



Committee: CABINET

Date: TUESDAY, 22 JANUARY 2013

Venue: LANCASTER TOWN HALL

Time: 10.00 A.M.

A G E N D A

1. **Apologies**

2. **Minutes**

To receive as a correct record the minutes of Cabinet held on Tuesday 4 December 2012 (previously circulated).

3. **Items of Urgent Business Authorised by the Leader**

To consider any such items authorised by the Leader and to consider where in the agenda the item(s) are to be considered.

4. **Declarations of Interest**

To receive declarations by Members of interests in respect of items on this Agenda.

Members are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 10 and in the interests of clarity and transparency, Members should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Members are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

5. **Public Speaking**

To consider any such requests received in accordance with the approved procedure.

Reports from Overview and Scrutiny

None

Reports

6. **Adopting the Meeting Housing Needs Supplementary Planning Document (Pages 1 - 10)**
(Cabinet Member with Special Responsibility Councillor Hanson)
Report of the Head of Regeneration & Planning
7. **Lancaster District Tenancy Strategy (Pages 11 - 49)**
(Cabinet Member with Special Responsibility Councillor Leytham)
Report of the Head of Health & Housing
8. **Corporate Municipal Building Works (Pages 50 - 77)**
(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)
Report of the Head of Resources
9. **Budget & Policy Framework Update 2013/14**
(Cabinet Member with Special Responsibility Councillor Bryning)
Report of the Head of Resources (Report to follow)
10. **Request to install a flagpole structure with associated rigging on the Stone Jetty Morecambe by Morecambe Town Council (Pages 78 - 80)**
(Cabinet Members with Special Responsibility Councillors Hanson & Hamilton-Cox)
Report of the Head of Regeneration & Planning
11. **Collective Energy Switching (Pages 81 - 95)**
(Cabinet Member with Special Responsibility Councillor Blamire)
Report of the Head of Community Engagement
12. **Review of Parking Fees and Charges 2013/14 (Pages 96 - 104)**
(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)
Report of the Head of Environmental Services
13. **Community Safety Priorities (Pages 105 - 127)**
(Cabinet Member with Special Responsibility Councillor Smith)
Report of the Head of Environmental Services
14. **Out of Office Hours Response to Severe Weather (Pages 128 - 134)**
(Cabinet Member with Special Responsibility Councillor Leytham)

Report of the Head of Environmental Services

15. Exclusion of the Press and Public

This is to give further notice in accordance with Part 2, paragraph 5 (4) and 5 (5) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 of the intention to take the following items in private. It should be noted that the report for item 16 is a public report and it will only be necessary to exclude members of the press and public if any exempt information needs to be presented at the meeting.

Cabinet is recommended to pass the following recommendation in relation to the following items:-

“That, in accordance with Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that they could involve the possible disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act.”

Members are reminded that, whilst the following items have been marked as exempt, it is for the Council itself to decide whether or not to consider each of them in private or in public. In making the decision, Members should consider the relevant paragraph of Schedule 12A of the Local Government Act 1972, and should balance the interests of individuals or the Council itself in having access to information. In considering their discretion Members should also be mindful of the advice of Council Officers.

16. Storey Creative Industries Centre: Progress Update (Pages 135 - 136)

(Cabinet Member with Special Responsibility Councillor Hanson)

Report of the Head of Resources

17. Land at Aldcliffe Road, Lancaster (Pages 137 - 145)

(Cabinet Member with Special Responsibility Councillor Hamilton-Cox)

Report of the Head of Resources

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Eileen Blamire (Chairman), Janice Hanson (Vice-Chairman), Jon Barry, Abbott Bryning, Tim Hamilton-Cox, Karen Leytham, Ron Sands and David Smith

(ii) Queries regarding this Agenda

Please contact Liz Bateson, Democratic Services - telephone (01524) 582047 or email ebateson@lancaster.gov.uk.

(iii) Apologies

Please contact Members' Secretary, telephone 582170, or alternatively email memberservices@lancaster.gov.uk.

MARK CULLINAN,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER LA1 1PJ

Published on Friday 11 January, 2013.

CABINET**Adopting the Meeting Housing Needs Supplementary
Planning Document****22nd January 2013****Report of Head of Regeneration and Planning**

PURPOSE OF REPORT			
To seek a resolution from Cabinet to adopt the Meeting Housing Needs Supplementary Planning Document (SPD).			
Key Decision	X	Non-Key Decision	Referral from Cabinet Member
Date Included in Forthcoming Key Decision Notice		21 December 2012	
This report is public.			

RECOMMENDATIONS OF COUNCILLOR HANSON

- (1) That Cabinet resolves to adopt the Meeting Housing Needs Supplementary Planning Document (SPD). The document will then be a material consideration for all planning applications for residential development from 1st February 2013 onwards until further notice.

1.0 Introduction

- 1.1 The purpose of the Meeting Housing Needs SPD is to provide additional detail and guidance on how the Council will, as the local planning authority interpret and apply relevant policies from the adopted development plan.
- 1.2 A report recommending that Cabinet resolve to publish and consult on the Draft SPD was received in September 2012. Following this, the Draft SPD was consulted on in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, and the Council's Statement of Community Involvement. The following table provides a summary of the timetable for the preparation of the Meeting Housing Needs SPD.

Stage	Dates
Key Stakeholder Group meeting	28 th February 2012
Information Gathering Questionnaire & Briefing circulated	2 nd March 2012
Deadline for Questionnaire responses	30 th March 2012
Draft SPD prepared	Spring and Summer 2012
Cabinet approval to consult on Draft SPD	4 th September 2012
Statutory consultation period starts	1 st October 2012
Statutory consultation period ends	9 th November 2012
Cabinet approval to adopt SPD	22 nd January 2013
Adopted SPD, Public Participation Statement, and Adoption Statement published	1 st February 2013

2.0 Background

- 2.1 Supplementary Planning Documents (SPDs) were introduced by the Planning and Compulsory Purchase Act 2004 and replaced Supplementary Planning Guidance. Because SPDs are subject to greater consultation they are therefore given greater weight when planning applications are determined. The current requirements for the preparation of SPDs are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012. These regulations can be downloaded at: www.legislation.gov.uk
- 2.2 The National Planning Policy Framework (NPPF) published in March 2012 provides the current context for the preparation of SPDs. The NPPF defines SPDs as "documents which add further detail to the policies in the Local Plan". The NPPF also says that SPDs "can be used to provide further guidance for development on specific sites, or on particular issues, such as design"; and that SPDs "are capable of being a material consideration in planning decisions but are not part of the development plan."
- 2.3 The NPPF also states that SPDs should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development. The NPPF can be downloaded at: <http://www.gov.uk/government/publications/national-planning-policy-framework--2>

3.0 Strategic Context

- 3.1 The key objectives of this SPD are:

- To aid effective implementation of saved Local Plan policy H10 and Core Strategy Policy SC4 which is concerned with meeting the district's housing requirements, and housing aspects of Core Strategy policies SC1 (sustainable development); SC2 (urban concentration); and SC3 (rural communities).
 - To provide clear direction to all parties on how to interpret these policies;
 - To bring together all relevant existing Council guidance and practice on the delivery of residential development; and
 - To guide all applicants on how to liaise with the Council and on what information required to ensure planning applications are not delayed unnecessarily.
- 3.2 Because this document is an SPD, it does not introduce any new policy and is not part of the adopted development plan. However it does add further detail to the relevant policies from the adopted development plan, and the SPD is therefore a material consideration for any individual or organisation that wishes to make a proposal for residential development within the administrative area of Lancaster City Council.
- 3.3 This SPD supersedes the Supplementary Planning Guidance 10: Affordable Housing (March 2002) and the Affordable Housing Practice Update (January 2011).
- 3.4 Please note that the Council is currently preparing a new Lancaster District Local Plan that will eventually supersede all of the 'saved' policies in the adopted 2004 Local Plan.

4.0 Preparation of the SPD

- 4.1 The attached background paper (Public Participation Report) provides full details of the preparation process for the SPD, and the feedback received from stakeholders.

Context and Evidence Base

- 4.1 The process for preparing the SPD began with the 2009 Affordable Housing Viability Study, which is the Council's most recent evidence base on residential development viability. Following the conclusion of this Study the Council prepared and consulted on an Affordable Housing Practice Update, which described the process for negotiating affordable housing as part of the approach to implementing Core Strategy Policy SC4. This was adopted in January 2011.
- 4.3 A comprehensive consultation process supported both the preparation of the Affordable Housing Viability Study, and the Affordable Housing Practice Update. At the core of this process was a Key Stakeholder Group drew in both local and regional experience and perspectives from residential developers, planning agents, land agents, and registered providers of social housing.
- 4.4 The preparation of this SPD has also been informed by the 2011 Housing

Needs Survey which was informed by a range of data sources including a household questionnaire to gather current primary data. The Survey provides the Council with an up to date robust evidence base on the genuine housing needs of existing and concealed households, and of households planning to move to more suitable accommodation.

Information Gathering

- 4.5 In order to comply with the Council's adopted Statement of Community Involvement the first stage of preparing the SPD was to gather information to inform the document. Stakeholders were therefore invited to provide their perspectives on a range of issues to help inform the preparation of the SPD. For a summary of the issues raised, please refer to Appendix 4 of the attached background paper: Public Participation Statement. Information on the preparation of the SPD was also promoted via a press release which featured in the Lancaster Guardian in the first week of March 2012; as well as the Council website, the "Shaping a Better Future" Facebook page; and the Council's Twitter feed.

Statutory Consultation

- 4.7 The Draft SPD for consultation was prepared during spring and summer 2012 in accordance with the Council's adopted Statement of Community Involvement, and the Town and Country Planning (Local Planning) (England) Regulations 2012. It was then subject to a 6 week consultation period from 1st October to 9th November 2012. Hard copies of the Draft SPD and related documents were made available for public inspection during normal opening hours at Lancaster Town Hall and Morecambe Town Hall, the Cable Street council housing office, and all Lancashire County Council public libraries in the district. The Draft SPD and related documents were also available for download from the Council website.
- 4.9 The statutory consultees (English Heritage, Natural England, and the Environment Agency), the Homes and Communities Agency, South Lakeland District Council, Wyre Council, Lake District National Park Authority, and Yorkshire Dales National Park Authority were directly consulted on the Draft SPD. A wide range of key stakeholders were also directly consulted, including a range of registered providers, developers, and planning agents and consultants. In addition all elected members of the Council; Heysham and Morecambe town council, and each of the neighbourhood and parish councils, and parish meetings were directly consulted. Over 800 individuals and organisations registered on the Council's consultation database were also emailed regarding the consultation.
- 4.10 A public notice was placed in both the Lancaster Guardian and the Morecambe Visitor in September 2012, which provided details of the consultation and how to provide comments. The consultation was also communicated via the Council website, the "Shaping a Better Future" Facebook page; and the Council's Twitter feed, and promoted by the distribution of posters, and a press release which featured in The Morecambe Visitor on 9th October.
- 4.11 The Council received approximately 30 formal representations from

consultees, ranging from members of the public to planning agents representing developers with land interests in the district. For a summary of the issues raised by consultees, please refer to Appendix 5 of the attached background paper: Public Participation Statement.

5.0 Summary of the key issues contained within the SPD

- 5.1 Affordable housing contributions are required from all proposals that will result in a net increase in the overall number of dwellings. Small schemes up to 4 dwellings are expected to provide a financial contribution and larger schemes of 5 or more dwellings are expected to provide on site affordable housing.
- 5.2 Up to 20% on site affordable housing is required from schemes that propose a net increase of 5 to 9 dwellings in a rural location, or 5 to 14 dwellings in an urban location.
- 5.3 Up to 30% on site affordable housing is required from schemes that propose a net increase of 10 plus dwellings in a rural location, or 15 plus dwellings in an urban location.
- 5.4 The opportunities for developing new housing on Greenfield sites will be limited but where this is permitted the Council will require increased affordable housing provision (up to 40%). The precise requirement will be agreed via negotiation and will be influenced by site specific issues.
- 5.6 An affordable tenure mix of 50% social rented and 50% intermediate will be required of all schemes but the Council will seek to ensure that the specific tenure mix, dwellings type and size of dwellings reflect local housing needs as evidenced by the 2011 Housing Needs Survey or other local evidence where appropriate.
- 5.7 Developers are expected to realistically assess the full cost of developing new housing before applying for planning permission, with consideration made of the cost of land acquisition, site remediation, abnormalities, construction, finance, affordable housing provision, and other planning obligations. In particular, developers are expected to fully consider the cost of purchasing land, buildings or an option on land before applying for planning permission, as these costs will impact on the ability of the scheme to meet the required affordable housing provision, and therefore scheme viability.
- 5.8 Proposals for residential development in the West End of Morecambe and the area covered by the Morecambe Area Action Plan (MAAP) are not required to provide an affordable housing contribution as this can have a significant impact on development viability because property values are much lower than elsewhere in the district. This therefore acts as a disincentive to securing much needed investment.
- 5.9 In recent years the Council has permitted new rural residential development in 8 settlements that retain a sufficient number of key services to make these settlements sustainable. In order to better meet rural housing needs development will be considered in rural settlements with fewer key services where it can be demonstrated that the proposals will maintain or enhance the vitality of the local community. A key aspect of this is how well a proposed development meets local housing need.

