licensing scheme.

Implications			
Finance	The charging of fees for the issue of licences will enable the Council to recoup its costs. It is estimated that a maximum of £24,000 income will be generated, based upon 30 licensable HMOs, over the 5 year licence period. Additional income will be used to provide additional capacity to deliver the licensing scheme.		
Legal	Enforcement of the provisions of the Act will be in accordance with the Enforcement Concordat and the Council's Enforcement Policy. A person may make an appeal to the Residential Property Tribunal in respect to the refusal, variation, revocation or conditions of a licence.		
Community Safety	Both mandatory and selective licensing are, in part, designed to assist in controlling anti-social behaviour. Better control of HMOs and the persons who manage them can prevent some of the negative environmental impacts such accommodation can have on local neighbourhoods.		
Human Rights and Equalities	The powers under the Housing Act should increase the health and safety of housing for the most poorly housed residents, particularly those vulnerable groups most often housed in HMOs.		
Sustainability	Improved housing standards contribute to creating sustainable balanced communities.		
Health & Safety and Risk Management	If the Council does not charge an appropriate level of fees for the issue of HMO licences then it will not cover the additional revenue costs associated with the operation of this mandatory scheme. However, if these fees are excessive then this could seriously threaten the supply of affordable housing.		
Report Author	Tel	Date	Doc ID
Clare Platt	(01253) 658602	12 July 2006	Cabinet 12.7.06 HMO Licensing Report
List of Background Papers			
Document	Date	Where available for inspection	
Policy and Service Review Overview & Scrutiny	10 May 2006 Agenda	<a href="http://www.fylde.gov.uk/ccm/content/website/domestic-and-legal-services/agendas-and-minutes/policy-and-service-review-cf/2006-03-30.en">http://www.fylde.gov.uk/ccm/content/website/domestic-and-legal-services/agendas-and-minutes/policy-and-service-review-cf/2006-03-30.en</a>	

#### Attached documents:

Appendix 1: Houses in Multiple Occupation – Licensing Policy

**Wyre Borough Council**



# Houses in Multiple Occupation Licensing Policy

June 2006

(Rev 3 Joint)

# Contents

1.0	Introduction	1
2.0	Definition of an HMO	1
3.0	HMO Licensing	1
4.0	The Licensing Objectives	2
5.0	The Licensing Function	4
6.0	Conditions	4
7.0	Property Standards	5
8.0	Discretionary Additional Licensing	6
9.0	The Licensing Process	6
10.0	Fees	6
11.0	Delegation	7
12.0	Appeals	7
13.0	Enforcement	7
14.0	Temporary Exemption Notices	8
15.0	Register of Licences	8
16.0	Monitoring and Review	8

## Appendices

Appendix A	Principles of Rehabilitation of Offenders Act 1974	9
Appendix B	A Summary of Management Regulations, Codes of Practice and Requirements	10
Appendix C	Licensing Fees for HMOs	13
Appendix D	Glossary of Terms	15

# Houses in Multiple Occupation Licensing Policy

## 1.0 Introduction

- 1.1 This policy is written jointly by both Fylde and Wyre Borough Councils and consequently the reference to “ the Council” in the document refers to either or both as appropriate.
- 1.2 The Housing Act 2004 radically overhauls the way the Council regulates standards in private rented housing. It also introduces compulsory licensing of certain houses in multiple occupation (HMO) see 2.1 below for definition. These changes came into force in April 2006.
- 1.3 This statement of licensing policy is written pursuant to the provisions of the Housing Act 2004, which introduces a new mandatory licensing system in relation to certain categories of houses in multiple occupation. This policy relates to all houses in multiple occupation (hereafter referred to as HMO) in the area which must be licensed under the 2004 Act, and takes effect from 1<sup>st</sup> April 2006.
- 1.4 The Council aims to maximise the availability of private rented accommodation and ensure that it is of a decent standard to protect the health and safety of tenants. The availability of HMO lettings is also important in order to sustain affordable housing. The Council considers the new legislation as an opportunity to improve the services provided by landlords and ensure decent homes for residents in the Borough.

## 2.0 Definition of an HMO

- 2.1 The Housing Act 2004 changed the definition of HMOs, which are now defined as properties that are lived in by people who are not from the same family. The people living there have to pay rent (or there has to be some other consideration), occupy the property as their main home and share a kitchen, bathroom or toilet. It includes bedsits, hostels and shared houses. A member of the same family means people who are married or living together as husband and wife or equivalent relationship, or related to one another.
- 2.2 The number of tenancy agreements is not relevant and the Act confirms that shared houses, including those occupied by students, are HMOs.
- 2.3 Self-contained flats in converted buildings may also be HMOs if they were converted before 1991 and did not meet the requirements of the Building Regulations 1991, with at least one third of the flats are occupied under short tenancies.
- 2.4 A self-contained flat that is occupied by people who are not from the same family, pay rent and share a kitchen, bathroom or toilet is an HMO (this is known as a flat in multiple occupation).
- 2.5 Bed and breakfast hotels will be treated as HMOs if they are housing any people who use the hotel as their main residence for more than 42 days. When this accommodation is used as a main residence, the same standards as for other HMOs should be met. People who use a hotel as a main residence are likely to be homeless and placed there by a local authority.

## 3.0 HMO Licensing

The aim of HMO licensing is to ensure that high risk properties in the private rental market meet the legal standards and are properly managed.

- 3.1 The requirement for a HMO to be licensed arises when:

- It is three or more storeys high.
- It has five or more people.
- It is occupied by persons living in two or more single households.
- The occupants share amenities such as bathrooms, toilets or cooking facilities.

Certain properties are exempt from the licensing regime:

- Where the whole property consists of self-contained flats.
- Where the basement is in commercial use and there are only two residential storeys above.
- Where the property is owned or managed by a housing association, a local authority, an education, police, fire or health authority.
- Where the building is occupied only by an owner or owners, and members of their family.
- Where the building is occupied by only two persons.

3.2 In setting out its policy, and administering the licensing regime, the licensing authority intends to promote the following objectives.

- To ensure that all landlords of HMOs, or their agents, are fit and proper persons.
- To implement minimum standards of management of HMOs.
- To identify high risk HMOs and their landlords and to deal with the health and safety issues involved.

3.3 In exercising its discretion in carrying out its regulatory functions, the licensing authority has regard to this policy document and the objectives set out above.

3.4 Despite the existence of this policy, each application or enforcement measure must be considered on its own merits. Where it is necessary for the licensing authority to depart substantially from its policy clear reasons must be given for so doing.

3.5 The aim of the licensing process in this context is to regulate the management of HMOs in order to promote the above objectives. It is the licensing authority's wish to acknowledge the valuable role which the private rented sector has to play in meeting demand and offering choice and flexibility in the housing market. Accordingly, the authority wishes to encourage well-run establishments where the landlord or agent displays a sensitivity to the wishes and needs of the tenants.

3.6 This policy takes effect from 1 April 2006 and remains in existence for a period of five years, during which time it will be kept under review and revised as appropriate.

3.7 Licences will be granted where the HMO is reasonably suitable for occupation by the number of people allowed under the licence, the management arrangements are satisfactory and the licence holder and manager are fit and proper persons.

3.8 Many HMOs will not be licensable under the mandatory scheme. These include houses containing self-contained flats and smaller HMOs. The only additional regulation of these HMOs will be under the proposed HMO Management Regulations. They will need to be free of all Category 1 hazards under the Housing Health and Safety Rating System (HHSRS), which applies to all dwellings irrespective of whether they are a HMO.

## **4.0 The Licensing Objectives**

**(a) To ensure that all landlords of HMOs, or their agents, are fit and proper persons.**

4.1 Under the terms of the Housing Act 2004, the Authority must, in deciding whether the proposed licence-holder or manager of the property is a fit and proper person, have

regard to evidence that they have committed certain categories of offences. Such offences include those involving fraud, dishonesty, violence, drugs and sexual matters. Also relevant is any unlawful type of discrimination, and contravention of any housing or landlord and tenant provision. Similarly consideration will be given to instances where an applicant has been previously refused an HMO licence or where the applicant has been in control of a property subject to a control order or where there is outstanding work on a property in default of a statutory notice.

- 4.2 Also significant are any of those matters outlined above which are relevant in relation to an associate of the proposed licence-holder, or a manager of the property.
- 4.3 The authority is only able to consider an application for a licence under the Housing Act, 2004 if the applicant has provided a Basic Criminal Records Bureau Disclosure of criminal convictions from Disclosure Scotland. Such disclosures can be applied for on-line at [www.disclosurescotland.co.uk](http://www.disclosurescotland.co.uk). Alternatively Disclosure Scotland can be contacted by post at PO Box 250, Glasgow G51 1YU, or by telephone 0870 6096006.
- 4.4 The Council is bound by rules of confidentiality and cannot divulge information obtained through the disclosure process to any third parties.
- 4.5 The process of obtaining a CRB disclosure takes a varying amount of time provided the application forms are completed fully and accurately.
- 4.6 In assessing whether the applicant is a fit and proper person to hold a licence, the licensing authority takes account of cautions and convictions but only in so far as they are relevant to an application for a licence. Upon receipt of the disclosure, an officer of the licensing authority assesses whether any or all of the spent convictions are capable of having a real relevance to the issue as to whether the applicant is a fit and proper person to hold a licence.
- 4.7 In relation to cautions, the licensing authority has regard to the class and age of the offence and the age of the applicant when the offence occurred, when considering their relevance to an application. Cautions given more than 3 years before the date of the application are treated as irrelevant.
- 4.8 In relation to previous convictions, the licensing authority has regard to the following
  - the class of the offences.
  - the age of the offences.
  - the apparent seriousness, as gauged by the penalty.
  - whether a term of imprisonment has been served.
- 4.9 Guidance in relation to specific offences, along with a summary of the principles of the Rehabilitation of Offenders Act 1974, is given in Appendix A. In general terms, the more recent, serious and relevant to public safety the offence is, the less likely it is that an application will be granted.