6.0 Details of Consultation

- 6.1 Full details on the preparation of the Meeting Housing Needs SPD are dealt with under section 4.0 of this report (Preparation of the SPD).
- 6.2 In addition to this consultation officers presented a report to the 13th March 2012 Planning Policy Liaison Group (PPCLG) detailing how the SPD would be prepared. A further report updating PPCLG was received at the 28th August 2012 meeting ahead of the 4th September Cabinet meeting. Following the completion of the statutory consultation, a report was taken to the 4th December 2012 PPCLG meeting.
- 6.3 In terms of focused consultation on sustainability issues affecting the Meeting Housing Needs SPD, officers are confident that such issues have been intensively explored and tested during the preparation of the Council's Core Strategy and emerging Local Plan. Because the SPD links to the higher-level sustainability testing of both documents then the likely affects of the SPD are in-line with those anticipated for both documents. Therefore this SPD has not been subject to its own sustainability appraisal. The Core Strategy Sustainability Appraisal reports can be found at: www.lancaster.gov.uk/ldf

4.0 Options and Options Analysis (including risk assessment)

	Option 1: Approve the recommendation to adopt the Meeting Housing Needs SPD.	Option 2: Do not approve the recommendation to adopt the Meeting Housing Needs SPD.
Advantages	The Council will have available complete and up to date guidance on meeting housing needs (that applicants can refer to when preparing specific planning proposals and the Development Management Team can refer to when considering specific planning applications).	Delaying the publication of the SPD will allow time for further public consultation, although adequate time has already been allowed for this.
	The Council will be aligned with the National Planning Policy Framework (NPPF) requirement that SPDs provide further guidance on particular issues (in this instance meeting housing needs).	
	The Council will be aligned with the NPPF requirement that SPDs add further detail to the policies in the adopted Local Plan.	
Disadvantages	The SPD's focus on how the Council will achieve affordable housing from new residential development may attract renewed criticism from developers / applicants around the impact this has on viability which may be viewed as being at odds with the NPPF.	
Risks	Applying the approach to calculating commuted sums to conversions (as distinct to new build) may attract some criticism because the in-principle expectation of affordable housing contributions from a net increase in units (whether new build or conversion of existing) is described within a development management policy in the Draft Local Plan which has not yet been adopted. Although public consultation on the preferred options version of the Draft Local Plan commenced on 22 nd October, the document is not anticipated for adoption until September 2014. However, paragraph 216 of the NPPF states that decisions	The absence of a fully consulted on SPD providing complete and up to date guidance on meeting housing needs may put the Council at risk from future appeals to overturn decisions made where planning proposals did not address relevant policies in the adopted Core Strategy.

	<p>makers may also give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan. On this basis, the Draft Local Plan can be thought of as a material consideration (but of limited weight), and might usefully inform the consideration of a development proposal.</p>	
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6.0 Officer Preferred Option (and comments)

6.1 The officer preferred option is Option 1 so that the Council has in place complete and up to date guidance on meeting housing needs.

RELATIONSHIP TO POLICY FRAMEWORK

Lancaster District Core Strategy. This proposal will make a positive contribution to Policy SC4 in terms of meeting the district's housing requirement.

Lancaster District Housing Action Plan. This proposal will support implementation of the forthcoming Action Plan by guiding applicants on how proposed developments should meet the housing needs of the district.

**CONCLUSION OF IMPACT ASSESSMENT
(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)**

The Meeting Housing Needs SPD will contribute towards meeting the housing needs of those in unsuitable accommodation, in terms of the size and location. This will allow improved access to employment, training and education opportunities, and will contribute towards ensuring social cohesion which in turn should impact on community safety. Affordable or low cost market housing in rural locations will also contribute to improved access to housing where often younger families and vulnerable households cannot access suitable and affordable accommodation.

LEGAL IMPLICATIONS

The Meeting Housing Needs SPD will provide new guidance around the use of Nominations Agreement and Local Occupancy Criteria agreement, and S106 agreements which should assist applicants in understanding the legal implications of specific proposals. This will require liaison between Regeneration and Planning and Legal.

FINANCIAL IMPLICATIONS

The Meeting Housing Needs SPD will provide new guidance on the negotiation of commuted sums. Assuming that no changes are made in due course to the financial management

arrangements, as and when the monies are received they would be held in the Commuted Sums – Affordable Housing Reserve until such time as they are required, at which point the capital programme would be updated accordingly to reflect their application to specific schemes.

OTHER RESOURCE IMPLICATIONS

Human Resources:

None.

Information Services:

None.

Property:

None.

Open Spaces:

None.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

Public Participation Statement

Meeting Housing Needs SPD

Contact Officer: David Hayward, Planning Officer.

Telephone: 01524 582723

E-mail: dhayward@lancaster.gov.uk

Ref:

CABINET

**Lancaster District Tenancy Strategy
22nd January 2013**

Report of Head of Health and Housing

PURPOSE OF REPORT			
To provide members with a summary of the legal requirements placed upon local authorities by the Localism Act 2011 in relation to the adoption of a Tenancy Strategy, and to provide a final version of the document for approval by Cabinet.			
Key Decision	X	Non-Key Decision	Referral from Cabinet Member
Date of notice of forthcoming key decision	21 December 2012		
This report is public			

RECOMMENDATIONS OF Councillor Karen Leytham

- (1) That Cabinet note the report and approve the Lancaster District Tenancy Strategy 2012.

1.0 Introduction

- 1.1 The Localism Act 2011 introduced a series of social welfare reforms to give social housing providers more freedom to grant a greater range of tenancies (referred to as flexible tenancies), provides a new framework around affordable rents, allows greater discretion for local authorities to decide who can apply for rehousing, more flexibility for local authorities to discharge their homelessness duties and allows greater mobility within the social housing sector.

- 1.2 As part of the framework for allowing social housing providers to provide a wider range of tenancies, there is a new requirement for every local authority to produce and publish a Tenancy Strategy, which should be in place by 15th January 2013.

2.0 Purpose of a Tenancy Strategy

- 2.1 The Tenancy Strategy should set out the local authorities expectations for social housing providers in relation to:-
- The type of tenancies they will grant
 - Where tenancies are granted on a fixed term, the length of those

terms.

- The circumstances under which they will grant tenancies of a particular type
- The circumstances in which they will seek to bring a fixed term tenancy to an end.

2.2 Local authorities are obliged to consult all partner social housing providers about their proposed Tenancy Strategy before it is implemented. Social housing providers are required to have regard to the local authority's Tenancy Strategy when adopting their own Tenancy Policy, which is also a requirement of the Localism Act.

2.0 Summary of the main changes

2.1 Historically, social housing providers have granted periodic tenancies to new tenants, which is a tenancy that runs for an indefinite period of time until either the landlord or the tenant brings the tenancy to an end. Some social housing providers have, however, operated starter or introductory tenancies, which means there is an initial fixed term normally for 6 – 12 months and thereafter the tenancy becomes periodic assuming the tenancy has been conducted satisfactorily. The Localism Act 2011 gives social housing providers the freedom to grant fixed-term tenancies as the “norm”, should they choose to. The rationale for this approach is that the social housing provider can then formally review the tenant's circumstances at the end of the fixed term and decide whether to renew the fixed term or bring the tenancy to an end, if they consider that their tenant is no longer in need of that tenancy.

2.2 Whilst considering the potential benefits offered by the granting of fixed term tenancies as part of developing the Lancaster District Tenancy Strategy, there is little evidence that a high proportion of tenants would have the economic means to access market housing or rent in the private sector. However, those who do can be offered help and support through appropriate signposting, and the wider use of Choice Based Lettings to move into intermediate housing and/or home ownership. The Housing Needs Survey 2011 estimates that around 500 social housing tenants under-occupy their existing home by 2 or more bedrooms. Through its current allocation policy, Lancaster City Council actively encourages social housing tenants to move into smaller accommodation through its banding system, and through an improved mutual exchange service which forms part of Ideal Choice Homes – Choice Based Lettings Scheme. However, social housing providers do need to encourage this more widely and offer further incentives to existing tenants to help them to move. Whilst acknowledging that there could be some benefits achieved through operating fixed-term tenancies, there are clear disadvantages and increased risks associated with administering them in relation to the impact upon tenants and wider communities. It has to be stressed however, that Lancaster City Council, cannot veto the use of flexible tenancies by social housing providers, and on this basis, the Tenancy Strategy sets out the requirements that social housing providers must satisfy should they chose to implement them. However, through regular dialogue with R.P. partners and through the on-going consultation in developing a Tenancy Strategy, there is no indication that R.P. partners will be intending to grant fixed-term tenancies routinely, although they may do in exceptional

circumstances.

- 2.3 Social housing providers can now grant tenancies at an affordable rent and it is a requirement of the Homes and Communities Agency that any grant funded affordable housing brought forward in the current Affordable Homes Programme 2011 - 2015 are let at an affordable rent (which can be set at up to 80% of the market rent in an area). Social housing providers will generally need to set rents at a higher level than fair rents or target rents (which are normally around 50% of market rents) because grant rates are considerably lower than in previous years so a higher rent is required to make schemes viable and cover loan repayments.
- 2.4 Local authorities have more discretion to determine who can or cannot apply for rehousing and encourage greater mobility within the social housing sector. Lancaster City Council will be reviewing its current allocation policy to consider any appropriate changes, which will be reported to members separately in due course. However, as referred to in paragraph 2.2 the council has recently launched an improved mutual exchange system as part of Ideal Choice Homes - Choice Based Lettings Scheme for all social housing tenants who live within and outside the district.
- 2.5 Local authorities can now discharge their homelessness duties through the offer of a private rented tenancy instead of a social housing tenancy. The accommodation has to be available for a minimum period of 12 months and must satisfy a number of pre-determined suitability criteria. Lancaster City Council is still considering the potential implications of implementing this policy, but as a pre-cursor, the council has formed a new partnership with a charitable organisation called Methodist Action NW, who operates a social lettings agency in Lancaster district. This means the accommodation leased by Methodist Action is available for up to 2 years, and beyond in some circumstances.

3.0 Actions to Date

- 3.1 In January 2012, a number of local authorities in Lancashire, and a number of partner Registered Providers, put together a proposed framework to develop a Lancashire Tenancy Strategy. The rationale for this was that all current Registered Provider (R.P.) partners work across many different geographical areas and that the implementation of 14 different Strategies across Lancashire would be virtually impossible for each R.P. to have regard to. It was widely accepted at that time, that if a broad framework could be agreed, each local authority would still have the ability to include any specific policies or objectives as part of their own district Tenancy Strategy. In September 2012, the broad framework was agreed and endorsed by Lancashire Chief Executives, on the assumption that each of the local authorities produced their own Tenancy Strategy which would be tailored to their own housing needs and requirements.
- 3.2 Lancaster City Council has now produced a Lancaster District Tenancy Strategy, which puts that broad framework into a more local context. The document sets out the statutory requirements that have to be satisfied by the Tenancy Strategy and goes on to describe the Lancaster district housing

market, including tenure and affordability and the new affordable rent model, the arrangements for the granting of flexible tenancies for any social housing providers who intend to use them, and the housing options that are available to those in need of housing within the district.

4.0 Details of Consultation

4.1 The Draft Lancaster District Tenancy Strategy was issued to all social housing providers, by the 12th November 2012, along with other key stakeholders (active Homelessness Forum members) and the District Wide Tenants Forum. The draft document was also presented to both Planning Housing Regeneration Group and Planning Policy Liaison Group respectively. Only one R.P. formally commented on the document and as a result, some minor alterations were made.

3.0 Options and Options Analysis (including risk assessment)

	Option 1: Approve the Lancaster District Tenancy Strategy in its current form.	Option 2: Approve the Lancaster District Tenancy Strategy with amendments
Advantages	The council will satisfy the legal requirements of the Localism Act 2011 and the Strategy will provide the necessary framework for all social housing providers to work within.	None.
Disadvantages	None identified	If the Lancaster District Tenancy Strategy is amended, it will be necessary to undertake further consultation and EqIA before final approval.
Risks	None identified	The Tenancy Strategy will not be in place by the required timescale set out in the Localism Act 2011.

4.0 Officer Preferred Option (and comments)

4.1 The officer preferred option is option 1. This will ensure that the council meets the necessary statutory requirements within the required timescale, and that immediately following approval, all social housing providers can have regard to the Lancaster District Tenancy Strategy when adopting their own Tenancy Policies, and will adhere to the requirements set out within the document.

5.0 Conclusion

5.1 The Lancaster District Tenancy Strategy has been developed through partnership approach with other Lancashire authorities and R.P. partners but is informed by the local circumstances and housing markets that exist, to ensure that the framework put in place is appropriate and relevant. The statutory consultation requirements have been satisfied and further consultation has been conducted with other key stakeholders and elected members. Cabinet members are therefore requested to approve the document.

RELATIONSHIP TO POLICY FRAMEWORK

Corporate Plan 2012-2015 – Health and Wellbeing: Enhanced quality of life of local residents through access to good quality housing and reduce homelessness.
Lancaster City Council’s current allocation scheme and policy seeks to create balanced communities and ensure that social housing is offered to those in the greatest need.

**CONCLUSION OF IMPACT ASSESSMENT
(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, HR, Sustainability and Rural Proofing)**

An Equality Impact Assessment has been undertaken on the Lancaster District Tenancy Strategy prior to its proposed implementation to consider the impact upon particular groups.

LEGAL IMPLICATIONS

The Localism Act 2011 requires every local authority to have a Tenancy Strategy in place by the 15th January 2013.

FINANCIAL IMPLICATIONS

Given that this report is concerned with the district-wide strategy any financial implications for the Council are not a primary consideration. Indirectly, however, there may be implications arising when the Council (as a landlord) formulates its own Tenancy Policy, which will be reported to Members in due course.

OTHER RESOURCE IMPLICATIONS

Human Resources:

None

Information Services:

None

Property:

None

Open Spaces:

None

SECTION 151 OFFICER’S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

MONITORING OFFICER’S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

None

Contact Officer: Kathy Sinclair
Telephone: 01524 582724
E-mail: ksinclair@lancaster.gov.uk
Ref:



Shaping
a better future



Shaping
better development



Shaping
the urban future



Shaping
the rural future

Lancaster District Tenancy Strategy 2012

FINAL



Promoting City, Coast & Countryside

Contents

1. Introduction
2. The statutory requirements of the Lancaster District Tenancy Strategy
3. The Lancaster district housing market
4. Tenure and affordability
5. Enhanced housing options

Introduction

- 1.1 The Lancaster District Tenancy Strategy has been formulated through collaborative working with the 14 local authorities across Lancashire and a number of partner Registered Providers to establish a broad framework which social housing providers will operate within. However, each individual district has developed their own individual tenancy strategies having regard to their own housing markets, housing provision and approaches that exist within those districts.
- 1.2 Lancaster City Council is committed to improving the health and wellbeing of its residents and ensuring access to decent, safe and affordable homes.
- 1.3 This Strategy relates principally to the management of social rented homes within the Lancaster district. It looks at how we might best use this important but limited resource to meet the needs of households that cannot exercise the same amount of choice as those who can readily access market housing.
- 1.4 The Strategy represents the council's considered response to the new freedoms provided within the Localism Act 2011 and sets out the extent to which we think these freedoms should be used to address the challenges we know exist.
- 1.5 It provides the basis for changes we may make in the management of own stock and gives guidance to other providers of social housing that are active within the Lancaster district.
- 1.6 The Tenancy Strategy will outline how the council and other social housing providers will address the issues of:-
 - Rent and tenure reform
 - Homelessness duty and the private sector
 - Changes to the housing register and priority for social housing
 - Nomination arrangements

Section 2 – the statutory requirements

- 2.1 The Government's National Housing Strategy 2011 seeks to "ensure everyone has an opportunity of living in a decent home, which they can afford, in a community where they want to live", and identified a number of barriers to achieving this. The Government has put a number of social housing reforms in place through the Localism Act, which received Royal Assent on the 15th November 2011.
- 2.2 The five main changes brought about through these reforms can be summarised as:-
- A wider range of tenancies within the social housing sector
 - The introduction of affordable rents
 - Greater discretion for local authorities to decide who can apply for inclusion on the Housing Register
 - The ability for local authorities to discharge their homelessness duty in the private rented sector
 - Allowing greater mobility within the social housing sector
- 2.3 To date, most social housing tenants have been offered a secure tenancy, which grants them a home for life. The Localism Act gives landlords more flexibility to decide what length of tenancy they offer, based on levels of housing stock and the needs of individual tenants.
- 2.4 The new flexible tenancies can be granted periodically or on a fixed term, normally on a minimum period of 5 years. It allows tenancies to be granted at affordable rents, which means social housing providers can charge up to 80% of market rents.
- 2.5 The Act also places a legal requirement upon local authorities to publish a tenancy strategy, which should set out their expectations for social housing landlords in relation to:
- The kinds of tenancies they will grant
 - Where they grant tenancies for a fixed term, the length of those terms
 - The circumstances under which they will grant tenancies of a particular type
 - The circumstances under which a tenancy may or may not be reissued at the end of the fixed term, in the same property or in a different property.
- 2.6 In developing their tenancy strategy, the local authority is required to send a copy of the draft to all private registered providers in the area, and the Secretary of State may also make directions as to who must be consulted before the strategy is adopted

- 2.7 Whilst all local authorities are required to produce a tenancy strategy, Registered Providers and Lancaster City Council as a stock retaining council will need a tenancy policy on the type of tenancies they grant. In developing a tenancy policy there must be due regard to tenure strategies. The requirements for the tenancy strategy are set out in the Localism Act, but the requirements of a tenancy policy are explained in the draft Directions to the Regulator of Social Housing. Lancaster City Council, therefore, requires both a tenancy strategy and a tenancy policy.

Tenancy Policy

- 2.8 All tenancy policies that are developed must set out if fixed tenancies are to be offered and must have regard to each District's Tenancy Strategy. When using fixed term tenancies the following themes would need to be considered:-

- The relationship between fixed term tenancies and affordable rent
- Use of starter tenancies, introductory and demoted tenancies
- The Right to Buy/Right to Acquire and fixed term tenancies
- Succession and fixed term tenancies
- Transfers, mutual exchanges and fixed term tenancies
- Ending a fixed term tenancy
- Possibility of challenge.

- 2.9 Registered Providers are expected to conform to published guidance from the social housing regulator in respect of developing and publishing tenancy policies setting out the type of tenancies they will use and the circumstances therein. They will also be expected to follow any good practice and ensure they are taking account of the local housing market and issues when developing their tenancy policies.

- 2.10 Most partner Registered Providers have already got a tenancy policy or interim policy in place in order to comply with the current Affordable Homes Programme and funding requirements. Registered Providers, therefore, need to review their own tenancy policies after the publication of the Tenancy Strategy to ensure that their policies do not conflict with any aspects of this document.

Aim of the Strategy

- 2.11 This Tenancy Strategy seeks to ensure that the changes in the Localism Act do not undermine and, wherever possible, enhance progress in meeting the housing priorities in the district which are:-

- To build and maintain sustainable communities

- To ensure the most efficient use of the district's housing stock to meet local need.
- To target resources effectively to households in greatest need.
- To prevent homelessness and fulfil our statutory duties when homelessness occurs

- 2.12 The Strategy seeks to complement the Lancashire wide and sub-regional initiatives such as the Lancashire Homelessness Strategy prevention agenda, and the local policies that exist in relation to the Ideal Choice Homes Choice Based Lettings Scheme, and the current/future allocation policies of partner Registered Providers with housing stock in this district.
- 2.13 The Strategy also takes account of the private rented sector and to maximise the potential that exists to provide a wide range of housing offers locally.

Section 3 - The Lancaster district housing market

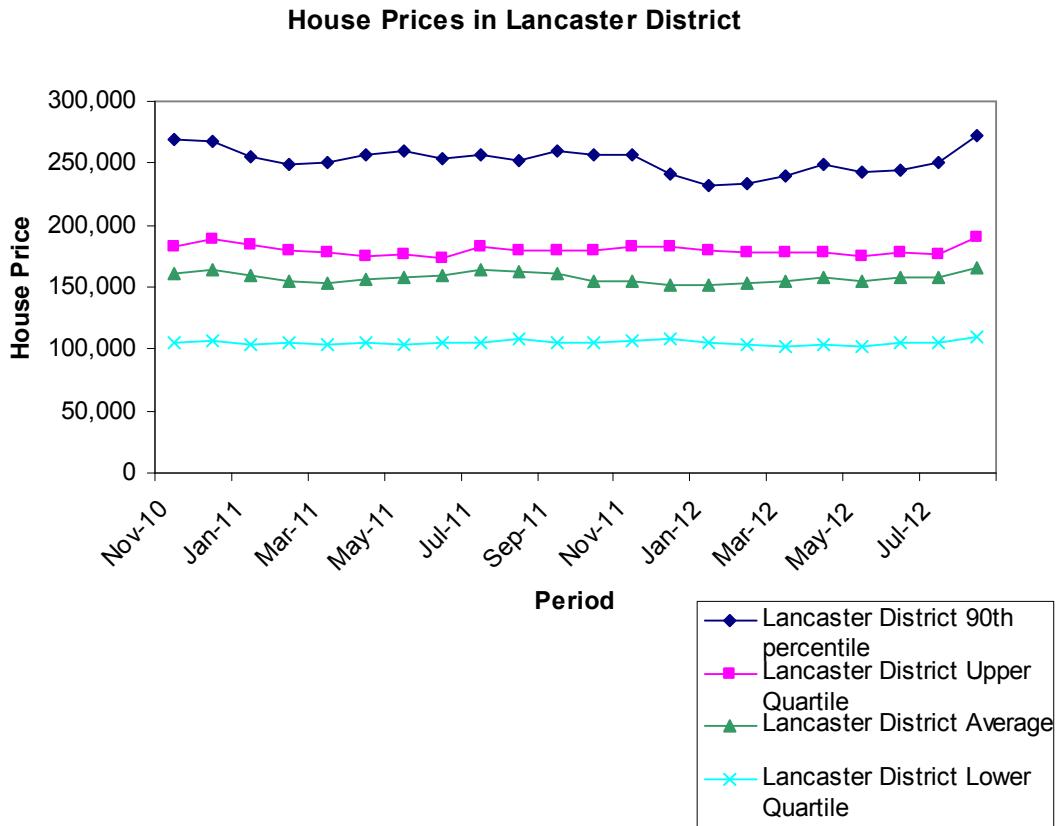
- 3.1 Social housing providers should, when determining their own tenancy policies, be informed by an understanding of the role of affordable housing within the Lancaster district, and the potential impact of their policies.
- 3.2 The Lancaster district contains a population of 138,400 residents, with a total housing stock of 61,570 dwellings (HSSA 2011). 60.5% of dwellings are either detached or semi detached, 23.5% are terraced houses, 13.8% are flats and the remainder are houseboats, caravans and mobile home properties (Housing Needs Survey 2011).
- 3.3 The last Housing Stock Condition Survey was undertaken in 2004, which reported that 78% of the stock is owner-occupied, 4% is owned and managed by Registered Providers, 6% is owned by the Local Authority and 12% is private rented. These statistics demonstrate that the District of Lancaster has higher levels of owner-occupation than the national average which peaked at 72.5% in 2001, and lower levels of social housing in comparison to the national average of 17% (English Housing Survey: Housing Stock Report 2009). These figures clearly demonstrate that affordable housing provision in the Lancaster district is lower than normal, and a fundamental aim of this Tenancy Strategy is to maximise the use and potential of what is already a scarce resource.
- 3.4 The Lancaster district has been recognised through previous regional strategic housing market assessments and in the Housing Needs Survey 2011 as having a relatively self contained housing market. Some of the historic and current factors can be summarised in broad terms as:-
- An isolated housing market
 - High demand areas in Lancaster and rural areas out of reach for first time buyers and young families, which is becoming more widespread.
 - A large take up of private sector housing in Lancaster by the student population.
 - A lower than national average social housing provision at 10%.
 - Over supply of poor quality private rented stock in Morecambe; a legacy from the town's heyday as a popular coastal resort.
 - Low income, benefit dependant households are driven into the deprived areas of Morecambe and significantly inflate the value of HMO (House in Multiple Occupation) stock.
- 3.5 Significant progress has been made with the regeneration of Morecambe's West End to reduce the number of HMO's, to create a more balanced housing market and improve the housing conditions in

the area. There has been increased provision of student housing in the City Centre (circa 250 bedspaces) supported through planning approvals, which is hoped will create more availability and better access to private rented housing in the Lancaster south area. There are very well aligned housing and planning policies in place to meet the housing needs of the district. However, affordability is a fundamental barrier to many households being able to exercise choice in securing suitable housing.

Market Housing Sector

- 3.6 Historically, accessing market housing in the District was an achievable aspiration of many working households, but with the increase in house prices locally, the economic downturn and impact upon the labour market, as well as difficulties accessing mortgage products, the need for affordable housing products has never been greater. The Housing Needs Survey 2011 findings reveal that for those wishing to purchase market housing, income requirements ranged from £13,800 - £33,900 depending upon the type and size of property and lowest entry prices. However, 45% of concealed households within the district earn less than £15K per year and are unable to access market housing.

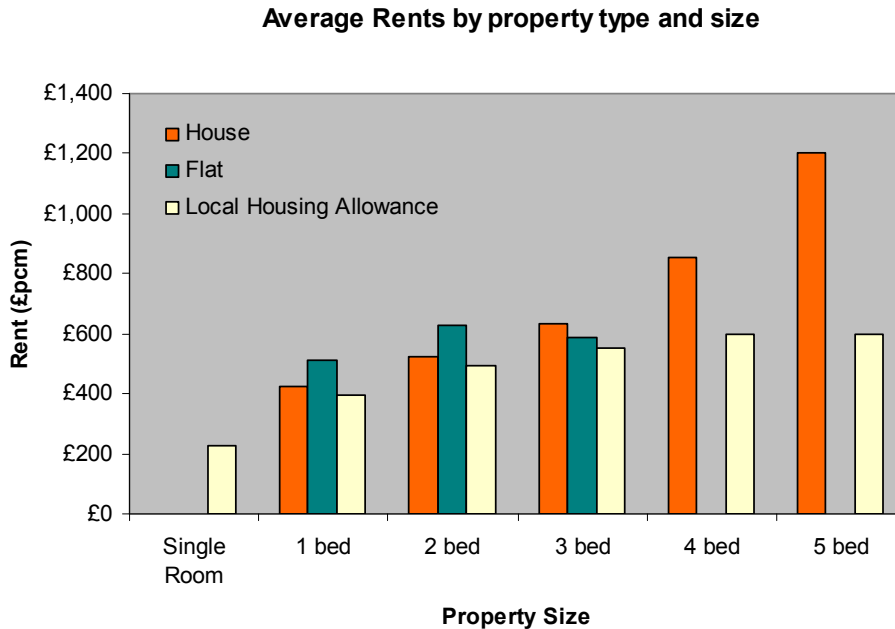
Table 1: Range of Average House Prices in the Lancaster District – October 2012



Source Hometrack data

Private Rented Sector

- 3.7 Around 90% of the private rented sector stock is situated in urban areas and 10% in rural areas. 45% of private rented accommodation is situated in Morecambe and Heysham, and 32% in Lancaster south, much of which will include student lets. In Lancaster district, around 10,000 households receive housing benefit.
- 3.8 A detailed analysis of entry levels and average rents was undertaken in 2011 as part of the Housing Needs Survey, but the graph below contains the latest information from Zoopla in October 2012, and provides a more accurate picture of the current private sector rent levels. The graph also includes the current local housing allowance rates set at April 2012 which highlights that those relying on housing benefit are likely to experience financial hardship if securing accommodation in this sector, which is the most acute for single people under 35.

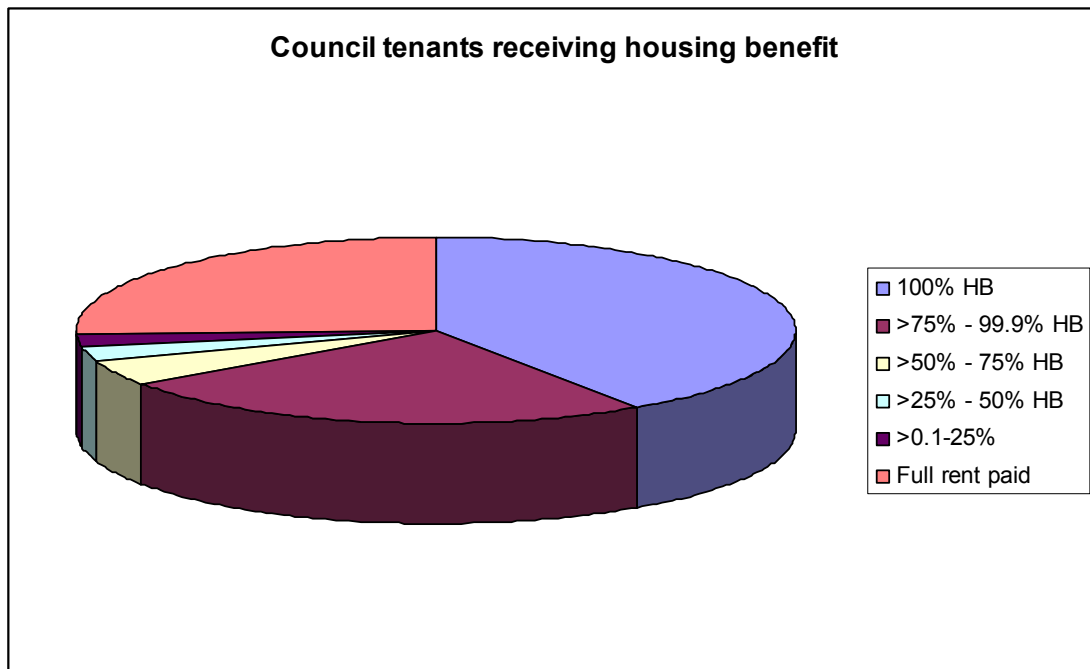
Table 2 - Average Private Sector Rents – October 2012

Source – Zoopla

Social Housing Sector

- 3.9 The current level of affordable housing stock (excluding discounted outright sale properties) within the District is 5,938, with the local authority's housing stock being 3,807 dwellings and a total of 2,131 Registered Provider stock. The vast majority of affordable housing stock is social rented accommodation, although in recent years, some Registered Providers have moved towards providing shared ownership, in order to balance the housing market and improve access to housing for those households who would traditionally not qualify for social rented accommodation. Annual turnover of social housing per year is around 550 relets.
- 3.10 A recent analysis of council tenants in January 2012 revealed that a high percentage of tenants rely on housing benefit to pay their rent, as detailed below.