**(b) To implement minimum standards of management of an HMO**

- 4.8 The authority is committed to driving up the standards of HMO management by applying benchmarks which are proportionate, flexible and relevant. Our approach to achieving standards is by way of risk assessment and risk management.
- 4.9 Our aim is to engage with landlords to provide good quality accommodation. We wish to encourage landlords to develop their business and management skills. To the same end, we wish to encourage landlords to form professional landlord organisations and gain qualifications wherever this is possible.
- 4.10 The component elements of satisfactory management arrangements are as follows:

- A system for tenants to report defects and arrangements for responding.
- A system of periodic inspections to identify repair or maintenance matters.
- A declaration from the owner (where he is not the manager) that adequate funding will be available to the manager to deal with repairs.

4.11 The appropriate Management Regulations, Codes of Practice and management requirements are summarised in Appendix B. In essence, the Regulations require a HMO to be kept in a reasonable state of repair, all installations and appliances to be in good working order and the common parts to be kept clean and in a reasonable state of decoration.

**(c) To identify high risk HMOs and their landlords and to deal with the health and safety issues involved**

4.12 Officers will not always visit HMOs when an application is received, but they must inspect the property within five years of the application. Each application will be risk assessed on receipt and high risk HMOs and properties not previously known to the Council will be visited as priority.

4.13 Inspections will be carried out with regard to licensing requirements. If additional licence conditions are required after an inspection of an HMO, the licence will be varied to include such conditions.

4.14 An inspection of each HMO will also be carried out under the Housing Health and Safety Rating System (HHSRS), which is set out in the Housing Act 2004 and replaces the current housing fitness standard. This will include a risk assessment of the effect of housing conditions on the health and safety of occupiers. The HHSRS involves the assessment of 29 potential hazards and scoring their severity to decide whether improvements are needed. If more serious "Category 1" hazards are found the Council has a duty to require the owner to remedy the defect. If less serious "Category 2" hazards are found, the Council has discretionary power to require action.

4.15 Where Category 1 and 2 hazards are found, informal action will be used to encourage owners to carry out works, but if this fails enforcement action will be taken in accordance with the Act and our enforcement policy.

## **5.0 The Licensing Function**

5.1 The Licensing Authority recognises that the licensing function is not the only means of securing the delivery of the above objectives, but nonetheless it makes an important contribution to reaching the goal of providing everyone with access to a decent home.

5.2 The licensing function is not a tool for the Authority to control the availability of HMO accommodation. No application for a licence can be rejected because the Authority believes that there are already enough of these types of premises in the area.

## **6.0 Conditions**

### **(a) Mandatory Conditions**

6.1 The Housing Act 2004 sets out a number of mandatory conditions which must be applied to all licences. These are:

- A licence must specify the maximum number of occupants who may occupy the property. The number will depend upon the location, number and size of rooms available for sleeping and living purposes and the adequacy of kitchen and bathroom facilities.
- That gas safety certificates are produced annually.
- That smoke alarms are installed in the house and kept in proper working order. A declaration relating to the condition and position of such alarms must be provided to



the Council.

- That electrical appliances and furniture are kept in a safe condition. A declaration confirming this must be supplied to the Council.
- That occupiers are supplied with a written statement of the terms on which they occupy the property.

**(b) Discretionary Conditions**

6.2 In addition, the authority has a discretion to impose other conditions in licences, where such conditions are appropriate in the promotion of the licensing objectives as set out above.

6.3 In addition to the mandatory licensing conditions (see 6.1 above), the Council will apply discretionary conditions, where relevant, to any licence.

- That measures or works to bring any individual HMO into compliance with the statutory Management Regulations are conducted within three months, or sooner if a serious breach is identified, of the grant of a licence.
- That measures or works to bring any individual HMO into compliance with the Council's adopted HMO standards are conducted within specified timescales.
- To provide copies of reports of fire detection, alarm system and emergency lighting to the Council annually.
- The name, address and telephone number for licensee or manager is to be displayed in the common parts of the HMO.
- A copy of the licence to be displayed in the common parts.
- That the property and facilities shall be properly maintained.
- That tenancy agreements must set out how owners or managers intend to deal with anti-social behaviour from tenants or visitors.
- That the licence holder requests that each new prospective tenant completes a Tenancy Application Form as supplied by the licensing authority to enable the licence holder to make an informed judgement as to whether or not to let accommodation. Completed forms to be retained by the licence holder for inspection by licensing authority on demand.
- That any anti-social behaviour arising in the HMO is dealt with under the terms of any tenancy agreement.
- That licensees or managers attend suitable training courses where circumstances suggest this is achievable and appropriate.

6.4 The Council may apply other conditions to individual licences with respect to the use, management and occupation of the HMO, where appropriate and may seek evidence of compliance with conditions at any time.

6.5 These conditions will require HMOs to be kept in a reasonable state of repair, all installations and appliances (including those for fire safety) to be in good working order and the common parts to be kept clean and in a reasonable state of decoration.

**7.0 Property Standards**

7.1 The Housing Act 2004 provides that a HMO must be "reasonably suitable for occupation" by the number of persons permitted to reside there before a licence can be granted.

7.2 In approving a licence, we must determine whether the HMO is suitable for occupation by the number of persons stated in the application form. If the arrangements are unsatisfactory, then a licence can be approved for a lesser number, or conditions imposed requiring that specified works be carried out.

7.3 The standards to be considered include those for bathrooms, showers, toilets, wash

hand basins, cooking facilities and living space. National minimum standards for amenities are contained in Schedule 3 of The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 – these are summarised in Appendix B. To comply with the regulations, each unit of living accommodation and all bathrooms must have adequate heating. One separate WC and at least one bathroom is required for every five sharing occupiers. Where there are five or more occupiers of an HMO, every unit of living accommodation must have a wash hand basin and splash back. Kitchen facilities are also required for each unit of accommodation or with adequate facilities for the number of occupiers sharing. Our policy requires a set of kitchen facilities for every five sharing occupiers.

- 7.4 The Council will determine the number of people an HMO is licensed for in accordance with our adopted HMO space standards for room sizes. These standards relate to all HMOs, not just licensable properties.
- 7.5 Licence applications will need to include dimensions of rooms and details of the kitchen and bathroom facilities to enable assessment of the number of occupiers permitted under the licence.

## **8.0 Discretionary Additional Licensing**

- 8.1 The authority has not applied for additional discretionary powers to extend the licensing scheme to other categories of HMO which do not fall within the mandatory criteria.
- 8.2 Such licensing would enable the authority to licence properties in an area where there is low housing demand or there is significant and persistent anti-social behaviour.
- 8.3 Despite the above, however, the authority is committed to reviewing the stance set out in 8.1 and 8.2 should the implementation of such powers be considered necessary.

## **9.0 The Licensing Process**

- 9.1 In carrying out its licensing function, the authority is reliant on the securing of relevant information about the applicant, the property and those who occupy it. With this in mind, the Authority seeks, through the application form, the applicant's consent to its approaching other statutory bodies and other departments within the Borough Council, as necessary, for information.
- 9.2 All the information presented on the application form will be subject to verification processes as required. This may take the form of site inspection, liaison with other Council Service Units, e.g. Housing Benefits, liaison with other agencies, e.g. Criminal Records Bureau, sample verification and (where there are indications of a misleading application) detailed examination of all information given.
- 9.3 The Housing Act 2004 places no obligation on licensing authorities to process applications within a specific period of time. This authority, however, is committed to processing applications within 56 days of receipt of application forms which are properly and fully completed and accompanied by the requisite documentation and the relevant fee.
- 9.4 Where applications meet the criteria to be granted, licences will normally be granted for a maximum of five years and will specify the maximum number of people who may live in the HMO. The occupancy number will depend on the number and size of rooms and the kitchen and bathroom facilities. The authority maintains a discretion to grant a licence for a shorter period, where it considers it appropriate to do so. Such a discretion is utilised where the authority identifies shortcomings in the management or fabric of the premises, which justify a licence being granted for a shorter period. In such instances, reasons will be given for such decisions.

## **10.0 Fees**

- 10.1 The Housing Act 2004 and other subordinate legislation does not specify a structure of fees for applicants seeking a HMO licence.
- 10.2 In the absence of standard fees, therefore, the authority has adopted its own fee structure, which is set in Appendix C.

## **11.0 Delegation**

- 11.1 Licence applications are dealt with in accordance with the Council's scheme of delegation to officers under which the Service Head may grant such applications.

## **12.0 Appeals**

- 12.1 Where applicants or licence-holders are aggrieved with a decision to refuse, revoke or vary a licence, or to impose particular conditions, or to grant a licence for a shorter period than 5 years, they are able to appeal to a Residential Property Tribunal.

## **13.0 Enforcement**

- 13.1 As a general principle, action is taken in accordance with the enforcement policy, the key principles of which are consistency, transparency and proportionality. A graduated approach, embracing risk assessment and risk management, is considered to be the most appropriate. Such a graduated approach is aimed at encouraging owners, landlords and managers to acquire licences and to improve the standards of their premises and provide "decent homes", rather than to solely punish poor management.

- 13.2 It is a criminal offence to operate without a licence or to breach licence conditions.

- 13.3 Where a landlord is convicted for failure to licence an HMO, the Council can apply to the Residential Property Tribunal (RPT)\*. The RPT has the power to require that up to 12 months' rent is repaid to the Council where a tenant is on housing benefits. Tenants can also apply to the RPT for repayment of any rents they have paid.

\*The RPT will replace the courts for certain housing related matters and will judge cases relating to offences and appeals under the Act.

- 13.4 Where there is no prospect of an HMO being licensed, because of its unsuitability or the owner's refusal to carry out improvements, the Act provides a power for a Council to use Management Orders. Interim Management Orders enable a Council to take over the management of an HMO, and collect the rent for up to a year. In extreme cases a Final Management Order can be applied to the premises for the full term of the licence.

- 13.5 If the Council finds that there has been a change of circumstances in an HMO since it was licensed, it has the power to vary the licence. If there is a serious breach or there are repeated breaches of the licence conditions or the licensee or managers are no longer fit and proper persons, the licence can be revoked. The licence can also be revoked if the property is no longer a licensable HMO or if the condition of the property means it would not be licensable were an application to be made at the later time.

- 13.6 There is a duty upon landlords to come forward to be licensed. However the Council will encourage landlords to apply for licences using a variety of methods:

We will:

- take reasonable steps to proactively identify licensable HMOs where no applications have been made;
- publicise the need to licence HMOs;
- send letters and reminders to landlords;
- offer a service assisting landlords with the completion of forms and measuring

- rooms, where resources permit (an additional fee of £200 will be charged);
- send letters warning of prosecution and application for a rent repayment order.

#### **14.0 Temporary Exemption Notices**

- 14.1 The local authority may serve a Temporary Exemption Notice (TEN) where a person who must be licensed under the Housing Act 2004 in respect of an HMO notifies the Authority that he/she proposes to take steps to secure that the property is no longer required to be licensed. The issue of a TEN exempts the property from being licensed for a period of three months.
- 14.2 The authority may issue a second TEN for a further three months, but only in exceptional circumstances.
- 14.3 This authority does not wish these notices to be used routinely and, therefore, will only issue second notices in exceptional and unforeseen circumstances.

#### **15.0 Register of Licences**

- 15.1 The authority has a duty to establish and maintain a register of any licences granted. The particulars for each entry are prescribed and, amongst other details, include:
- the name and address of the licence holder;
  - a summary of the conditions of the licence;
  - the commencement date and duration of the licence;
  - the number of rooms in the licensed HMO providing sleeping accommodation and living accommodation.
- 15.2 Further registers will be kept of temporary exemption notices and management orders.

#### **16.0 Monitoring and Review**

- 16.1 The impact of this policy on the number, management and condition of HMOs will be monitored. This policy is linked to our Housing Strategy, Private Sector Housing Renewal Policy and Enforcement Policy.
- 16.2 Any minor changes to this policy that are necessary because of regulations or other secondary legislation published after the approval of the policy by Cabinet, will be approved by the portfolio holder in consultation with the Service Head

## Appendix A

### Principles of the Rehabilitation of Offenders Act 1974

- (1) Under the 1974 Act, criminal convictions can become spent after a certain period of time and once spent, for many purposes, can be disregarded completely.
- (2) The possibility of rehabilitation and the length of time before rehabilitation occurs depends on the sentence imposed, and not the offence committed.
- (3) Where a person is sentenced to imprisonment for a period exceeding 30 months, the conviction can never become spent.
- (4) The determination as to whether certain convictions are spent, therefore, may be a relevant exercise.
- (5) The rehabilitation periods to which reference is most commonly made are set out below. For a detailed commentary on the periods of rehabilitation applicable to all sentencing options, reference will need to be made to a specialist textbook on the Act.

Sentence	Rehabilitation Period
(a) Sentence of imprisonment or detention exceeding 6 months but not exceeding 30 months.	10 years
(b) Sentence of cashiering, discharge with ignominy or dismissal with disgrace from Her Majesty's Service.	10 years
(c) Sentence of imprisonment not exceeding 6 months.	7 years
(d) Sentence of dismissal from Her Majesty's Service.	7 years
(e) Sentence of detention in service disciplinary proceedings.	5 years
(f) A fine.	5 years
(g) Absolute discharge.	6 months
(h) Conditional discharge.	1 year or date of expiry of order
(i) Probation Order.	5 years

## Appendix B

### A Summary of Management Regulations, Codes of Practice and Requirements

#### **You are required to SUPPLY the following information:**

A copy of your Landlord Gas Safety Certificate issued by an authorised competent person (CP-12).

Proof of Electrical Inspection for the fixed installation undertaken within the last 5 years by an authorised competent person as per Building Regulations

A declaration from an authorised competent person that all electrical appliances over 12 months old supplied by the landlord are in safe working order.

A declaration from an authorised competent person that all smoke detectors have been tested and are in safe working order.

A declaration from the owner or manager that all upholstered furnishings supplied by the owner display permanent fire resistance labels or evidence that they have been checked to that effect.

A copy of the written terms of agreement under which each tenant occupies the premises.

#### **You are required to DISPLAY the following information in a communal area:**

A copy of the granted licence.

The owner/landlords name, address and telephone number.

The name, address and telephone number of any authorised managing agent of the property.

NB. Landlord and Tenant Act 1987, Section 48.

(1) A landlord of premises to which this Part applies shall by notice furnish the tenant and the Council with an address in England and Wales at which notices (including notices in proceedings) may be served on him by the tenant or the Council.

#### **You must COMPLY with the following requirements:**

Schedule 3 of Statutory Instrument 2006 No. 373.

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006.

Schedule 3 prescribes standards for deciding the suitability for occupation of an HMO by a particular maximum number of households or persons. These are as follows:

#### **1.0 Heating**

Each unit of living accommodation in an HMO must be equipped with adequate means of space heating.

#### **2.0 Washing Facilities**

(1) Where all or some of the units of living accommodation in an HMO do not contain bathing and toilet facilities for the exclusive use of each individual household:

- (a) Where there are four or fewer occupiers sharing those facilities there must be at least one bathroom with a fixed bath or shower and a toilet (which may be situated in the bathroom).
  - (b) Where there are five or more occupiers sharing those facilities there must be:
    - One separate toilet with wash hand basin with appropriate splash back for every five sharing occupiers; and
    - At least one bathroom (which may contain a toilet) with a fixed bath or shower for every five sharing occupiers.
- (2) Where there are five or more occupiers of an HMO, every unit of living accommodation must contain a wash hand basin with appropriate splash back (except any unit in which a sink has been supplied as mentioned in paragraph 4(1)).
- (3) All baths, showers and wash hand basins in an HMO must be equipped with taps providing an adequate supply of cold and constant hot water.
- (4) All bathrooms in an HMO must be suitably and adequately heated and ventilated.
- (5) All bathrooms and toilets in an HMO must be of an adequate size and layout.
- (6) All baths, toilets and wash hand basins in an HMO must be fit for the purpose.
- (7) All bathrooms and toilets in an HMO must be suitably located in or in relation to the living accommodation in the HMO.

### **3.0 Kitchens**

Where all or some of the units of accommodation within the HMO do not contain any facilities for the cooking of food:

- (a) There must be a kitchen, suitably located in relation to the living accommodation, and of such layout and size and equipped with such facilities so as to adequately enable those sharing the facilities to store, prepare and cook food.
- (b) The kitchen must be equipped with the following equipment, which must be fit for purpose and supplied in a sufficient quantity for the number of those sharing the facilities:
  - sinks with draining boards.
  - an adequate supply of cold and constant hot water to each sink supplied.
  - installations or equipment for the cooking of food.
  - electrical sockets.
  - worktops for the preparation of food.
  - cupboards for the storage of food or kitchen and cooking utensils.
  - refrigerators with an adequate freezer compartment (or, where the freezer compartment is not adequate, adequate separate freezers).
  - appropriate refuse disposal facilities.
  - appropriate extractor fans, fire blankets and fire doors.

### **4.0 Units of living accommodation without shared basic amenities**

(1) Where a unit of living accommodation contains kitchen facilities for the exclusive use of the individual household and there are no other kitchen facilities available for that household, that unit must be provided with:

- (a) adequate appliances and equipment for the cooking of food.
- (b) a sink with an adequate supply of cold and constant hot water.

- (c) a worktop for the preparation of food.
- (d) sufficient electrical sockets.
- (e) a cupboard for the storage of kitchen utensils and crockery.
- (f) a refrigerator.

(2) Where there are no adequate shared washing facilities provided for a unit of living accommodation as mentioned in paragraph 2, an enclosed and adequately laid out and ventilated room with a toilet and bath or fixed shower supplying adequate cold and constant hot water must be provided for the exclusive use of the occupiers of that unit either:

- (a) within the living accommodation; or
- (b) within reasonable proximity to the living accommodation.

## **5.0 Fire Precautionary Facilities**

Appropriate fire precautionary facilities and equipment must be provided of such type, number and location as is considered necessary.