Table 3: Council Tenants in receipt of housing benefit – Jan. 2012



- 3.11 The Housing Needs Survey 2011 estimates that 500 units of social housing are under-occupied by 2 bedrooms or more. Under occupation of social rented homes is clearly an issue that social landlords can influence and the use of incentive schemes and providing assistance for tenants to downsize needs to be widely encouraged and prioritised. It is already normal practice for social landlords to give a high priority to those tenants who are under-occupying large family housing. The local authority is also providing better access to social housing through its Choice Based Lettings Scheme "Ideal Choice Homes". A further driver is likely to be the welfare reforms which, from March 2013, will result of tenants under pensionable age who under-occupy social housing will have their housing benefit reduced depending on how many bedrooms they under-occupy.
- 3.12 There is a need to ensure that social landlords make the best use of adapted properties to meet the needs of the vulnerable and physically disabled. The council will be establishing a register of adapted properties which is an identified action in the Housing Action Plan 2012-2017 to enable a greater match between properties that are adapted and those who need them.

Section 4 – Tenure and affordability

The main types of tenancy currently used by providers are as follows:

- **Introductory Tenancy** - An introductory tenancy is a one-year 'trial' council tenancy. As long as the terms of the tenancy agreement are met, it will be automatically followed up with a secure tenancy.
- **Secure Tenancy** – Normally granted by local authorities and Registered Providers before 1989, where the tenant can stay in the property for an unspecified period of time, and where the tenancy can only be brought to an end in certain circumstances (known as grounds for possession). Fair rents have applied prior to the Localism Act 2011, and tenants have other rights such as the right to exchange, the right of succession and the right to buy.
- **Demoted Tenancies** – Where a court has granted an order to demote a secure tenancy or brings to an end an assured tenancy to be replaced by a demoted assured shorthold tenancy on the grounds of nuisance, annoyance or unlawful use of the property. A demoted tenant loses the previous rights they enjoyed as secure or assured tenants and the demoted tenancy normally lasts for one year unless the court extends this.
- **Assured Short hold Tenancies (ASTs)** – These are in common use in the private sector and by some Registered Providers with their market rented Stock, where they do not own the freehold of the property, act as managing agents or where some other restriction applies. The key feature is that the tenancy lasts for a fixed term following which the landlord is entitled to possession of the property.
- **Assured Tenancies** - These provide similar legal rights to ASTs, but the tenant can stay in the property for an unspecified period of time. There is no automatic right for the landlord to repossess the property at the end of the tenancy.
- **Probationary Tenancy (or starter tenancy)** is similar to an introductory tenancy but used by Registered Providers. It will generally last for up to 12 months before converting to an assured tenancy, and can be in the form of an AST. Some Registered Providers use starter tenancies routinely on all new lettings, or in certain circumstances, such as where a local lettings policy applies.
- **Licences** – These are normally used by social housing providers for supported housing schemes, such as the Foyer, where there are shared

facilities and where the accommodation is intended to be short term. There is limited security of tenure where a licence has been granted.

New range of tenure types and rents that can be offered

	Permanent Tenancy	Fixed-term tenancy
Social Rent	Local authority - Secure Tenancy let at social rent	Local authority - Flexible Tenancy let at social rent
	Registered Provider - Periodic Assured Tenancy let at social rent	Registered Provider - Fixed-term Assured Shorthold Tenancy let at social rent
Affordable Rent	Local authority - Secure Tenancy let at an affordable rent	Local authority - Flexible Tenancy let at an affordable rent
	Registered Provider - Periodic Assured Tenancy let at an affordable rent	Registered Provider - Fixed-term Assured Shorthold Tenancy let at an affordable rent

Affordable Housing and Affordability

- 4.1 The term 'affordable housing' is used to describe housing provided below market cost, either through renting or by a mixture of renting and buying part of the property, commonly known as shared ownership or shared equity.
- 4.2 The National Planning Policy framework includes 3 types of affordable housing:
- a) Social rented housing which is owned by local authorities and private registered providers for which guideline target rents are determined through the national rent regimes.
 - b) Affordable rented housing which are subject to rent controls of no more than 80% of the local market rent (including service charges).
 - c) Intermediate housing, which includes shared ownership, and can include shared equity and equity loans, and intermediate rent.

Affordable housing should:

- Meet the needs of eligible households including availability at a cost low enough for them to afford, determined with regard to local incomes and local house prices.
- Include provision for the home to remain at an affordable price for future eligible households or, if these restrictions are lifted, for the subsidy to be recycled for alternative affordable housing provision.

Affordable Rents

- 4.3 The Homes and Communities Agency (the main funding provider of affordable housing on behalf of Central Government), have developed a new framework to deliver the Affordable Homes Programme 2011-2015. The new arrangements mean that Registered Providers have to develop new affordable housing with lower rates of grant funding, and as a result of this, have to charge higher rents to achieve new affordable housing. Affordable rents are set at up to 80% of market rents (the 80% has to include any service charge that applies). When setting affordable rents, the Registered Provider should check the market rents in a particular area, and will also take account of the Local Housing Allowance that applies in the district, so that the proposed rent does not exceed the LHA rate.
- 4.4 The new framework means that Registered Providers are operating within a much more financially challenging environment, and in order to deliver the requirement number of new units in the current programme, Registered Providers can, when properties become vacant, convert the tenancy to affordable rent, and in certain circumstances, may wish to dispose of some of their existing stock which is uneconomical to keep and maintain.
- 4.5 Lancaster City Council recognises that Registered Providers have already signed contracts with the HCA for the development of new affordable homes in the current programme period, and are now obliged to set affordable rents. As this is now the only vehicle for bringing forward affordable housing where HCA grant is required, the council must adopt the new model to achieve the required number of affordable housing completions annually, providing that:-
- a) Affordable rents should not exceed the Local Housing Allowance
 - b) Affordable rented tenancies are let in the same way as social rented tenancies, and are let as widely as possible through the Council's Ideal Choice Homes Choice Based Lettings Scheme.
 - c) The number of tenancies being converted to affordable rent at the point of relet does not exceed the contracted number reported to the HCA.

- d) That mechanisms exist to provide new tenants with clear information about affordable rent at the commencement of the tenancy, and the impact of future changes such as the proposed welfare reforms, changes in entitlement and the introduction of Universal Credit.
- e) Registered Providers do not attempt to convert tenancies to affordable rent on schemes where a section 106 agreement stipulates that social rents will apply.
- f) Affordable rents should not be applied for supported housing as the overall cost of accommodation including service charges is unlikely to be feasible or viable. Any proposed use of affordable rents in supported housing should be discussed and agreed with the council before implementing.
- g) Registered Providers, will notify Lancaster City Council in writing about any units they wish to dispose of, whether in respect of individual units, or as part of an overall disposal strategy, setting out the reasons for this. Lancaster City Council will not unreasonably withhold consent but may suggest an alternative means of retaining units as affordable housing where possible, and may require evidence of this before consent to dispose is provided. The council would expect that, given the low level of social housing within this district, that disposals will only be necessary in exceptional circumstances.

Affordable housing secured through Section 106 agreements.

- 4.6 As part of the planning process, Lancaster City Council requires a percentage of on-site affordable housing on new market housing schemes that exceed the threshold set out in our affordable housing policy. Where affordable housing is required, the Council will generally negotiate for a mix of rented and intermediate housing, and in normal circumstances, the preferred tenure for rented units will be social rented homes subject to viability.

The use of Flexible Tenancies

- 4.7 The Government's rationale for introducing flexible tenancies is to ensure that social housing is provided to those who need it the most, and allows social housing providers to review a household's circumstances at the end of the fixed term, and either grant another fixed term tenancy or bring the tenancy to an end. Flexible tenancies can be used as a mechanism for tackling under-occupation of the social housing sector, to increase the turnover of units that are in scarce supply, such as purpose built special needs or adapted housing where the occupant no longer needs that type of housing, to signpost and support households whose financial circumstances improve so that they can move into intermediate or market housing, and as a means of

managing households who have a history of serious anti-social behaviour or poor tenancy conduct.

- 4.8 As part of developing this Tenancy Strategy, Lancaster City Council has considered the potential benefits of adopting flexible tenancies and our measured response is that we advocate a cautious approach to the use of flexible tenancies.
- 4.9 The majority of social housing tenants receive some element of welfare benefits, and therefore, social housing is not currently taken up by a large percentage of tenants who would otherwise be able to access other means of housing.
- 4.10 Whilst, we do acknowledge that under-occupation of the social housing sector is something that all social housing providers need to tackle in this district, the changes being brought about through the welfare reforms are likely to incentivise some tenants to move into smaller accommodation, and there are other ways in which tenants can be supported into moving to alternative accommodation without the need to routinely administer flexible tenancies.
- 4.11 Although there is significant demand for social housing, and lower than average social housing provision in this district, in instances where fixed term tenancies are brought to an end, the needs of that household may still need to be met through social housing, so the use of flexible tenancies will not routinely remove that need and provide more capacity within social housing. The benefits of providing security of tenure for many vulnerable households should support the creation of sustainable communities within the district and limited further polarisation within the social housing sector.
- 4.12 Lancaster City Council recognises that it is important to tackle anti-social behaviour in social housing. For this reason, the Council already grants introductory tenancies, and can grant Family Intervention tenancies. Registered Providers can already offer starter tenancies for some or all of their new lettings should they chose to for the better management of their housing stock. There is also the potential administrative and financial burden that could be created by social housing providers creating fixed-term tenancies through necessary monitoring, issuing of notices, undertaking reviews, appeals and possible legal challenges as well as costs associated with re-lets and voids.
- 4.13 Therefore, Lancaster City Council does not currently see the need for the systematic use of flexible tenancies in this district. However, where social housing providers do wish to use flexible tenancies, the following should apply:-

- Social housing providers must provide details of where flexible tenancies will be granted within their tenancy policy, and that they will only be applied following consultation with Lancaster City Council and should be able to demonstrate the need for flexible tenancies both in relation to the management of the stock as well as asset management consideration.
- Where social housing providers are considering the use of flexible/fixed term tenancies, that they have considered the following factors:-
 - a) The fundamental need to build and maintain sustainable communities
 - b) To ensure the most efficient use of Lancaster district's social housing stock to meet local housing need
 - c) To target resources effectively to households in greatest need
 - d) The minimum term should be 5 years unless the social housing provider has published an appropriate housing management business case for a shorter tenancy period which should be no less than 2 years.
 - e) The needs of vulnerable groups such as older people, people with learning disabilities, mental ill health or physical disabilities where a periodic tenancy is far more conducive to their health and wellbeing, and the accommodation is longer term supported housing. The use of fixed-term tenancies or licences is only considered appropriate for short term supported housing.

- 4.14 Where social housing providers intend to use flexible tenancies on a fixed- term, their tenancy policy should detail the circumstances in which they may or may not grant another tenancy on the expiry of the fixed term including their approach on taking into account the needs of households who are vulnerable by reason of age, disability or illness and households with children.
- 4.15 Where another tenancy is not being offered reasonable advice and assistance should be provided to the tenant by the social housing provider to help them find alternative housing at least 6 months prior to the end of the tenancy. Tenants should be assisted in finding accommodation that is suitable to the household needs and in doing this social housing providers should have regard to the test of suitability contained within the statutory code of guidance on homelessness.
- 4.16 In deciding whether to grant a further tenancy at the end of a fixed term, social housing providers should comply with the requirement to grant tenancies which are compatible with the purpose of the

accommodation, the needs of individual households, the sustainability of the community and the efficient use of their housing stock.

- 4.17 Social housing providers should signpost and work with the council's Housing Options Service as appropriate, and so far as possible, should work in partnership with other landlords who may be able to meet the needs of any tenant whose fixed term tenancy is being brought to an end.

Reviews

- 4.18 All social housing providers should include details in their tenancy policy of the mechanisms for reviews of decisions and that the review process following any directions issues by the regulator and to achieve consistency amongst social housing providers.
- 4.19 There will be a presumption of the renewal of the tenancy for another fixed-term equivalent to the current or previous fixed-term.
- 4.20 All review processes should be clear and transparent and afford a full opportunity to understand any decisions made by the social housing provider, and provides a realistic timescale for the request for a review.
- 4.21 That policies will have due regard to Human Rights Article 6 and Article 8 and that the ending of a tenancy is a proportionate means of achieving a legitimate aim.
- 4.22 Each Registered Provider will structure its own review process in line with relevant guidance. It is anticipated however that the process will;-

- a) Include the right to request a review of proposed length of flexible tenancy if the proposed length does not accord with the landlords policy within 21 days of the offer of a flexible tenancy
- b) Include the right to a review where a landlord proposes to seek recovery and not grant another tenancy
- c) Ensure that any review request is carried out and decisions notified before the expiry of any notices served
- d) Provide notification in writing of the outcome and reasons for decisions which are clear and provide a full explanation
- e) Set out the statutory provisions for reviewing possession proceedings

Mutual Exchanges

- 4.23 Social housing providers are encouraged to make best use of the council's Ideal Choice Homes CBL as a way of maximising opportunities for social housing tenants to find suitable mutual exchanges to increase social mobility, provide opportunities for tenants to take up

employment and to allow tenants to improve their housing circumstances and move into more suitable accommodation. Where mutual exchange requests are received, the social housing provider must make it clear to incoming tenants from the outset, the type of tenancy they will be granted once they exchange properties, and the rent charged applicable to the property they are moving to.