## Appendix C

### Licensing Fees for HMOs

#### Initial Licence Determination

The fee for the initial licence determination of an HMO is £ 800.00 per property (regardless of the number of units of accommodation within the property). A number of fee adjustments may then be applied to reflect the ease with which a HMO can be licensed.

#### Fee Adjustments

It is intended that the cost of licensing a good quality HMO that is operated by a landlord who properly manages the property, would be less than a similar HMO that is badly managed and which does not meet the Council's standards.

#### Additional Costs

In order to account for those applications incorrectly filled in or having some deficiency a further fee will be levied to reflect the reasonable costs of carrying out this work. This will be invoiced latterly and incur an additional fee of £17.00 for administering the invoice. These service charges are as follows:

<b>Additional services charged on a specific case basis</b>	<b>Proposed Fee</b>
Return incomplete/defective application to applicant with letter (this will only be applied where the application is returned incomplete a second or further time)	£17.00 (+£17)
Reprocessing form after amendments received	£17.00 (+£17)
Additional cost where landlords fail to respond within 28 days to justified requests for an application, renewal <b>OR</b> information required in respect of incomplete applications	£20.00 (+£17)
Revisit where no access gained previously	£26.00 (+£17)
Assisted application – Full assistance provided in making the application, measuring rooms, drawing sketch plans, etc.	£200 (+£17)
Variation of licence	£200 (+£17)
Such sums as may be necessary to fund the identification, confirmation, inspection and enforcement of licensing requirements. These are to be assessed on a case by case basis, using the hourly rates for the officers appropriate for the tasks undertaken.	As determined
Invoicing applicant – initiating and unit cost	£17.00

## Discounts

The following discounts will be given to recognise landlord good practice.

Requirement	Discount
HMO recorded as previously improved to Borough Council standards, or those that are currently in the course of improvement. (This discount will not apply to those HMO's where statutory notices have been served, the period for their compliance expired, and the works remain incomplete at the time of application).	£50.00
The proposed licence holder is a member of (a) a recognised Landlord Association, residential property management association, or (b) a member of a landlord accreditation scheme.	£50.00
Under a joint working initiative between Wyre, Fylde and Blackpool Councils if an applicant submits applications (at the same time) for more than one HMO owned across the different Authority boundaries then only one fit and proper person check will be necessary and therefore a discount will be made to the fee for second and subsequent applications.	£50.00

## Costs not covered in fee

Costs	
Criminal Record Bureau certificate	Applicant to pay the charges as set by the Criminal Records Bureau

## Appendix D

### Glossary of Terms

- **Household**  
Persons who are all members of the same family (i.e. they are married or co-habiting, regardless of their gender or whether one of them is the parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece of the other).
- **Housing Health and Safety Rating System**  
A points system of hazard analysis comprising a risk assessment of the effect of housing conditions on the health of occupiers. There are 29 potential hazards which are scored as to their severity.
- **Management Order**  
An order which may be made by the Residential Property Tribunal to the effect that a licensable but unlicensed property is managed by the local authority. This is applicable where there is no reasonable prospect of the property being licensed and it is necessary to protect the health, safety or welfare of the occupiers, and/or other residents in the vicinity.
- **Rent Repayment Order**  
An order which may be made by the Residential Property Tribunal for the landlord or manager to repay rent to either the local authority (where Housing Benefit has been paid) or to an occupier where the premises are unlicensed.
- **Residential Property Tribunal**  
The appeal body to whom appeals against decisions of the local authority are directed and the body which has the power to make rent repayment and management orders.
- **Temporary Exemption Notice**  
A notice issued by the local authority stating that a HMO is not licensable for 3 months. This is appropriate where an owner or manager of a licensable HMO states in writing that he/she is taking steps to make the property non-licensable.

# REPORT



REPORT OF	MEETING	DATE	ITEM NO
COMMUNITY AND CULTURAL SERVICES	CABINET	12 JULY 2006	11

## LOCAL AREA AGREEMENTS - UPDATE

### Public/Exempt item

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

### Summary

Local Area Agreements (LAAs) are being promoted by the then Office of the Deputy Prime Minister as negotiated, joint-working, performance commitments, which cut across traditional functional operations delivered by all public bodies working (usually) within a County or Unitary Council area and bringing together a number of funding streams

The LAA is a three year agreement between Lancashire's public, voluntary, community and faith sectors. These partners have agreed a set of priority outcomes for Lancashire and have signed up to deliver these outcomes through the Local Strategic Partnership (LSP) in order to achieve greater efficiencies and performance outcomes at the local level.

This report gives a summary of the background, aims and outcomes of the LAA with an explanation of additional Reward Targets – measures with demanding targets which, if met, would lead to monetary reward provided by central government

**Recommendation/s** Members are asked to note the progress on the LAA and the arrangements for governance and performance and the associated reward measures.

## **Executive brief**

The item falls within the following executive brief[s]: Councillor Albert Pounder

## **Report**

### **Background**

Members will recall a report presented to the Executive Committee at its meeting held on 18<sup>th</sup> May 2005 introducing the concept of Local Area Agreements. At that time Members agreed to endorse the development of a Local Area Agreement for Lancashire and authorised the Chief Executive to provide the necessary input from the officer Management Team to the negotiation process.

In 2-tier local government areas there needs to be an active partnership between the County and District Councils for this to be successful. Over the past 12 months a considerable amount of work has been done, at County and District level, to identify priority outcomes for Lancashire and develop new ways to deliver them. The Local Area Agreement has now been published and is available at <http://www.lancashirepartnership.co.uk/general/tools/classes/enewsviewer/frmDcDnLd.asp?id=2513>

### **Methodology and Governance**

The Agreement has been developed with support for a wide range of partners and the priorities have been established following consultation with the Lancashire LSPs and the various Community Plans

A Summary of the Lancashire Local Area Agreement (attached as an appendix A) outlines the specific outcomes that have been agreed. These are categorised under the four 'blocks' that have been established.

- ◆ Safer and Stronger Communities
- ◆ Children and Young People
- ◆ Healthier Communities and Older People
- ◆ Economic Development & Enterprise

From the Council's perspective, each of the blocks is covered by an officer who contributes to the identified outcomes through block steering groups. However, Members will notice that many of the outcomes such as % of 19 year olds achieving Level 2 NVQ by 2008 or increase in fire safety and reduction of arson cannot be directly influenced by the borough council. However, it might be possible to influence the outcomes of these measures through joint working through the LSP. There are also four cross cutting outcomes: Increased Life Expectancy; Improved Life Changes; Sustainable Lancashire Communities and Narrowing the Gap between the Most and Least Disadvantaged People and Communities.

There are also three cross cutting themes; Alcohol; Environmental Wellbeing; Prevention and Support.

The LSP, whilst supporting the LAA targets is keen to pursue its own priorities. There are a number of areas where both sets of priorities overlap, such as antisocial behaviour, misuse of alcohol and the work in Central Ward identified as the most deprived Super Output Area in Fylde.

Until recently the Lancashire Districts were represented at the top level by means of 'clusters' of authorities, namely East, Central and North Lancashire. Fylde was a member of the North Lancashire Cluster along with Wyre and Lancaster. This original arrangement was introduced as a way of managing capacity and making the most of the synergies between the various authorities. Recent restructuring of this governance arrangement at County level has seen the cluster working superseded. This is largely to afford greater autonomy and give a more focused local involvement.

All District Councils will have a seat at a Performance and Finance Management Group which will meet quarterly to manage the performance and finances of the LAA, receiving regular reports for the block groups. It will also submit six-monthly progress reports to Government Office NW. Each District Council and LSP will need to represent their own views into the 4 LAA blocks

The Block steering groups are expected to meet at least quarterly to manage the performance and finance of their block. They would also establish formal reporting links with their appropriate countywide partnership and districts.

The main opportunity for Members' strategic influence is via six-monthly partnership conferences.

### Performance Management and Funding

The outcomes and targets in this agreement have been derived from existing strategies and consultation with partners on local priorities across Lancashire. Key national priorities are also reflected. All parties have signed up to achieving the targets in the agreement.

The targets, and in particular, the reward targets are directly linked to the funding profiles. A summary of the targets is included in the appendix and a breakdown of our local influence and potential benefits is:

### **Summary of Outcomes Directly Influenced/collected by FBC/LSP**

<b>Outcome (Reward Target)</b>	<b>Local Influence (BVPI)</b>
<b>Children and Young People</b>	
<u>Improved positive social participation by Lancashire's Children and Young People</u>  <b>Lower levels of anti-social behaviour (Reward Target)</b>  <b>Increase the number of Lancashire's children who engage in positive and diversionary activities</b>	<b>Local PI</b> – No. of Young People attending Sports Outreach sessions. Reduction in recorded incidents of anti-social behaviour during sport outreach. Satisfaction survey – Sport Outreach  <b>Local PI</b> – Delivery of 2 Community Sports Leaders Award courses. AQA Accreditation linked to diversionary sports activities
<u>Improved health of children and young people in Lancashire (Reward Target)</u>	<b>LSP target/Actions from Young Peoples Strategy (Best Value Review)</b> – Provide free emergency hormonal contraceptives. Establish obesity levels within borough. Encourage partners to register with the PCT around the '5 a day scheme'. To adopt the Healthier Catering initiative. Identify the level of after school

	activity. Produce programme of sustainable diversionary activities
<u>Improve outcomes for Lancashire's young people aged 14-19 years old</u>  All identified underachieving groups show progress in attainment at age 16	LSP priority area for 2006/07. Specific task group and action plan established to address young people not engaged in education, employment or training.
<b>Safer and Stronger Communities</b>	
Low level of crime (Reward Target)	Public Service Agreement 1 (Community Safety Strategy)
Public are Re-assured and have an increased feeling of safety (Reward Target)	BVPI 225 - incidents of domestic violence
Communities are Cleaner and Greener (Reward Target)	<p><b>BVPI 199a</b> - The proportion of relevant land and highways (%) that is assessed as having combined deposits of litter and detritus that fall below an acceptable level.</p> <p><b>BVPI 199b</b> - The proportion of relevant land and highways (%) from which unacceptable levels of <b>graffiti</b> are visible.</p> <p><b>BVPI 199c</b> - The proportion of relevant land and highways (%) from which unacceptable levels of <b>fly-posting</b> are visible.</p> <p><b>BVPI 199d</b> - The year -on-year reduction in total number of incidents and increase in total number of enforcement actions taken to deal with <b>fly-tipping</b>.</p>
<b>Healthier Communities and Older People</b>	
Better Homes for Lancashire People	<p><b>BVPI 184a</b> = % social housing that meets decent homes standard</p> <p><b>BVPI 213</b> - The number of households who considered themselves as homeless, who approached the LHA's housing advice service and for whom housing advice casework intervention resolved their situation (No. per 1000 households).</p> <p>% of private housing that meets decent homes standard</p> <p>Average SAP rating of all housing stock</p>
Increase the take-up of Energy Efficiency Grants (Reward Target)	Collected by FBC
Amount of affordable decent housing brought on stream	Collected by FBC
<b>Economic Development and Enterprise</b>	
<u>Increased entrepreneurship &amp; improved access to economic prosperity throughout Lancashire</u>  Increased environmentally, socially and economically sustainable business growth and entrepreneurship in Lancashire	LSP target to assist local business growth through Fylde Coast Business Event in October 2006

The nature of LAAs means that, due to indices of deprivation, there is a probability that Fylde will not gain the same financial benefits as other areas of the county. However, the LAA does acknowledge that Fylde has pockets of deprivation which will benefit from funding.

IMPLICATIONS	
Finance	None other than those already identified
Legal	None
Community Safety	None other than those already identified
Human Rights and Equalities	None other than those already identified
Sustainability	None other than those already identified
Health & Safety and Risk Management	None other than those already identified

Report Author	Tel	Date	Doc. ID
Paul Norris	(01253) 658440	22/06/06	

LIST OF BACKGROUND PAPERS		
NAME OF DOCUMENT	DATE	WHERE AVAILABLE FOR INSPECTION
The Lancashire Local Area Agreement	March 2006	<a href="http://www.lancashirepartnership.co.uk/general/tools/classes/enewsviewer/frmDcDnLd.asp?id=2513">http://www.lancashirepartnership.co.uk/general/tools/classes/enewsviewer/frmDcDnLd.asp?id=2513</a>

### **Attached documents**

Summary of Lancashire Local Area Agreement



# A Summary of the Lancashire Local Area Agreement

## **Background**

The Agreement (known as the LAA) is a three year agreement between Lancashire's public, voluntary, community and faith sector service providers and central government. These bodies will work together as partners towards an agreed set of outcomes which will make a lasting difference to the people of Lancashire. It was signed by all partners and central government on 23 March 2006.

Over the past 12 months, partners have worked extensively to identify priority outcomes for Lancashire and to develop new ways of working to deliver them.

## **What's in it?**

Within the LAA, the outcomes are grouped around four "blocks":

- Safer and Stronger Communities
- Children & Young People
- Healthier Communities & Older people
- Economic Development & Enterprise

Each of these blocks contains a series of more detailed sub-outcomes and measures which are designed to be challenging but achievable.

There are four Cross Cutting Outcomes: Increased Life Expectancy; Improved Life Chances for Lancashire People; Sustainable Lancashire Communities; Narrowing the Gap Between the Most and the Least Disadvantaged Amongst Lancashire's People and Communities. There are also three key Cross Cutting Themes: Alcohol; Environmental Wellbeing; Prevention and Support.

Included in the LAA are a set of 12 Reward Targets which are measures with even more demanding targets which, if we meet them, will lead to monetary reward provided by central government for the participating partners.

The LAA provides us with the freedom and flexibility to join budgets and services to deliver more effective local action with better use of resources and a simplified performance framework.

## **What next?**

Half-yearly review meetings will take place with Government Office North West to evaluate progress. Any areas where the LAA is not performing as well as anticipated will be identified at an early stage and the appropriate partners will take action to get things back on track.

The table overleaf shows the measures within the LAA. The 12 Reward Targets are shown in *italics*.

## Children and Young People

**OUTCOME** Improved positive social participation by Lancashire's children and young people

**Sub-Outcome: Improved attendance in Lancashire's schools**

% of authorised and unauthorised absences in Lancashire's schools (primary – 4.75% and secondary – 6.93%).

100% of children and young people permanently excluded from Lancashire's schools are offered full time alternative educational provision of 21 hours per week or more.

**Sub-outcome: Reduced fear of crime and anti-social behaviour amongst Lancashire's young people**

Reduce the percentage of Lancashire's young people who fear crime or anti-social behaviour.

Increase the number of Lancashire's children who are engaged in positive and diversionary activities (including participation in school councils or equivalent and participation in leisure pursuits or out of school activities).

Increase the number of young people aged 13-19 who undergo personal and social development which results in an accredited outcome e.g. Duke of Edinburgh Award.

Halt the rise of first time offenders to 3,447 young offenders per year.

**OUTCOME** Improved health of children and young people in Lancashire

*85% of Lancashire schools with National Healthy Schools Status.*

The conception rate among females aged 15 to 17 reduced to 27.4 per 1,000 young women.

Increase the number of young people accessing sexual health services based in Lancashire.

Number of young people (aged under 21) in treatment for substance misuse increased to 600.

Improve access to child and adolescent mental health services (CAMHS).

**OUTCOME** Improved outcomes for Lancashire's young people aged 14-19 years old

72% of 19 year olds achieving NVQ level 2 by 2008

**Sub-outcome: All identified under-achieving groups show progress in attainment at age 14**

% of 14 year olds in schools maintained by the Local Education Authority (LEA) achieving level 5 in KS3 tests (English – 85%, Maths – 85% and Science – 86%).

**Sub-outcome: All identified under-achieving groups show progress in attainment at age 16**

63% of 15/16 year old pupils in schools maintained by the LEA achieving five or more GCSEs at A\* - C or equivalent.

6.2% of Lancashire's 16-18 year old young people not in education, employment or training.

**OUTCOME** Improved outcomes for Lancashire's looked after children and young people

**Sub-outcome: Improved stability in placements of Lancashire's looked after children and young people**

80% of Lancashire's under 16 year olds looked after for more than 2.5 years living in the same placement for more than 2 years or placed for adoption.

16% of Lancashire's children and young people leaving care aged 16 or over with 5 or more GCSEs at grade A\*-C or a GNVQ.

## **Safer and Stronger Communities**

**OUTCOME** To reduce crime and the harm caused by illegal drugs, and to reassure the public, reducing the fear of crime

**Sub-outcome: Low level of crime**

Number of British Crime Survey Comparator Offences reduced to 54,572.

Delivery of Prolific and Priority Offender (PPO) Strategy:

- a. Reduce the number of young offenders to 3,447, and to 29.6% those who re-offend (Prevent and Deter initiative);
- b. Maintain the average of 15-20 PPOs on Catch and Convict;
- c. Increase to 42.5 the percentage of PPOs completing their court order or post-release licence – no further offences.

Increase the percentage of offences resulting in a charge.

Convictions as a % of number of Domestic Violence related offences charged Increased to 70%.

**Sub-outcome: Public are reassured and have an increased feeling of safety**

Increase the percentage of residents who said they feel 'fairly safe' or 'very safe':

1. After dark in neighbourhood;
2. After dark in town centre – increased to 39%.

525 hate related incidents as recorded by the police.

19,500 domestic violence incidents recorded by the police.

Improve the services for domestic violence victims.

**Sub-outcome: Reduced harm caused by substance misuse**

% of residents think that people using or dealing drugs is a very big or fairly big problem in their local area reduced to 52.8%.

Number of people in structured drug treatment increased to 5,779.

% of people retained in structured drug treatment over 12 weeks increased to 64%.

% (number) of Youth Offending Team (YOT) clients receiving a structured alcohol intervention increased to 38% (320).

**OUTCOME** To build respect in communities and reduce anti-social behaviour

**Sub-outcome: Lower level of anti-social behaviour**

% of people who think that vandalism, graffiti and other deliberate damage to property or vehicles to be a very big or fairly big problem in their local area reduced to 53.2%

Reduce the number of anti-social behaviour incidents per 1000 population as recorded by police.

Number of parents of Youth Offending Team clients who undertake parenting support increased to 900 (tier1) and 350 (tier 2/3).

*Incidence of criminal damage and arson in Lancashire County Council area reduced to 21,553.*

**OUTCOME** To increase domestic fire safety and to reduce arson

Number of deliberate secondary fires reduced to 4,505.

Number of deliberate primary fires reduced to 1,300.