Successions

- 4.24 Social housing providers should ensure their tenancy agreements and their published tenancy policy set out the circumstances in which succession rights apply, depending upon the type of tenancy granted, the date it was granted, and whether the landlord is a Registered Provider or the council, as different succession rights apply.

Section 5 - Enhanced Housing Options

- 5.1 Given the shortage of social housing in the Lancaster district, it is imperative that all social housing providers work together to meet housing need and respond to changes in housing markets. Lancaster City Council has strengthened its Housing Options Service by improving access to the social rented stock through its Choice Based Lettings Scheme - Ideal Choice Homes, which provides a more simplified means of assessing housing need in a clear and transparent way. The council widely encourages all social housing providers to advertise all of their vacancies in this way, to maximise the impact of CBL and make the best use of social housing vacancies. Lancaster City Council is currently reviewing the Allocation Policy to take into account changes to the size limit rule being introduced by housing benefit and in line with new guidance: Allocation of accommodation: guidance for local housing authorities in England issued by the Department of Communities and Local Government. The council will also be consulting on the qualification criteria to access social housing. This will hopefully help us to move forward with creating a single allocation policy for this district.
- 5.2 The comprehensive use of CBL by all social housing providers should provide better opportunities to deal with under-occupation of social housing stock, over-crowding, properties with adaptations and purpose built special needs accommodation which is in extremely short supply. The council has to be realistic about the number of applicants who will qualify for a social housing offer. There are currently over 2000 applicants included on the Housing Register with every likelihood of sharp increases in the future and it is only through partnership working with all social housing providers that we can best meet housing need within the district.
- 5.3 The council has broadened its homeless prevention role and has employed two dedicated homeless prevention officers to provide detailed assessments, linking in with specialist services, provide timely interventions to prevent homelessness occurring and assist households where no statutory rehousing duty applies. The council also provides assistance to homeowners who are in mortgage arrears, and funds some specialist debt advice delivered by North Lancs. Citizens Advice Bureau. Whilst the council has successfully reduced the number of statutory homeless acceptances year on year since the period 2005/2006, we are not being complacent about the challenges ahead posed by welfare reforms and the impact of the financial downturn and loss of jobs, all of which could impact on future homelessness presentations.

- 5.4 Given the limited availability of social housing vacancies, Lancaster City Council may decide to discharge its homelessness duties in the private rented sector, and that opportunity could exist as the council has entered into a partnership with Methodist Action NW to deliver a social lettings agency in this district. Methodist Action will enter into a leasing arrangement with private sector landlords; will take over the management of the property for a small fee, and all resultant properties which will be required to meet appropriate standards.

Local lettings Policies

- 5.5 Some local lettings policies already apply within the Lancaster District, which apply to certain types of properties or in certain areas. Lancaster City Council generally supports the appropriate use of local lettings policies as a means of creating sustainable communities providing the policies do not severely limit or restrict opportunities to rehouse those in the greatest need or the most vulnerable. Social housing providers need to ensure that they provide clear information and guidance on how and when local lettings policies will apply, what processes are in place to determine the suitability of applicants and undertaking reviews.

- 5.6 Armed Forces Personnel

Social housing providers are requested to have regard to the needs of armed forces personnel when framing their allocation policies and refer to the appropriate guidance to ensure that this group are not disadvantaged. The Homes and Communities Agency have already determined that armed forces personnel should be awarded the highest priority for schemes like Firstbuy. In Lancaster district, there is designated accommodation at Westfield Memorial Village, with a strict requirement that applicants must either be serving or previously serving members of HM forces.

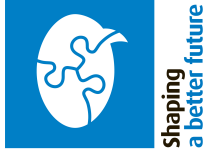
Exclusions

- 5.7 All social housing providers can determine their own allocation policies which are framed around housing need and contained in the reasonable preference categories, defined in the new Code of Guidance published in June 2012. Social housing providers can also determine in what circumstances they can exclude or reject applicants from the Housing Register. Where these apply, social housing providers must publish details of the circumstances they will exclude or reject housing applicants; they should issue written decisions outlining the reasons for it, and should give applicants the right to request a review of the decision.

- 5.8 Lancaster City Council developed a nomination agreement with all partner Registered Providers who are active in this district, which was reviewed when the Ideal Choice Homes – Choice Based Lettings Scheme was implemented in October 2011. The council widely encourages full participation of CBL from all social housing providers. Some partner Registered Providers have completely embraced this and are providing 100% nomination rights through CBL, other partners are considering increasing their nomination percentages, and other partners do not wish to commit beyond 50% nomination rights. We do understand that some Registered Providers have legitimate concerns about fully committing 100% nominations through CBL as they believe it could restrict their ability to properly manage their own stock and impact on voids and relet performance. However, we believe that the arrangements can be flexible enough to overcome any issues identified. Furthermore, there is more likelihood of the council being able to support and facilitate reciprocal arrangements between social housing providers to make the best use of the social housing vacancies that become available, which will be more acute when the welfare reforms around under-occupancy apply. There are also many benefits to customers having one single point of access for all social housing vacancies operated in a clear and transparent way.

Section 6 - Monitoring and reviewing the Tenancy Strategy

- 6.1 Lancaster City Council provides a Strategic Partnership Registered Provider Forum which meets quarterly and focuses on the development of housing and planning policies and strategies, the provision of affordable housing and tenancy management issues within the district. This group will support the council in its role of monitoring and reviewing the effectiveness of this Strategy, particularly in the following areas:-
- The effectiveness and extent to which the new measures proposed by the Localism Act 2011 are implemented, including the number of flexible tenancies granted, changes to allocation policies and processes and the role of social housing providers and the private rented sector in tackling homelessness and assisting the council in meeting its statutory duties.
 - The changing market conditions and their likely impact upon the demand for affordable housing now and in the future. It will therefore also monitor housing need, affordability, homelessness, affordable housing completions, rent levels and welfare reforms.
- 6.2 A wider group of local authorities in mid-Lancashire and partner Registered Providers is also well-established, and a working group which was set up for the purpose of developing the broad framework being applied to Tenancy Strategies across Lancashire. There will be further collaborating working within Lancashire to review the agreed framework.
- 6.3 It is intended that the Lancaster District Tenancy Strategy and the agreed framework for Lancashire shall be reviewed and updated in April 2015, in line with the Homes and Communities Agency's Affordable Homes Programme, unless for any reason, there is a legitimate need to set an earlier review date.



Draft Lancaster District Tenancy Strategy

Equality Impact Assessment

1. Background

Lancaster City Council has prepared a Tenancy Strategy to comply with the requirements of the Localism Act 2012. The purpose of the document is to provide a broad framework which all social housing providers shall operate within having regard to the housing market and housing needs of the Lancaster district. The broad framework has been agreed by all local authorities in Lancashire, and an Equality Impact Assessment was completed as part of that process. In the light of all districts within Lancashire producing their own Tenancy Strategies, the Equality Impact Assessment has been reviewed and updated accordingly by Lancaster City Council to ensure that the Lancaster District Tenancy Strategy does not disadvantage or discriminate against any particular groups.

2. Main activities of the Tenancy Strategy

The Localism Act 2011 provides greater freedom for social housing providers around the type of tenancies they can offer, and in what circumstances, and what arrangements should be in place when a tenancy comes to an end. The purpose of the Tenancy Strategy is to provide guidance to social housing providers around these issues.

3. Who are the main stakeholders?

- Lancaster district residents and those who have applied, or will apply for rehousing by any social housing provider.
- People wishing to move into the Lancaster district.
- All social housing providers
- Homelessness Forum
- Commission for Racial Equality
- Other statutory organisations such as health and adult social care
- Voluntary sector organisations

4. Intended Outcomes of the Tenancy Strategy

- To build and maintain sustainable communities.
- To improve the standards of new and existing homes.
- To ensure the most efficient use of the district's housing stock to meet local need, now and in the future.
- To prevent homelessness and fulfil our statutory duties when homelessness occurs.
- Enabling better health through housing and support.
- Monitoring access to housing and outcomes to ensure no discrimination against specific groups.

5. Impact of the Tenancy Strategy

The table below indicates:

- (a) Where the Tenancy Strategy could have a negative impact on any of the equality target groups i.e. it could disadvantage them
- (b) Where you the tenancy strategy could have a positive impact on any of the groups or contribute to promoting equality, equal opportunities or improving relations within equality target groups.

An explanation why there is a positive/negative/no impact.

		Positive impact –	Negative impact	No impact	Unsure	Explanation
Gender	Women				✓	<p>It is difficult to say with certainty what impact these changes may have in relation to gender and race. No statistics are provided within the draft Tenancy Strategy to make any judgements.</p> <p>In our view, it is likely that other criteria are likely to have more of an impact than race and gender, in particular disability, age and income status.</p> <p>Social housing providers need to regularly monitor the data they collect around the ethnicity of all housing applicants, and of those housed, and what tenancy type they have granted, to ensure that there are no particular ethnic groups that are disadvantaged and the percentage of groups who apply for housing and of those rehoused should be disproportionate.</p>
	Men				✓	
	Transgender				✓	
Race (census categories)	White – English, Welsh, Scottish, Northern Irish, British				✓	
	White – Irish				✓	
	White – any other white background				✓	
	Mixed – White and Black Caribbean				✓	
	Mixed – White and Black African				✓	
	Mixed – White and Asian				✓	
	Mixed – multiple ethnic group				✓	
	Asian/Asian-British - Indian				✓	
	Asian/Asian-British - Pakistani				✓	
	Asian/Asian-British - Bangladeshi				✓	
Asian/Asian-British – Chinese				✓		
Asian/Asian-British ant other Asian background				✓		
Black/ African/ Caribbean/Black				✓		

		Positive impact –	Negative impact	No impact	Unsure	Explanation
	British – Caribbean				✓	
	Black/ African/ Caribbean/Black British – African				✓	
	Black/ African/ Caribbean/Black British – any other				✓	
	Other Ethic Group - Arab				✓	
	Other Ethic Group - Chinese				✓	
	Gypsies/Travellers				✓	
	Any other group (write in)				✓	
Disability	Physical	✓	✓			Structural adaptations to assist people in their access to facilities within their homes. Where there is a change in circumstances and a tenant no long requires an adapted property it is important that the tenant is re-housed and the adapted property allocated to someone requiring those adaptations to ensure best use of that property. Social housing providers may chose to grant flexible tenancies in these cases. Could mean a move from the family home which might have a negative impact. However, it
	Sensory	✓	✓			

		Positive impact –	Negative impact	No impact	Unsure	Explanation
						would have a positive impact in that it would free up more adapted homes for occupation.
	Learning disabilities	√				The Tenancy Strategy recommends that fixed term tenancies are not granted to these groups.
	Mental Health issues	√				
Sexual Orientation	Lesbian, gay and bisexual			√		
Age	Older people (60 +)	√	√			The Tenancy Strategy recommends that fixed term tenancies are not granted to this group. Older people, whilst not being directly affected by the proposed welfare reforms in relation to under-occupation, will nevertheless be encouraged to move to smaller accommodation. Support will have to be provided to support a move from their home.
	Households with children (0-16)	√	√			The proposed housing benefit restrictions on bedroom size coming into force from April 2013 for working age households set out the circumstances upon which

	Positive impact –	Negative impact	No impact	Unsure	Explanation
					housing benefit will be paid for same and opposite sex children. This might free up properties but it will also adversely affect existing tenants who wish to remain in their existing home and pay the shortfall. Some tenants may need assistance to find smaller accommodation.
		√			Govt plans to remove Housing benefit or LHA for this client group will make it virtually impossible for non working or low income applicants to receive assistance unless they have previously been in care.
Belief or Religion			√		
			√		
Language					Would need to ensure that language support is given to explain tenancies etc.
		√			The affordable rent product does present an increased risk of homelessness to those who are the most vulnerable or do not have the ability to be self sufficient financially. Measures to cope with those at risk will need to be put into place by
Social inclusion					

	Positive impact –	Negative impact	No impact	Unsure	Explanation
					the authority as there could be a greater likelihood of people being made homeless if fixed term tenancies are not renewed. This is therefore a negative impact. However, the support given to those who are working, but on a low income, may provide a positive impact particularly if they are no longer in need of social housing and are able to access intermediate or market housing.
Rural isolation			√	.	Rural isolation is likely to remain an issue, even with the proposed changes.

Notes:

Faith groups cover a wide range of groupings, the most common of which are Muslims, Buddhists, Jews, Christians, Sikhs, and Hindus. Consider faith categories individually and collectively when considering positive and negative impacts. Non faith groups refer to individuals of groups not associated with organised religions such as atheists or agnostics etc.

The categories used in the Race section are those used in the 2011 census. Consideration should be given to the needs of specific communities within the broad categories, for example, Polish and Eastern European people that do not appear as separate categories in the census.

6. Are key elements of people's lives affected by this strategy for example finance, accommodation, welfare?

Housing has a fundamental impact on people's life and effects their wellbeing

7. Does the strategy discriminate against any group(s) either directly or indirectly? If yes, please state how.

Some negative and positive impacts have been identified in section 5 of this EqIA. We have received no comments from the consultation process as to whether or not these would result in discrimination.

8 a) If there are any negative impacts, how could you minimise or remove any negative impact?

The Strategy identifies a number of ways in which the negative impacts could be minimised, including:

- No longer tenancy for life due to under occupation rules. Ensure relocation of elderly close to their own network of family and friends to ease transition into smaller accommodation and have the ability to offer sheltered accommodation as a choice.
- Tenant change in circumstances, e.g. when a tenant has noticeably a high enough income to comfortably afford (i.e. purchase) market housing, then arguably the affordable house would be better used by somebody in greater need. Advise and assist with the transition at the end of a tenancy.
- Where change in circumstances of a tenant who no longer needs an adapted property for older people; people who are less able; for adults

with learning disabilities. The property will be re-allocated to another tenant that meets those needs

- Lancashire authorities recognises the need for tenants to be able to move to be closer to work, family support etc. and supports the Government's efforts to facilitate easier movement within the sector.
- The affordable rent product does present an increased risk of homelessness to those who are, the most vulnerable or do not have the ability to be self sufficient financially. Measures to cope with those at risk will need to be put into place by the authority as there now exists greater opportunity of people being made homeless if fixed term tenancies are not renewed.

8 b) How could you improve the strategy, project or policy's positive impact?

The Strategy was subject to consultation and we would had no suggestions for increasing its positive impact.

9. If there is no evidence that the strategy, policy or project promotes equality, equal opportunities or improved relations – how could it be adapted so that it does?

We would welcome the views of consultees as to whether or not the Strategy could be adapted to promote equality.

10. What consultation has been carried out on the strategy/policy/project? Please include details of any equality monitoring carried out.

Consultation has been held with RSL partners, Local authorities, other

statutory bodies and some voluntary sector across Lancashire. The Strategy was also consulted on in terms of appropriate equality monitoring.

11. Do you have data available which monitors the impact of the policy on minority groups? If not, please explain how you intend to continue monitoring the impact of this strategy, policy or project

Each Local authority across Lancashire monitors the impact of policies and access to services of equality groups and we are seeking to utilise that information as our collective baseline. Existing local authority statistics have historically been used to monitor the likely impact of changes to the government's housing policies.

The outcome of this strategy is to:

- monitor access to housing; and
- monitor outcomes to ensure no discrimination against specific groups.

It is suggested that this monitoring is formalised throughout the implementation of this strategy to address any negative impacts already identified, or which may emerge in the future.

12. Has this EqIA been consulted on? Who with? What feedback was received?

Internal: May June 2012 with LA / Provider working group
External: Completed by December 2012

13 Next steps: Based on your assessment, what changes, if any do you need to make? Tick one of the following and provide an explanation of why this is the action you are taking.

Action*	Tick as relevant	Explanation of action
No major change		
Adjust the policy		
Continue the policy	√	Subject to improvements suggested during consultation.
Stop and remove the Strategy		Not possible as the requirement is included in primary legislation

14. Summary of findings

Please write a short summary of your findings including any recommendations for change or further actions. This summary could be included in any reports to Chief Executives and/ or Cabinet

Following the initial consultation of the Equality Impact Assessment across Lancashire, and further consultation with the proposed Lancaster District Tenancy Strategy, no comments or concerns have been raised.

CABINET

**Corporate Non-Housing Property Portfolio:
Required Building Works**

22nd January 2013

Report of Head of Resources

PURPOSE OF REPORT			
<p>Following the completion of a 5 year Condition Survey (November 2012) on the Council's Corporate and Municipal building stock, this report informs Cabinet of the extent of backlog works outstanding to buildings and requests Cabinet to take forward the additional investment needs as part of its budget proposals for 2013/14 onwards. This is to ensure buildings are fit for purpose and legally compliant, but allowing sufficient flexibility to respond to changing needs, such as any arising from the forthcoming property review.</p>			
Key Decision	X	Non-Key Decision	Referral from Cabinet Member
Date Included in Forthcoming Key Decision Notice		21 December 2012	
This report is public.			

RECOMMENDATIONS OF COUNCILLOR HAMILTON-COX:

- (1) That the existing draft Revenue Budget and Capital Programme provisions for maintenance and other works in the Council's non-housing related property portfolio be retained, but that work be undertaken to allocate the revenue budget provisions between service contracts, any planned revenue maintenance and reactive maintenance provisions.
- (2) That Cabinet considers the indicative £7.236M additional capital investment needs from 2014/15 onwards, together with any contingency requirement, as part of the current budgetary process.
- (3) That following Budget Council, a further report be brought back to Cabinet to:
 - approve the detail of the programme of capital works to be undertaken next year, and
 - provide an update on the Council's Corporate Property Strategy, including arrangements for monitoring progress (including the establishment of rolling building condition surveys and the forthcoming property review).

1 Introduction and Background

- 1.1 Dilapidated and unhealthy buildings in a decaying condition depress the quality of life and contribute in some measure to anti-social behaviour. The condition and quality of buildings can reflect public pride or indifference and the level of prosperity in an area.
- 1.2 Maintenance is the routine work that is necessary to protect the fabric of a building or monument. When carried out on a planned basis, maintenance helps to prevent the types of failure that occur predictably within the life of a building or monument. The Council has an obligation to maintain property to a standard that complies with regulations. This can be defined as:
- “fit for propose”
 - Structurally sound, wind and water tight
 - Legally compliant
 - Meet Health & Safety requirements
 - Sustainable and energy efficient
 - Accessible to all
 - Compliant with terms & conditions of commercial / business leases
- 1.3 The lack of a fully developed and funded planned maintenance programme in recent years has resulted in a considerable repair and maintenance backlog in the Council’s corporate non-housing buildings. This position has made it difficult to prioritise limited budgets and has driven a growing culture of reactive repair rather than a planned approach to maintenance. Good practice would suggest a 70:30 split between planned and reactive maintenance respectively.
- 1.4 The majority of the Council’s corporate non-housing buildings are of an age that demands regular repair and maintenance, and various key municipal buildings are listed. It is essential that any requirements arising from, for example, legionella/fire/asbestos risk assessments and gas testing /fixed electrical installation testing, are addressed and completed as part of the routine service contracts currently funded from repair & maintenance budgets. Failure to address these legislative requirements is unacceptable. Currently there are maintenance contracts in existence for equipment such as lifts, emergency lighting, monitoring and alarm systems, heating, ventilation and air handling. These are specialised areas of work and essential to ensure the continued operation of the buildings.
- 1.5 The Council’s annual commitment to repairs and maintenance and service contracts is currently budgeted at £662k (including The Storey). It should be noted, however, that this budget merely allows the Council to ensure that the buildings are open to the public, its staff and its tenants every day.
- 1.6 Following the Condition Survey of 2006, it was identified that £11.204M was required over a five year period, to prevent further deterioration of the Council’s corporate non-housing property portfolio.
- 1.6 Low investment was undertaken between 2007 and 2009, however. A Cabinet report was submitted in 2009 that again quantified the investment required, as compared with the actual investment approved. Unfortunately, this highlighted that due to the low level of capital investment, it had not been possible to prevent further deterioration.

- 1.7 In June 2012, a further condition survey was commissioned and this report summarises its findings, to inform the budget and planning process. Members' attention is drawn to the Legal Implications section included towards the end of this report.

2 Purpose and Scope of Condition Survey

- 2.1 As part of the Shared Services Collaboration between Lancaster City Council and Lancashire County Council, a condition survey was commissioned for the City Council's corporate non-housing property portfolio and this was submitted in November 2012. The condition survey was carried out using the Royal Institute of Chartered Surveyors (R.I.C.S) guidance, which covers the condition & required maintenance of buildings. The indicators enable buildings and maintenance works to be placed in four categories, 'A' being the best and 'D' the worst. This system allows strategic decisions to be taken in terms of:

- What is the minimum maintenance requirement for the property stock;
- Which properties are currently fit for purpose with no major financial implications planned during the next 5 years;
- Which properties are going to require substantial financial investment within the next five years and
- Which properties require major investment and should be considered for disposal.

- 2.2 The condition survey covered 138 properties and monuments with a gross internal floor area (GIA) of 66,514 square metres. The survey concentrated on those building elements at greatest risk or most likely to fail. The objectives of the survey were to give an overview of building condition and to provide estimated costs of remedial work. The condition survey also indicated the requirement for further specialist surveys and design works that may be needed and this may reveal further cost implications in the future. Where possible an estimate of cost has been included within the survey and where not possible, provisional sums have been included.

- 2.3 The overall objective of this report is to identify required maintenance and capital works to create a 5 year planned maintenance and investment programme, which ensures that maintenance is carried out with maximum economy, i.e. that the work done satisfies the criteria for effectiveness and efficiency.

3 Outcome of Condition Survey

- 3.1 The headline findings of the condition survey 2012 are shown in "Table 1" as follows, with maintenance work summarised in its respective priorities. In order to demonstrate the effect that under-investment has had on property in recent years, the 2012 condition survey results are compared with the findings from the 2006 condition survey.

Table 1: Maintenance Priority

Maintenance Priority	2006 Condition Survey	2012 Condition Survey
A – Reasonable condition Performing as intended at year 1 but will require repair or replacement within the next five years.	£1,019,578	£45,278
B – Satisfactory Performing as intended but repairs or replacement will be required within the next three to four years.	£1,174,749	£3,177,385
C – Poor Condition Exhibits various defects and should be programmed within the next two to three years	£3,701,965	£5,867,982
D – Replacement Exhibits major deterioration, serious risk of imminent failure or is a health & safety hazard. Urgent or replacement	£2,310,574	£2,571,899
	£8,206,866	£11,662,544

3.2 Much more analysis of the outcome of the conditions survey is contained in **Appendix 1**.

3.3 In terms of listed buildings, the Council owns one Grade I listed building and 4 Grade II* listed buildings, 42 Grade II listed and 1 Scheduled Monument. Listed buildings have had to compete for repair and maintenance funding with other buildings, often resulting in this area being under-funded. The condition survey 2012 has highlighted a number of buildings and monuments at risk. For example:

- The Queen Victoria Monument in Dalton Square is now on the “at risk” register and requires a substantial capital investment.
- The permanent heating system at the Platform in Morecambe has been shut down due to significant deterioration of the ventilation ducting, with temporary arrangements being put in place. The roof is also a continuing problem with failure across the whole structure.
- Lancaster cemetery chapels require considerable capital investment; the north chapel in particular has suffered structural deterioration with roof collapse; guttering and rain water pipe failure and window damage.

3.4 It can be seen from the comparison in Table 1 above and Appendix 1, which analyses the condition summary data and provides building case studies, that if building assets are allowed to continue to deteriorate at their current rate the Council will suffer financially, becoming liable for ever-increasing costs as well as not meeting its statutory responsibilities as landlord. This situation is untenable. It is therefore recommended that the Council provides adequate funds to complete all

required maintenance works for its retained property holdings and commits itself to a long-term approach to planned maintenance, thereby ensuring corporate non-housing buildings are fit for purpose.

3.5 In order to determine the nature of the funding required, the accounting treatment must be considered. If any works are to be capitalised they would need to meet at least one of the following criteria (*extract from the CIPFA accounting Code*):

- lengthen substantially the useful life of the buildings
- increase substantially the market value of the buildings
- increase substantially the extent to which the buildings can or will be used for the purposes of or in conjunction with the functions of the authority.

3.6 A desktop review has been undertaken and the view of officers is that the costs of additional works identified would substantially increase the current book value of the buildings. In addition, without these works being done, the buildings would at some stage no longer be operational as they would not meet the conditions set out in section 1.2 of this report. As such, the works could be capitalised.

4 Forthcoming Joint Property Review

4.1 In conjunction with the shared service collaboration between Lancaster City Council and Lancashire County Council a joint property review will commence in early 2013 to examine the condition, suitability and sufficiency of the joint portfolio. This review will aim to identify options to optimise the utilisation of existing buildings, rationalise the portfolio and reduce the current financial burden of property ownership upon both authorities.

4.2 Accordingly, any works to be undertaken as part of a planned maintenance and investment programme would be considered alongside the property review as it progresses, to avoid investment in property with a limited operational service life expectancy. The review may well also help to fund the investment programme.

5 Additional Investment Requirements

5.1 The total indicative costs/liabilities identified in the 2012 condition survey amount to £11.663M to be programmed over a five year period, with 2013/14 being Year 1. This would be subject to annual inflation beyond next year but at this stage, this has not been applied.

5.2 The total includes a contingency figure amounting to £1.026M, for urgent priority maintenance works to 37 buildings with a landlord / tenant lease repairing obligation (e.g. internal repairing leases, external repairing leases, etc). In conjunction with establishing a planned maintenance programme, a property review will be completed and tenants will be informed of their duties under the leasing agreements. Therefore any contingency would only be expended in the case of default by the responsible party, and if necessary legal proceedings would follow to seek reimbursement for the Council. Any contingency requirement will be considered separately, therefore. This leaves an investment need estimated at £10.637M.

5.3 A provisional Planned Maintenance and Investment Programme summary for A B C & D repair priorities is set out in Table 2 below. This is a representation of the

expected spend profile over a 5 year period by building element. In order to provide the Council with value for money, "cost benefit analysis" principles would be utilised in establishing a detailed programme of works. As an example, if a scaffold has been erected to a building to complete priority D works, rather than dismantle the scaffold once priority D works are complete and re-erect the scaffold in years two or three to complete priority C works, it would be financially prudent to complete this work at the same time and in the same year.

- 5.4 With regard to funding, there is currently £3.401M capital budget provision that the Council has previously approved. In effect therefore, the additional investment needs highlighted by the condition survey amount to £7.326M (£10.637M less the £3.401M). The £3.401M would give sufficient scope to address the category D works and manage the sort of re-profiling highlighted in the example given above.

Table 2: 5 year Capital Requirement by Element

Building Elements	2013/14	2014/15	2015/16	2016/17	2017/18	Grand Total
	£000's	£000's	£000's	£000's	£000's	£000's
External Walls, Doors & Windows	716	563	563	506	1	2,349
Mechanical Services	211	424	424	181	-	1,240
Internal Walls & Doors	199	229	229	492	7	1,156
External Areas	475	196	196	289	0.5	1,156
Roof	331	260	260	303	1	1,155
Floors & Stairs	139	264	264	435	9	1,111
Electrical Services	70	344	344	80	0.5	838
Ceilings	68	180	180	264	4	695
Redecorations	163	192	192	104	5	655
Sanitary Services	18	23	23	171	7	242
Fixed Furniture & Fittings	11	7	7	15	-	41
Grand Total	2,402	2,681	2,681	2,839	34	10,637

- 5.5 Turning to revenue budget provision, it can be seen from Table 3 below that the repairs and maintenance commitment over the last five years represents 28% of the value of the 2006 Condition Survey. Unfortunately, this investment in the Council's property stock has not improved the overall condition of the buildings. Table 4 shows that the cost of repair and maintenance of the buildings has in fact increased by 32.8%, which helps demonstrate how under-investment in property only increases the liabilities over time.