*Number of deaths and injuries arising from accidental fires in dwellings reduced by 12.*

**OUTCOME** To have cleaner, greener and safer public spaces in Lancashire

**Sub-outcome: Communities are cleaner and greener**

% of residents either very satisfied or fairly satisfied with their local area as a place to live. Very: 32%. Fairly: 50%.

*Reduce the percentage of sites surveyed which are graded less than B for litter & detritus*

Reduce the percentage of sites surveyed which are graded less than B for

- (a) graffiti;
- (b) fly-posting;
- (c) fly-tipping.

% of household waste sent for recycling and composting increased to 36%.

**Sub-outcome: Increased level of public safety in the community**

Number of people killed or seriously injured in road traffic collisions reduced to 807 per year.

*The number of drivers and passengers of powered two-wheel vehicles killed, seriously injured or slightly injured on the roads in Lancashire reduced to 485 per year.*

**OUTCOME** To increase the capacity of local communities so that people are empowered to participate in local decision-making and are able to influence service delivery

**Sub-outcome: Local people are empowered to have a greater voice and influence in decision-making and delivery of services**

% residents who strongly agree or tend to agree that they can influence decisions affecting their local area increased to 35%.

Sub-outcome: Improved capacity of the Voluntary, Community and Faith Sector (VCFS).

% of people who have given any unpaid help in their free time in the last 12 months increased to 74%.

Increase the number of organisations who are part of the (VCFS).

Increase the proportion of key public services delivered by the (VCFS).

**OUTCOME** To improve the quality of life for people in the most disadvantaged neighbourhoods and ensure service providers are more responsive to neighbourhood needs and improve their service delivery

**Sub-outcome: Reduced disparity of access to and outcomes from services**

% residents surveyed who are satisfied with the delivery of local services – 9 out of 13 services showing increased satisfaction.

**Sub-outcome: A greater awareness of cultural differences and understanding between communities**

% of residents who strongly agree or tend to agree that their local area is a place where people from different backgrounds get on well together increased to 52%.

## Healthy Communities and Older People

**OUTCOME** Reduced health inequalities across Lancashire by improving lifestyles and addressing the wider determinants of health

**Sub-outcome: Less obesity in adults and children in Lancashire by improving nutrition and increasing physical activity**  
Halt the year on year rise in obesity in children under 11 by 2010.

Increase the number of adults participating in at least 30 minutes of moderate intensity sport and physical activity on 3 or more days each week on average over a year.

Increase the percentage of mothers breastfeeding at 8 weeks.

**Sub-outcome: Reduced smoking prevalence across Lancashire**

23,858 people who have set a quit date and who are still not smoking at 4 weeks.

Reduce adult smoking rates as measured by 52 week quitters.

92% of retailers refuse to sell tobacco to underage young people as measured by test purchases.

80% of tobacco sales at vending machines refused to underage young people as measured by test purchases.

Reduce the amount of counterfeit tobacco product available.

Increase the percentage of pregnant women who are not smoking at delivery.

**Sub-outcome: Less harm to health from alcohol consumption amongst Lancashire people**

Increase the number of completed alcohol treatment episodes.

82% of retailers refuse to sell alcohol to underage young people as measured by test purchases.

Reduce the number of admissions to A&E following violent incident.

**OUTCOME** As part of an overall housing strategy for the districts, improve housing conditions within the most deprived neighbourhoods/wards, with a particular focus on ensuring that all social housing is made decent by 2010

**Sub-outcome: Better homes for Lancashire people**

By 2008 85.8% of social housing meets the decent homes standard.

Increase the percentage of private housing that meets decent homes standard.

Increase the percentage of vulnerable households in the private sector that are in a decent condition.

Increase the number of households who consider themselves as homeless, who approached the local housing authority's Housing Advice Service and for whom housing advice casework intervention resolved their situation.

Average SAP rating of all housing stock increased to 5.7.

Increase the take-up of energy efficiency grants.

Increase the number of homes being adapted for life changes.

Increase the amount of affordable decent housing brought on stream.

**OUTCOME** Increased life expectancy at birth for Lancashire people

**Sub-outcome: Fewer deaths from major killer diseases**

Infant deaths per 1000 live births per year reduced to 4.9.

Mortality from Coronary Heart Disease, stroke and associated diseases per 100,000 population aged under 75 reduced to 82.5.

Mortality from cancer per 100,000 population aged under 75 reduced to 115.9.

Mortality rates from suicide and undetermined injury reduced to 7.96 per 100,000 population.

**OUTCOME** Improved well-being of Lancashire's older people

**Sub outcome: Lancashire's older people being safe in their own homes**

Reduce the increase in the rate of fractured hips in people aged 65 and over to 1,733 fractures in total per year.

**Sub outcome: Less financial poverty amongst Lancashire's older people**

Increase the number of new awards of attendance allowance, disability allowance, pension credit, housing benefit, council tax benefit and carer's allowance made to people aged over 65 as a result of help provided by Lancashire County Council and District Councils to 6,750.

**Sub-outcome: Lancashire's older people have a greater say in how local services are developed and delivered**  
420 people attending older people's representative bodies such as Older People's Partnership Boards and forums.

**Sub outcome: Better access to services and more local choice for Lancashire's older people**

Number of journeys undertaken by older people using innovative transport schemes via the NowCard increased to 11.5 million.

**OUTCOME** Lancashire people with mental health problems, learning and physical disabilities and sensory impairment are more independent and have a better quality of life

**Sub outcome: Better access to leisure, adult learning, employment and social opportunities for Lancashire's older people and people with disabilities**

Increase the number of leisure and learning sessions undertaken by older people and people with disabilities, sensory impairment and mental health problems.

**Sub outcome: Reduced impact of long term and chronic health conditions**

Number of emergency admissions to hospital of people 65 and over suffering from long term health conditions (diabetes, chronic heart disease, respiratory disease and acute psychosis) per 1,000 population reduced to 43.0.

Number of emergency admissions to hospital of adults under 65 suffering from long term health conditions (diabetes, chronic heart disease, respiratory disease and acute psychosis) per 1,000 population reduced to 6.43.

## Economic Development and Enterprise

**OUTCOME** Increased entrepreneurship & improved access to economic prosperity throughout Lancashire

**Sub-outcome: Improved skill levels amongst people in Lancashire to meet demand from employers**

37,054 adults gaining basic skills qualifications.

12,505 adults (20+) in the workforce achieving a NVQ level 2 qualification or equivalent.

Increase the number of people with NVQ level 4.

*Number of Modern Apprentices in public sector organisations in Lancashire:*

(a) 186 Starts per year;

(b) 439 Completed over the three years to 2009.

Increase the percentage of the black and minority ethnic population in education, training or employment (aged 19+).

Increase the percentage of people with disabilities in education, training or employment (aged 19+).

Increase the percentage of people from most deprived areas in Lancashire in education, training or employment (aged 19+).

**Sub-outcome: Decreased worklessness in Lancashire**

*An extra 480 Lancashire people moving into sustainable employment and ceasing to claim an incapacity benefit or lone parent benefit.*

**Sub-outcome: Increased environmentally, socially and economically sustainable business growth and entrepreneurship in Lancashire**

Increase the number of Lancashire businesses assisted to improve their competitiveness.

*Business Start-up and sustainability:*

a) 2,014 new businesses established.

b) 1,693 of the above sustained for a minimum of 12 months.

**Sub-outcome: Improved access to public transport across Lancashire**

Increase the percentage of people surveyed who believe that access to employment by public transport has improved.

## Lancashire LAA Contacts

LAA Manager

**Joanne Platt**

01772 533775

Joanne.platt@css.lancscc.gov.uk

LAA Coordinator

**Judith Moore**

01772 530690

Judith.moore@css.lancscc.gov.uk

Administration

**Lewis Holmes**

01772 533212

Lewis.holmes@css.lancscc.gov.uk

### ***Block Leads:***

Safer & Stronger Communities

**Colleen Martin**

01772 533438

Colleen.martin@css.lancscc.gov.uk

Children & Young People

**Geoff Hiscox**

01772 531760

Geoff.hiscox@ed.lancscc.gov.uk

Healthy Communities & Older  
People

**Hilary Martin**

01772 534226

Hilary.martin@css.lancscc.gov.uk

**Paul Robinson**

07789 031278

Paul.robinson@ssd.lancscc.gov.uk

Economic Development  
& Enterprise

**Barrie Moreton**

01772 551888

bmoreton@lcdl.co.uk

*For more information on the Lancashire Local Area Agreement visit the  
Lancashire Partnership website at [www.lancashirepartnership.co.uk](http://www.lancashirepartnership.co.uk)*

# REPORT



REPORT OF	MEETING	DATE	ITEM NO
FINANCE	CABINET	JULY 12	12

## REVENUE OUTTURN 2005/06

### Public/Exempt item

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

### Summary

This report shows the actual revenue spending in 2005/06 by Business Unit compared to the revised budget. It shows that in total revenue spending was £33,080 below the revised budget of £8,416,430 approved by members in January. The revised budget itself was £301,340 below the original budget making the total underspend for the year £334,420.

### Recommendation/s

1. That members approve the final revenue outturn of £8,383,350 in 2005/06 representing a £33,080 underspend against the revised budget of £8,416,430.

### Executive brief

The item falls within the following cabinet brief[s]: Cllr P Rigby – Finance and Efficiency.