- 5.6 As discussed earlier, the Council's maintenance budget of £662k per annum covers the basic every day servicing/repairs that enables the Council to open its doors to the public. It is envisaged that this budget will be required for that said purpose as the planned maintenance programme progresses. However, moving forward, this budget would be reassessed and should reduce, as the authority moves from reactive to predominantly planned maintenance, and as a result of the

implementation of the upcoming property review findings and the rationalisation of existing service contracts.

- 5.7 In the interim, however, revenue budget provisions will need to be maintained, although work can be done to analyse these over service contract needs and reactive maintenance.

Table 3: Repairs & Maintenance Budgets over the last Five years

Repairs & Maintenance Budget 2007/08	£590k
Repairs & Maintenance Budget 2008/09	£657k
Repairs & Maintenance Budget 2009/10	£604k
Repairs & Maintenance Budget 2010/11	£660k
Repairs & Maintenance Budget 2011/12	£631k
Total Repairs & Maintenance budget over five year	£3,142k
The total Repairs & Maintenance as a percentage of the condition survey	28%

Table 4: Value of Successive Conditions Surveys

2006 condition survey	£11.204M
2012 condition survey	£14.883M
Increase Condition Liability	£3.679M
Increase as a percentage	32.8%

6 Details of Consultation

- 6.1 No consultation has been undertaken on the contents of this report, but a drop in session for Members has been arranged, if they wish for more detail.

7 Options and Options Analysis (including risk assessment)

	Do nothing (presented for information to highlight the Council's position and obligations).	Option 2: For Cabinet to take forward the increased investment needs as part of its budget proposals, as a 5 year planned maintenance programme.	Option 3: Consider taking forward an alternative programme of works that is a compromise between options one and two based on affordability and the availability of funding.
Advantages	There are no advantages to this option. The Council has acknowledged that the "do nothing" option has been followed in the past and as a result, the backlog of building work has increased to the levels outlined in this report.	<p>This option would be in line with the current Corporate Property Strategy and would ensure that all buildings meet basic health and safety standards.</p> <p>This option would halt the deterioration of the Council's corporate non-housing building stock preventing building closures and putting in place the foundations for a planned maintenance programme providing improved financial certainty moving forward.</p>	This option would need to allow all urgent and poor condition works (Year 1 & 2, D & C failure) to be completed, thus warding off serious building failure.
Disadvantages	The Council has a duty of care to building users, its employees and members of the public and would be in breach of regulations should health and safety be contravened as a result of building failure.	This is a long term initiative and it would be a few years before the real financial benefits became apparent.	The majority of element failure falls within year 1 & year 2.
Risks	Doing nothing will eventually result in major failures of either the building structures or services.	As this work is carried out alongside the joint property review with Lancashire County Council there is a	This would leave the Council open to criticism or action should there be failure of any of the items

	<p>This will in turn result in the council being unable to undertake many of its core activities, and closure of buildings and the possibility of legal (including criminal) proceedings.</p> <p>For these reasons this option, whilst outlined for information, is not considered viable.</p>	<p>chance of investing in a building that is then identified for closure although this would be closely monitored as both projects progress. However, it is worthy of note that any work undertaken to a building identified for closure may increase sale prospects and is likely to increase sale proceeds in many situations.</p>	<p>where works have been identified.</p> <p>In addition those works not undertaken are likely to increase in cost over the period of time until funding is made available</p>
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8 Officer Preferred Option (and comments)

8.1 The preferred option is option 2. This would ensure that the Council fulfils all its obligations in respect of maintenance and other works to buildings so that they meet the relevant health and safety standards and that the items that are falling into the greatest state of disrepair can be addressed. This option would prevent the Council being in a similar position to other councils, where failure to maintain its assets adequately was met with tragic circumstances and subsequent legal actions and costs.

8.2 Good property maintenance through active condition recording will preserve the Council's property portfolio by conducting regular condition surveys. It is recommended that 20% of the Council's corporate non-housing property portfolio is surveyed each year to ensure that any one condition survey is never more than 5 years old. The survey serves a number of purposes:

- As a basic check that the premises meet statutory requirements in terms of condition and to identify obvious hazards that deterioration of the fabric may create.
- As a means of identifying the condition of elements of the premises and the works required in terms of priority and cost.
- Providing a means of prioritising scarce resources to the most essential repairs or the highest priority premises.
- Allowing property professionals to advise the Council on backlog maintenance and to influence budget allocations for maintenance.
- Helping create a strategic picture of high maintenance premises that the Council may wish to dispose of.
- For the manager occupying the premises, it demonstrates where scarce resources should be targeted.

9 Conclusion

9.1 The condition survey 2012 has identified a significant amount of backlog maintenance still outstanding within the Council's corporate non-housing buildings. The report unequivocally leads to the conclusion that if repair works in buildings are

not planned, funded and managed adequately i.e. through a planned maintenance approach rather than a reactive approach, then repairs will consistently deteriorate or fail. These will inevitably lead to increased maintenance costs and building failure. The Council's substantial property portfolio is now in need of capital investment and regular planned maintenance management. Buildings are suffering from a backlog of maintenance work due to low capital funding over a number of years. This under-investment has made it difficult to target limited budgets and has driven a growing culture of reactive repair rather than a planned approach to maintenance. This report presents an opportunity to tackle this culture, establish a 5 year planned maintenance programme and ensure buildings are fit for purpose and legally compliant.

RELATIONSHIP TO POLICY FRAMEWORK

This report seeks to ensure that the Council's property portfolio is fit for purpose in terms of supporting the Council's corporate plan and policy framework generally, recognising the financial pressures.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

Proposed building works would address any related statutory responsibilities.

LEGAL IMPLICATIONS

The pursuance of an effective and robust maintenance programme is necessary to avoid the potential exposure to criminal proceedings in the event of the Council failing to comply with its statutory obligations under the Health & Safety Act. The case of the HSE v Barrow in Furness Borough Council demonstrates the serious consequences of such failings. The particular circumstances of that case resulted in that authority being fined £125,000 and an individual Council employee also being fined an additional £15000. Although this was an extreme case, it highlights the need for the Council to secure appropriate standards of maintenance to comply with its statutory duties under such legislation. Civil proceedings have also been threatened and instigated in respect of properties leased by the Council. The lack of resources does not offer a defence to such actions and makes the Council equally vulnerable to successful claims against it for failure to comply with its repair and maintenance obligations.

FINANCIAL IMPLICATIONS

The existing capital programme currently contains unallocated budgets of £1.714M (2012/13) and £1.687M (2013/14) for Municipal Buildings works. Therefore, there is a total of £3.401M available to be re-profiled and allocated against these latest proposals, the total cost of which is estimated at £10.637M over the next 5 years, excluding any contingency.

Taking account of the total current funding available and allowing the current cost the proposed works, the indicative funding shortfall each year would be as follows:

	2013/14	2014/15	2015/16	2016/17	2017/18	TOTAL
Scheme Cost	£2.402m	£2.681m	£2.681m	£2.839m	£0.034m	£10.637m
Current Budget	£3.401m	-	-	-	-	£3.401m
Budget (Surplus) / Shortfall	(£0.999m)	£2.681m	£2.681m	£2.839m	£0.034m	£7.236m

There are currently no available resources identified to fund such shortfalls. Therefore any increased investment proposals would need to be met from unsupported borrowing, which in turn will have an additional cost to the revenue budget in the form of additional Minimum Revenue Provision (MRP) and Interest costs. The table below shows the additional cost to the revenue budget based on Option 2, which is the officer preferred option.

	2013/14	2014/15	2015/16	2016/17	2017/18	TOTAL
Budget (Surplus) / Shortfall	(£0.999m)	£2.681m	£2.861m	£2.839m	£0.034m	£7.236m
Financing Costs						
Additional MRP	(£86K)	(£50K)	£84K	£218K	£220K	£0.386m
Additional Interest	£32K	£153K	£270K	£389K	£377K	£1.221m
Reduced R&M	--	--	--	(£66K)	(£99K)	(£0.165m)
TOTAL COST	(£54K)	£103K	£354K	£541K	£498K	£1.442m

An element of these costs could be mitigated in future by reduced Repairs and Maintenance costs, which are currently budgeted at £662K per annum. The majority of the costs (around 70%) are in respect of reactive maintenance, which should reduce if the preferred option is approved and the properties are brought up to a fit for purpose condition. It is estimated that the R&M budget could be reduced by around 10% in 2016/17 and by 15% in 2017/18 – these savings have been included in the table above.

The forthcoming property review should also help in reducing or funding investment needs – in particular, through disposing of properties (which could avoid the costs of essential works, and/or generate capital receipts in order to help fund works to other properties).

The initial review of the proposed programme of works has assumed that they will all be capitalised. However, as with any large scale programme of works it may be that certain elements may not be eligible to be capitalised and as such would fall on the revenue budget. These costs (and the costs of future surveys) may be met from the Municipal Building Reserve, which was established to fund for such items. The level of this Reserve will need reviewing.

OTHER RESOURCE IMPLICATIONS

Human Resources:

The delivery of any planned maintenance and investment programme will need to be resourced in staffing terms. In general this is covered by existing staff resources and budgetary provision, and a review is currently underway to ensure that such resources are targeted correctly. There may need to be very minor budget virements between staffing and property costs to ensure the correct balance.

Information Services / Open Spaces: N/A

Property:

As set out in the report.

SECTION 151 OFFICER'S COMMENTS

The s151 Officer has contributed to this report, which is in her name (as Head of Resources).

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

none

Contact Officer: G Jackson

Telephone: 01524 582083

E-mail: gkjackson@lancaster.gov.uk

Ref:

Appendix 1: Condition Survey Data Summary

1. Portfolio Perspective

Table 1 below outlines the aggregated values of identified works for specific condition categories. Figure 1 visualises this data. There is a significant increase in the value of identified works for condition B, C and D categories.

Condition	2006	2012
A	£1,019,578.00	£45,278.00
B	£1,174,749.00	£3,177,385.87
C	£3,701,965.00	£5,867,982.93
D	£2,310,574.00	£2,571,899.60
Total	£8,206,866.00	£11,662,546.40

Table 1 Aggregate Values

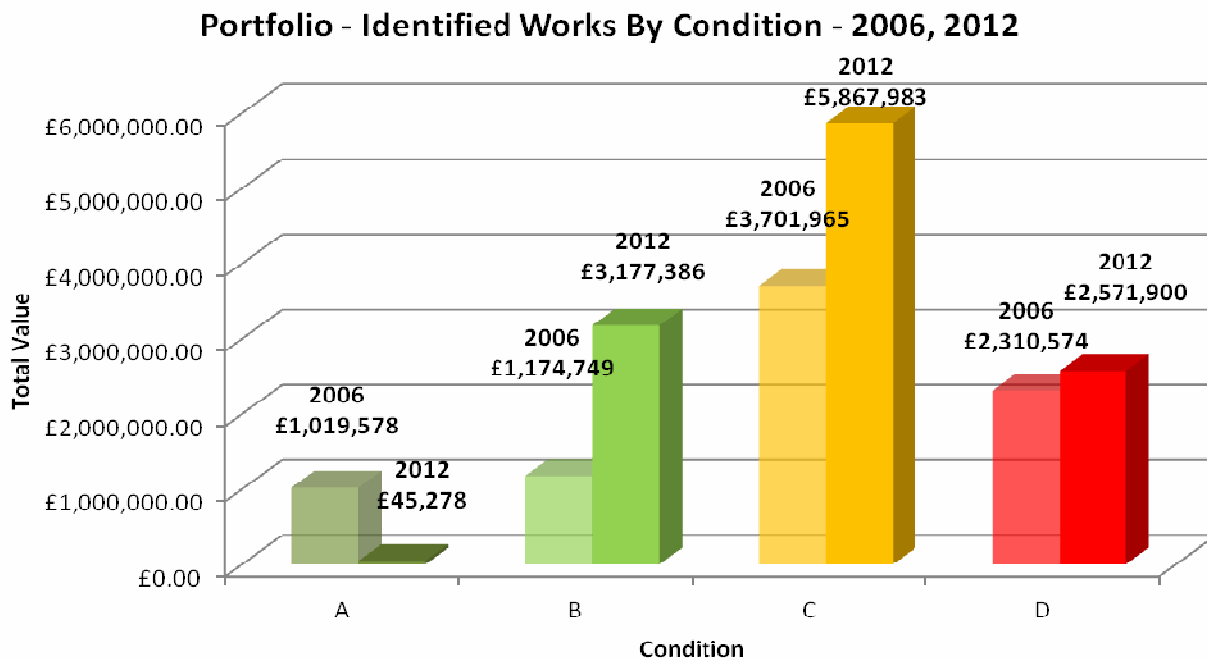


Figure 1: Identified Work Values by Condition Category 2006, 2012

Table 2 details the number of identified works in each condition category. There is a significant increase in B, C and D condition identified works.