### Report

#### 1 Revenue Budget

1.1 Appendix 1 shows the actual revenue spending in 2005/06 compared to the revised budget. This shows that actual spending in 2005/06 was £33,080 below the revised estimate which in itself was £301,340 below the original estimate. When added to revenue general fund balances the position at the 31<sup>st</sup> March shows a balance of £1,114,000 against the prudent minimum level of £500,000.

1.2 The main reason for the favourable year end position has been due to increased income in a number of areas including licensing, land charges, benefit fraud, planning and the car parks, and the effects of partnership working with Wyre.

Continued....

1.3 Appendix 2 shows the detail of spending against revised budget within each business unit. A number of references are made throughout to deferred charges. Deferred charges represent capital expenditure. But because no tangible asset has been created, as with the payment of disabled facilities grants or the town centre regeneration, this expenditure has to be written off to the revenue account in full, in the year it is incurred. There is no effect on the 'bottom line' and the council taxpayer as these amounts are reversed out of the accounts in the financing adjustment row at appendix 1. The financing adjustment row therefore represents the effect of deferred charges and notional capital charges, charged to the service accounts, being reversed out so that they have no effect on the council taxpayer.

1.4 The effect of the actual year end spending in 2005/06 on the current years budget and beyond will be assessed as part of the update on the medium term financial strategy to be reported to the next Cabinet meeting.

IMPLICATIONS	
Finance	Noted in report.
Legal	
Community Safety	
Human Rights and Equalities	
Sustainability	
Health & Safety and Risk Management	

REPORT AUTHOR	TEL	DATE	DOC ID
Brian White	(01253) 658566	30/6/06	Revenue Out-turn Report 05/06

LIST OF BACKGROUND PAPERS		
NAME OF DOCUMENT	DATE	WHERE AVAILABLE FOR INSPECTION
Revenue Outturn Report 2005/06	30/6/06	Town hall, Finance section.

#### **Attached documents**

List any attachments, each on a new line



## APPENDIX 1

### FYLDE BOROUGH COUNCIL

#### REVENUE BUDGET

2005 / 2006

#### OUTTURN

Accounting Period: 1st April 2005 to 31st March 2006

#### REVENUE SUMMARY

	SUBJECTIVE ELEMENT	2005 / 2006 REVISED BUDGET	2005 / 2006 ACTUALS	2005 / 2006 VARIANCE	VARIANCE ANALYSIS
		£	£	£	
	EXECUTIVE BOARD	-	-	-	
	COMMUNITY & CULTURAL SERVICES	1,901,120	2,040,580	139,460	Repair & Maintenance - Pools / Game sites Income down Re: Kirkham Pool Increased Agency costs
	CONSUMER WELLBEING & PROTECTION	1,846,370	1,728,750	(117,620)	Increased income Re: Licencing Delay in SLA with LCC - Emergency Planning Deferred Charges reversed out below the line
	CORPORATE POLICY & PERFORMANCE	94,650	93,870	(780)	
	DEMOCRATIC SERVICES & MEMBER SUPPORT	1,604,710	1,613,410	8,700	Support Service costs
	FINANCE	1,539,480	1,501,530	(37,950)	Increased income - fraud Support Services
	LEGAL SERVICES	(38,480)	(58,000)	(19,520)	Increased Land Charge income
	STRATEGIC PLANNING & DEVELOPMENT	1,315,870	838,140	(477,730)	Deferred Charges reversed out below the line
	STREETSCENE SERVICES	2,986,290	3,061,010	74,720	Deferred Charges reversed out below the line Agency costs
	<b>SERVICE EXPENDITURE</b>	<b>11,250,010</b>	<b>10,819,290</b>	<b>(430,720)</b>	
	LSP CONTRIBUTION	25,000	25,000	-	
	NET INVESTMENT INCOME	(275,000)	(255,070)	19,930	
	FINANCING OF CAPITAL EXPENDITURE	140,000	140,000	-	Financing of new financial system
	FINANCING ADJUSTMENT	(2,723,580)	(2,345,870)	377,710	Capital Charges / Deferred Charges
	<b>BUDGET REQUIREMENT (EXCL. PARISHES)</b>	<b>8,416,430</b>	<b>8,383,350</b>	<b>(33,080)</b>	
	FUNDED BY:				
	REVENUE SUPPORT GRANT	2,234,620	2,237,530	2,910	
	BUSINESS RATES	2,167,000	2,167,700	700	
	COUNCIL TAX - CURRENT YEAR REQUIREMENT	4,316,150	4,316,150	-	
	COUNCIL TAX - SHARE OF PRIOR YEAR SURPLUSES	-	1,260	1,260	
	USE OF BALANCES	(301,340)	(339,290)	(37,950)	
	<b>NET COST OF SERVICES</b>	<b>8,416,430</b>	<b>8,383,350</b>	<b>(33,080)</b>	

# REPORT



REPORT OF	MEETING	DATE	ITEM NO
FINANCE	EXECUTIVE COMMITTEE	12 JULY 2006	13

## CAPITAL OUT-TURN REPORT 2005-2006

### Public/Exempt item

This item is for consideration in the public part of the meeting/contains exempt information under paragraph xx of schedule 12A to the Local Government Act 1972 and is likely to be considered in a part of the meeting not open to the public.

### Summary

This report provides the full-year out-turn on the council's capital investment programme for financial year ending 31<sup>st</sup> March 2006

### Recommendation/s

1. That members approve the final capital expenditure of £3,394,059 which represents 94.4% of the revised budget. (Appendix A)
2. That members approve additional slippage of £448,781 as out-lined in the report, and note the impact on the 2006/07 capital programme (Appendix B)

### Executive brief

The item falls within the following executive brief[s]: (Councillor J Coombs)

### Report

The attached appendices give summary details of expenditure by capital scheme and this report provides further detail.

Continued....

- **Item 1: Heritage Economic & Technical Support Grants**

Officers in the regeneration team report that a number of schemes are in the final stages of completion. In previous reports, it was felt likely that officers would be able to fully match the additional £100,000 offered by English Heritage, however some of the potential external funding did not materialise. Therefore Members are only requested to approve slippage of £55,820 to complete existing schemes and £19,550 for Public Realm works on Phase 4 of St Anne's Square.

- **Item 2: St Anne's Square Completion**

Outstanding issues with the main contractor have now been settled, therefore the amount available to spend on the final phase is known within certainty. The majority of the final phase will be funded by the remaining NWDA grant. It is requested that members allow the remaining budget of £73,128 be carried forward into the 2006/07 capital programme.

- **Items 3 and 4: Town Centre Funds / Conservation Areas**

Progress on development of schemes being undertaken with this money, has been delayed due to the contractor issues identified above, as it is likely that some the remaining £102,291 will be required to supplement to work on the square. Therefore Members are request the slippage of this amount into the 2006/07 Capital Programme.

- **Item 5: Market Towns Project**

The work has commenced on some projects in Kirkham, however no payments had been made by the end of March. It is therefore requested that the remaining £5,000 be carried forward into the 2006/07 capital programme.

- **Items 6 & 7: One Stop Shops, Disability Discrimination Act Works and Improvements**

As part of the repairs and maintenance management contract, Wyre Borough Council have made DDA improvements to various council buildings, including the One Stop Shops and Lowther Pavilion. However officers have requested that the remaining £16,429 be slipped into the 2006/07 capital programme.

- **Item 8: Office Accommodation**

This largely represents the payment of consultancy fees in relation to the evaluation of office accommodation. It will be funded from the earmarked "office relocation" reserve.

- **Item 9: Implementing E-Government**

The new revenues and benefits are now fully functioning. E-procurement is tied into the new CIVICA finance system, which will be implemented during 2006/07. Document Imaging is also due for implementation shortly. Members are requested to approve slippage of the remaining monies of £105,806 into the 2006/07 capital programme to allow existing projects to continue.

- **Item 13: Materials Recycling Facility**

The main engineering works at the depot are complete, however members are requested to approve slippage of the remaining budget of £12,601 (including an additional contribution for recycling schemes, not previously included), to enable any final remedial works to be completed in 2006/07.

- **Item 14: Cemetery & Crematorium Improvements**

The planned work at the Cemetery and Crematorium is now complete. The contract retention valued at just under £3,000 has been included in the expenditure. In addition to the contract, additional works have resulted in the actual expenditure shown.

- **Items 16 & 17: Pumping Station Refurbishment & Footpath Repairs**

Members are requested to allow total slippage to the 2006/07 capital programme of £4,902 for these two schemes, to allow the successful work already undertaken to continue

- **Item 18: DSO Fuel Tank & Vehicles**

The budget for this was originally held in revenue and will be used to finance these purchases.

- **Item 19: Park View Playing Fields**

The first part of the project has now been completed and relevant proportion of the grant received from the football foundation. Officers have requested that the remaining budget of £1,152 be slipped into the 2006/07 capital programme.

- **Item 21: Skateboard Initiative**

The retention was released earlier this year and there is expected to be no further expenditure in relation to this project.

- **Item 22: Implementation of Youth Shelter Strategy**

A number of completed projects are already in place around the borough, with officers working closely with community groups and the parishes to ascertain local needs. It is therefore requested that the remaining budget of £18,995 be carried forward into the 2006/07 capital programme.

- **Item 23: Park View Cycle Path**

Although originally it was thought there would be no cost to Fylde on this scheme, the maximum available external funding has now been obtained. The total expenditure also includes all contract retentions payable 12 months after the completion of the scheme. Thus £147,346 is expected to be the final cost, representing a cost to the council of £9,346.

- **Item 26: Restoration of Ashton Gardens**

This project will be on going for the next few years. All the expenditure in 2005/06 relates to the preparation of the site and some fees in relation to the lottery bid. In addition to the grant income released in December, an additional £9,000 has been received towards the development of the site. It is therefore requested that the remaining budget of £28,584 (including the money above) be carried forward into the 2006/07 capital programme.

- **Item 27: Playground Equipment**

Officers advise that the rolling programme to replace playground equipment is progressing well and that negotiations with suppliers have resulted in better value for money. Officers have also been working with a local community group to provide games facilities costing £43,792, which has been externally funded and is included within the expenditure shown. Officers request that the net remaining budget of £4,523 be carried forward into the 2006/2007 capital programme for the replacements planned within that year.

- **Item 28: Lytham Jetty**

All costs for rebuilding the jetty have been included within the Appendix A – including the contract retention, payable in August 2006.

- **Item 29: Spend to Save**

The “invest to save” reserve will fund these schemes, which include; the development of Pleasant Street car park, and the purchase of Grounds Maintenance software. Officers have also started to build a new crazy golf course at Lowther Gardens, which is expected to be completed during 2006.

Implications	
Finance	As above
Legal	
Community Safety	
Human Rights and Equalities	
Sustainability	
Health & Safety and Risk Management	

Report Author	Tel	Date	Doc. ID
Brian White	(01253) 658566		

LIST OF BACKGROUND PAPERS
---------------------------

NAME OF DOCUMENT	DATE	WHERE AVAILABLE FOR INSPECTION
Document name		Council office or web-site address

### **Attached documents**

Capital Out-turn Report 200506 Appendix.xls

### Appendix A: 2005 Capital Programme: Expenditure v Revised Capital Budget

Item Number	Scheme Title	Estimated Year of Completion	Original Budget	Revised Budget	External Funding	Net cost to Council	2005/06 Expenditure to March 2006	Variance from Revised Budget	% Spend to Revised Budget
1	Heritage Economic & Technical Support Grant	Mar-06	100,000	360,394	200,525	159,869	254,574	105,820	70.6%
2	St. Annes Square - Completion	Mar-06	220,000	286,436	0	286,436	213,308	73,128	74.5%
3	Town Centre Funds (St. Annes & General)	Mar-05	0	137,252	115,199	22,053	42,961	94,291	31.3%
4	Conservation Areas	Mar-05	0	8,000	0	8,000	0	8,000	0.0%
5	Market Towns Project	Mar-05	25,000	5,000	0	5,000	0	5,000	0.0%
			<b>345,000</b>	<b>797,082</b>	<b>315,724</b>	<b>481,358</b>	<b>510,843</b>	<b>286,239</b>	<b>64.1%</b>
6	One Stop Shops	Mar-06	60,000	20,288	0	20,288	0	20,288	0.0%
7	Disability Discrimination Act Works & Improvements - including Lowther Pavilion	Mar-07	78,000	135,066	0	135,066	138,925	-3,859	102.9%
8	Office Accommodation	Mar-06	0	0	0	0	147,642	-147,642	100.0%
9	Implementing E-Government	Mar-06	290,000	598,749	318,749	280,000	492,943	105,806	82.3%
10	Pay and Display Car Parks	Mar-06	31,850	31,850	0	31,850	30,784	1,066	96.7%
			<b>459,850</b>	<b>785,953</b>	<b>318,749</b>	<b>467,204</b>	<b>810,294</b>	<b>-24,341</b>	<b>103.1%</b>
11	Disabled Facilities Grant	Mar-07	410,000	410,000	246,000	164,000	406,354	3,646	99.1%
12	Housing Renewal Grant	Mar-07	350,000	489,283	0	489,283	503,444	-14,161	102.9%
13	Materials Recycling Facility & Defra Funding	Mar-06	0	258,304	13,974	244,330	246,583	11,721	95.5%
14	Cemetery and Crematorium Improvements	Mar-07	50,000	99,899	0	99,899	123,942	-24,043	124.1%
15	Sea Defence Works	Mar-06	0	21,391	0	21,391	20,911	480	97.8%
16	Pumping Station Refurbishment	Mar-06	25,000	25,000	0	25,000	22,409	2,591	89.6%
17	Rolling Programme of Footpath Repairs	Mar-06	25,000	25,000	0	25,000	22,689	2,311	90.7%
18	Wyre Fuel Tank & Vehicles	Mar-06	0	0	0	0	29,669	-29,669	100.0%
			<b>860,000</b>	<b>1,328,877</b>	<b>259,974</b>	<b>1,068,903</b>	<b>1,376,001</b>	<b>-47,124</b>	<b>103.5%</b>
19	Park View Playing Fields	Mar-07	0	59,300	48,700	10,600	58,148	1,152	98.1%
20	Kirkham Baths - Rewire	Mar-06	0	20,000	0	20,000	24,237	-4,237	121.2%
21	Skateboard Initiative	Mar-05	0	14,740	0	14,740	3,745	10,995	25.4%
22	Implement Youth Shelter Strategy	Mar-07	15,500	57,000	26,500	30,500	38,005	18,995	66.7%
23	Park View Cycle Path	Mar-06	0	138,000	138,000	0	147,346	-9,346	106.7%
24	Bandstand Boating Pool	Mar-06	45,000	0	0	0	0	0	0.0%
25	Promenade Gardens Paddling Pool	Mar-06	8,000	0	0	0	0	0	0.0%
26	Restoration of Ashton Gardens	Mar-06	15,000	74,000	74,000	0	54,416	19,584	73.5%
27	Playground Equipments	Mar-07	0	69,060	0	69,060	108,329	-39,269	156.9%
28	Lytham Jetty	Mar-05	0	250,000	229,641	20,359	236,666	13,334	94.7%
29	Spend to Save	On-Going	0	0	0	26,028	26,028	-26,028	100.0%
			<b>83,500</b>	<b>682,100</b>	<b>560,633</b>	<b>147,495</b>	<b>696,920</b>	<b>-14,820</b>	<b>102.2%</b>
	<b>GRAND TOTALS</b>		<b>1,748,350</b>	<b>3,594,012</b>	<b>1,455,080</b>	<b>2,164,960</b>	<b>3,394,059</b>	<b>199,953</b>	<b>94.4%</b>

### Appendix B: 2006/2007 Capital Programme

Item Number	Scheme Title	Estimated Year of Completion	Original Budget	Revised Budget	External Funding	Net cost to Council
1	Heritage Economic & Technical Support Grant	Mar-06	0	75,370	47,460	27,910
2	St. Annes Square - Completion	Mar-07	0	623,128	462,236	160,892
3	Town Centre Funds (St. Annes & General)	Mar-07	0	94,291	94,291	0
4	Conservation Areas	Mar-07	0	8,000	0	8,000
5	Market Towns Project	Mar-07	0	25,000	0	25,000
			0	825,789	603,987	221,802
6	One Stop Shops / DDA Works & Improvements	Mar-07	0	16,429	0	16,429
7	Creation of New "Back Office" facility	Mar-07	0	0	0	0
8	Implementing E-Government	Mar-07	0	105,806	0	105,806
			0	122,235	0	122,235
9	Disabled Facilities Grant	Mar-07	475,000	475,000	285,000	190,000
10	Housing Renewal Grant	Mar-07	428,000	428,000	428,000	0
11	Materials Recycling Facility & Defra Funding	Mar-07	0	12,601	0	12,601
12	Cemetery and Crematorium Improvements	Mar-07	15,000	15,000	0	15,000
13	Pumping Station Refurbishment	Mar-07	30,000	32,591	0	32,591
14	Rolling Programme of Footpath Repairs	Mar-06	0	2,311	0	2,311
			948,000	965,503	713,000	252,503
15	Park View Playing Fields	Mar-07	0	91,152	80,552	10,600
16	Implement Youth Shelter Strategy	Mar-07	16,000	34,995	0	34,995
17	Bandstand Boating Pool	Mar-07	0	45,000	0	45,000
18	Promenade Gardens Paddling Pool	Mar-07	0	8,000	0	8,000
19	Restoration of Ashton Gardens	Mar-10	60,000	88,584	88,584	0
20	Playground Equipments	Mar-07	0	39,523	0	39,523
21	Kirkham War Memorial	Mar-09	100,000	100,000	0	100,000
22	Spend to Save	On-Going	0	0	0	0
			176,000	407,254	169,136	238,118
	<b>GRAND TOTALS</b>		<b>1,124,000</b>	<b>2,320,781</b>	<b>1,486,123</b>	<b>834,658</b>



**© Fylde Borough Council copyright [2006]**

You may re-use this document/publication (not including logos) free of charge in any format or medium. You must re-use it accurately and not in a misleading context. The material must be acknowledged as Fylde Borough Council copyright and you must give the title of the source document/publication. Where we have identified any third party copyright material you will need to obtain permission from the copyright holders concerned.

This document/publication is also available on our website at [www.fylde.gov.uk](http://www.fylde.gov.uk)

Any enquiries regarding this document/publication should be sent to us at the Town Hall, St Annes Road West, St Annes FY8 1LW, or to [listening@fylde.gov.uk](mailto:listening@fylde.gov.uk).