Condition	2006	2012
A	732	74
B	1544	2412
C	1976	2196
D	530	934
Total	4782	5616

Table 2

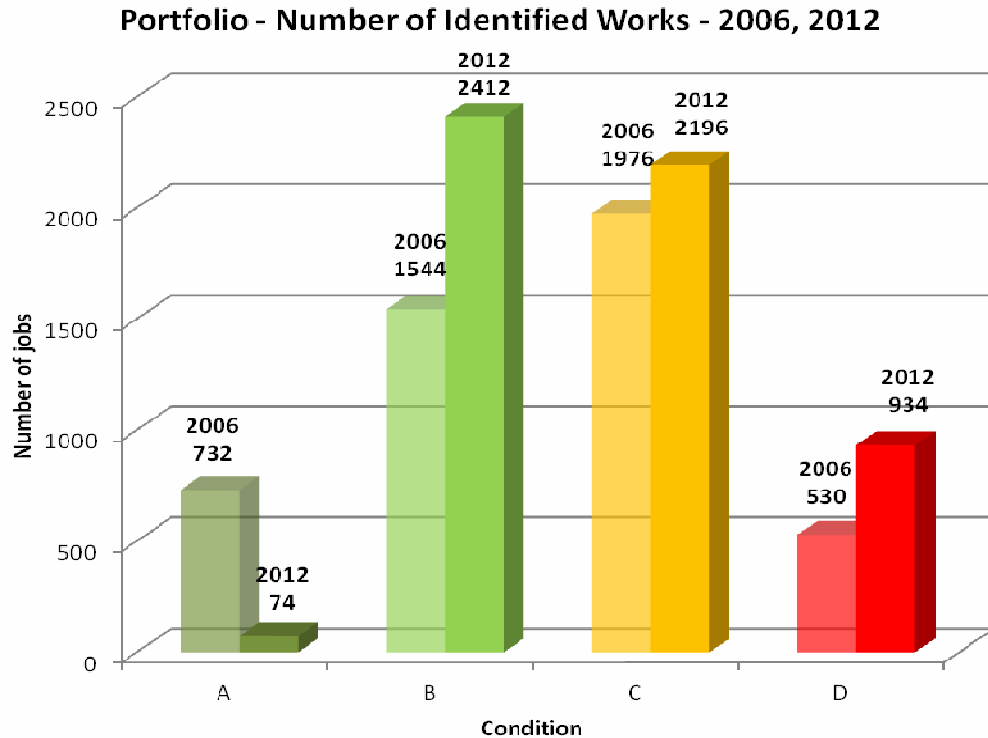


Figure 2: Comparison of the number of identified works by condition category for 2006 and 2012 condition survey.

2. Building Element Perspective

Figure 3 provides a snapshot of the portfolio health by building element. The data is tabulated in Table 3. This indicates that many aspects of the portfolio are in good or satisfactory condition. However, it also indicates that there are a considerable number of failures. For example there are nearly 1000 Electrical Services items that are in Poor (C), or Failed (D) condition. Similarly there is a high proportion of External Walls, Doors & Windows, and Roofing elements in Poor or Failed condition.

Element	Condition				Total
	D	C	B	A	
Electrical Services	25	799	1736	3319	5879
Internal Walls & Doors	264	340	1012	1356	2972
Floors & Stairs	126	328	645	879	1978
Mechanical Services	50	163	215	1076	1504
Ceilings	54	146	551	666	1417
External Walls, Doors & Windows	148	416	437	252	1253
Sanitary Services	23	75	256	389	743
Roof	135	201	217	154	707
Redecorations	13	210	395	33	651
External Areas	78	148	79	48	353
Fixed Furniture & Fittings	18	23	152	143	336
Grand Total	934	2849	5695	8315	17793

Table 3

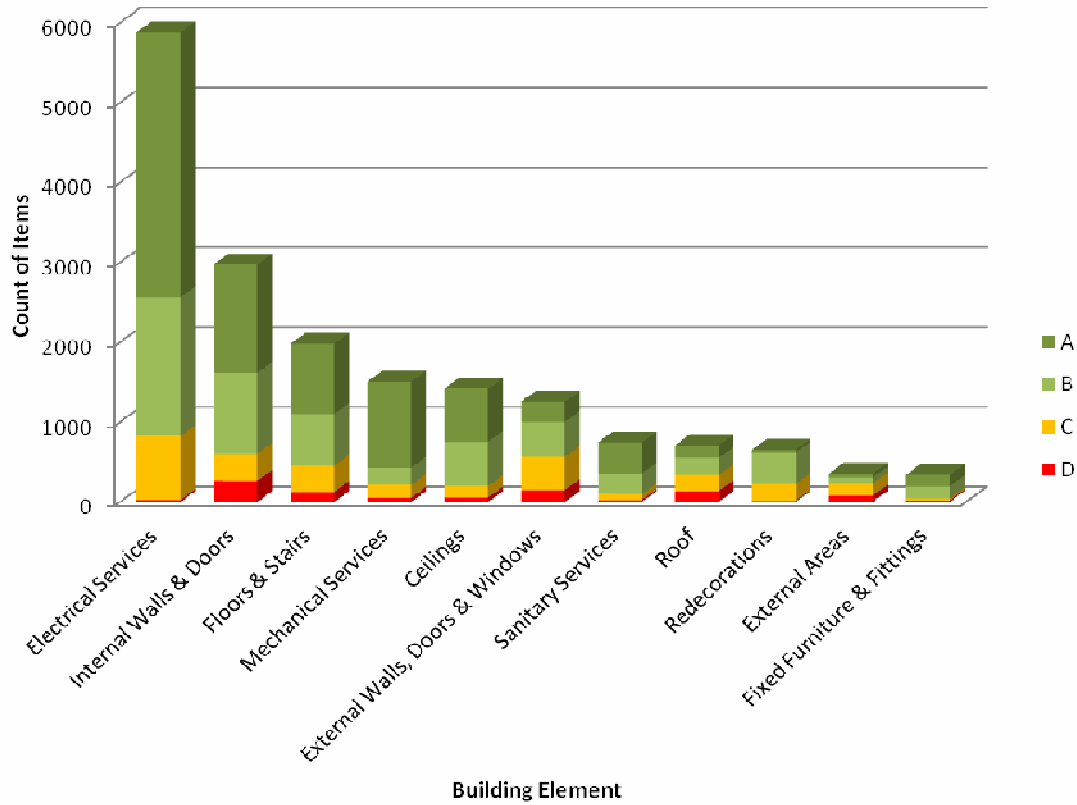


Figure 3 Portfolio Building Element Condition Summary. This shows the number of items in a specified condition for each building element type.

Figure 4 shows the costs associated with the identified works for each building element by condition category rather than the number of elements in each category. The data is summarised in Table 4.

Portfolio - Identified Works By Building Element

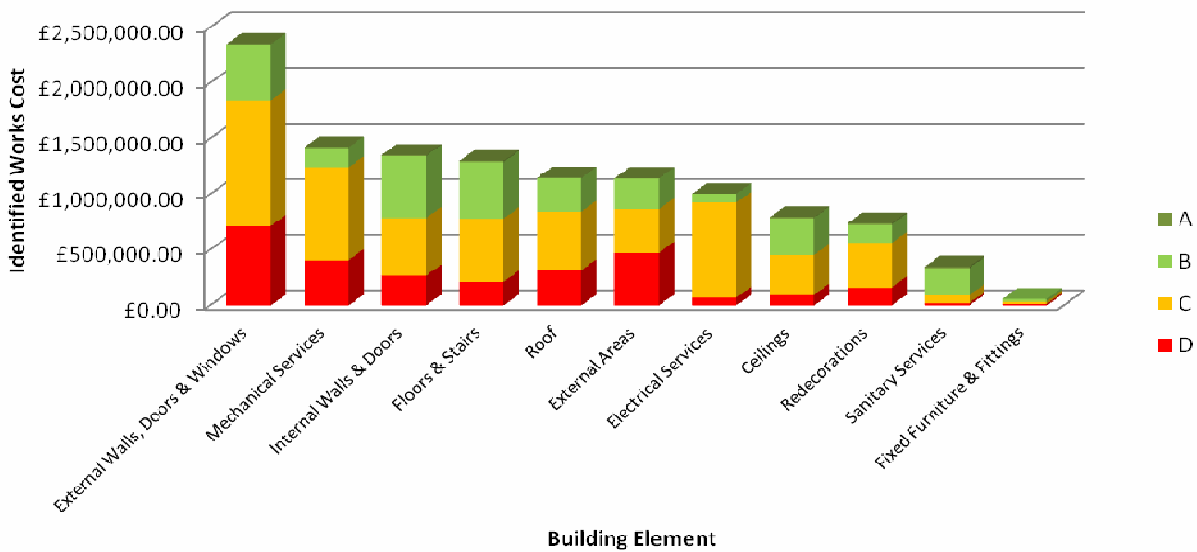


Figure 4: Identified Works Costs by Building Element and Condition.

Element	D	C	B	A	Total
External Walls, Doors & Windows	£716,104.90	£1,131,876.88	£501,550.00	£774.00	£2,350,305.78
Mechanical Services	£408,141.00	£833,137.44	£180,600.00	£0.00	£1,421,878.44
Internal Walls & Doors	£268,921.00	£517,657.62	£559,195.00	£7,230.00	£1,353,003.62
Floors & Stairs	£213,193.50	£568,850.46	£507,941.50	£9,270.00	£1,299,255.46
Roof	£318,432.00	£525,883.60	£302,830.00	£500.00	£1,147,645.60
External Areas	£474,718.60	£391,211.10	£278,182.00	£473.00	£1,144,584.70
Electrical Services	£72,274.00	£851,989.82	£80,467.00	£306.00	£1,005,036.82
Ceilings	£97,427.00	£357,532.77	£333,489.50	£4,526.00	£792,975.27
Redecorations	£162,566.00	£400,154.24	£165,538.87	£9,348.00	£737,607.11
Sanitary Services	£20,497.60	£72,696.00	£244,096.00	£12,851.00	£350,140.60
Fixed Furniture & Fittings	£14,624.00	£21,993.00	£23,496.00	£0.00	£60,113.00
Grand Total	£2,766,899.60	£5,672,982.93	£3,177,385.87	£45,278.00	£11,662,546.40

Table 4

3. Listed Building Perspective

Figure 5 shows the value of identified works, for listed buildings where the aggregated value exceeds £200,000. The relative contribution of each condition category to the aggregated total is also shown. Table 5 summarises this data.

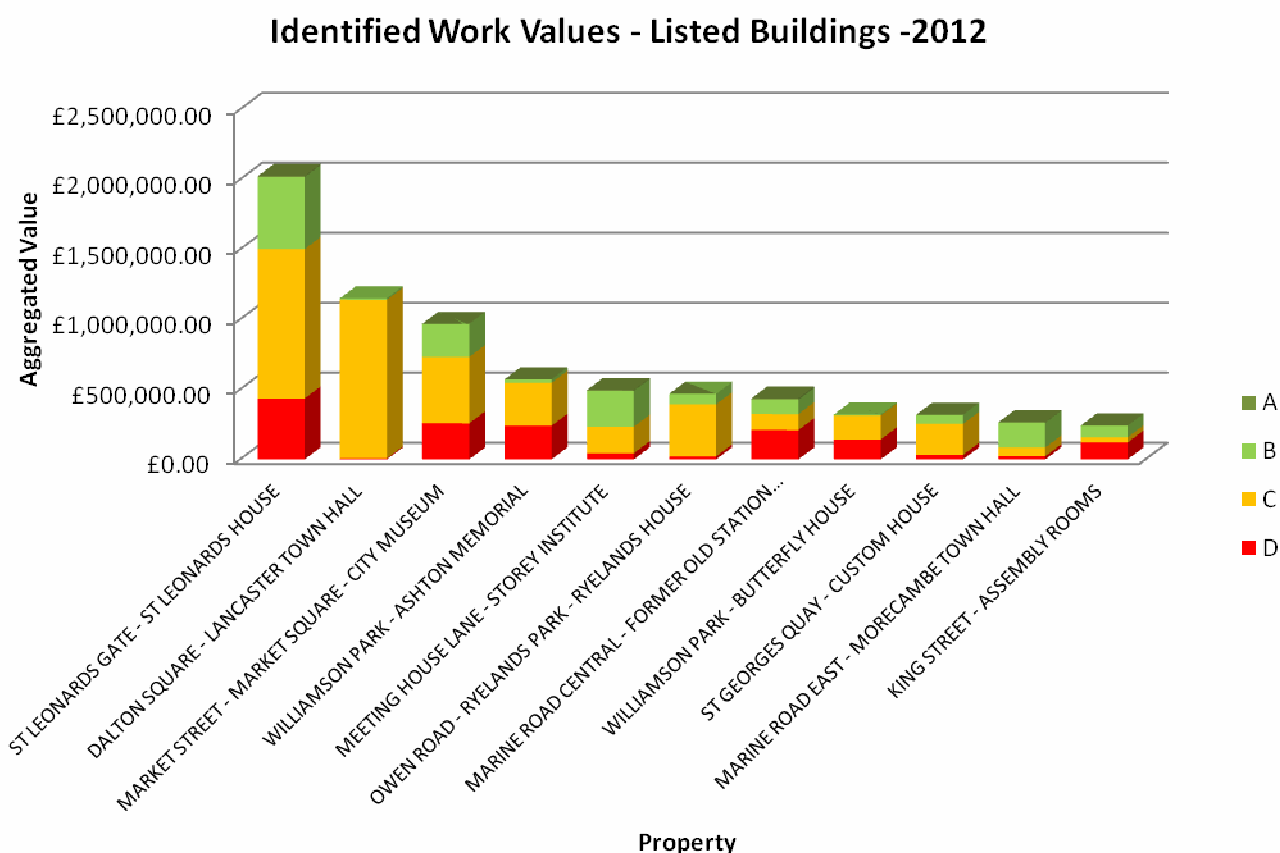


Figure 5: Listed Buildings with identified works exceeding £200,000.

Property	A	B	C	D	Total
ST LEONARDS GATE - ST LEONARDS HOUSE	£4,915	£516,285	£1,066,690	£435,117	£2,023,007
DALTON SQUARE - LANCASTER TOWN HALL		£10,570	£1,133,072	£7,000	£1,150,642
MARKET STREET - MARKET SQUARE - CITY MUSEUM	£0	£237,314	£473,460	£257,568	£968,342
WILLIAMSON PARK - ASHTON MEMORIAL	£0	£24,525	£307,223	£240,066	£571,813
MEETING HOUSE LANE - STOREY INSTITUTE	£4,780	£257,203	£189,377	£44,002	£495,362
OWEN ROAD - RYELANDS PARK - RYELANDS HOUSE	£0	£75,066	£371,685	£21,279	£468,030
MARINE ROAD CENTRAL - THE PLATFORM	£8,629	£103,355	£114,260	£209,530	£435,774
WILLIAMSON PARK - BUTTERFLY HOUSE	£0	£6,237	£171,516	£142,317	£320,070
ST GEORGES QUAY - CUSTOM HOUSE	£0	£65,429	£220,917	£32,398	£318,743
MARINE ROAD EAST - MORECAMBE TOWN HALL	£2,278	£177,435	£62,821	£22,200	£264,734
KING STREET - ASSEMBLY ROOMS	£354	£83,498	£36,992	£120,808	£241,652

Table 5

Figure 6 shows the other listed properties by aggregated value of identified works.

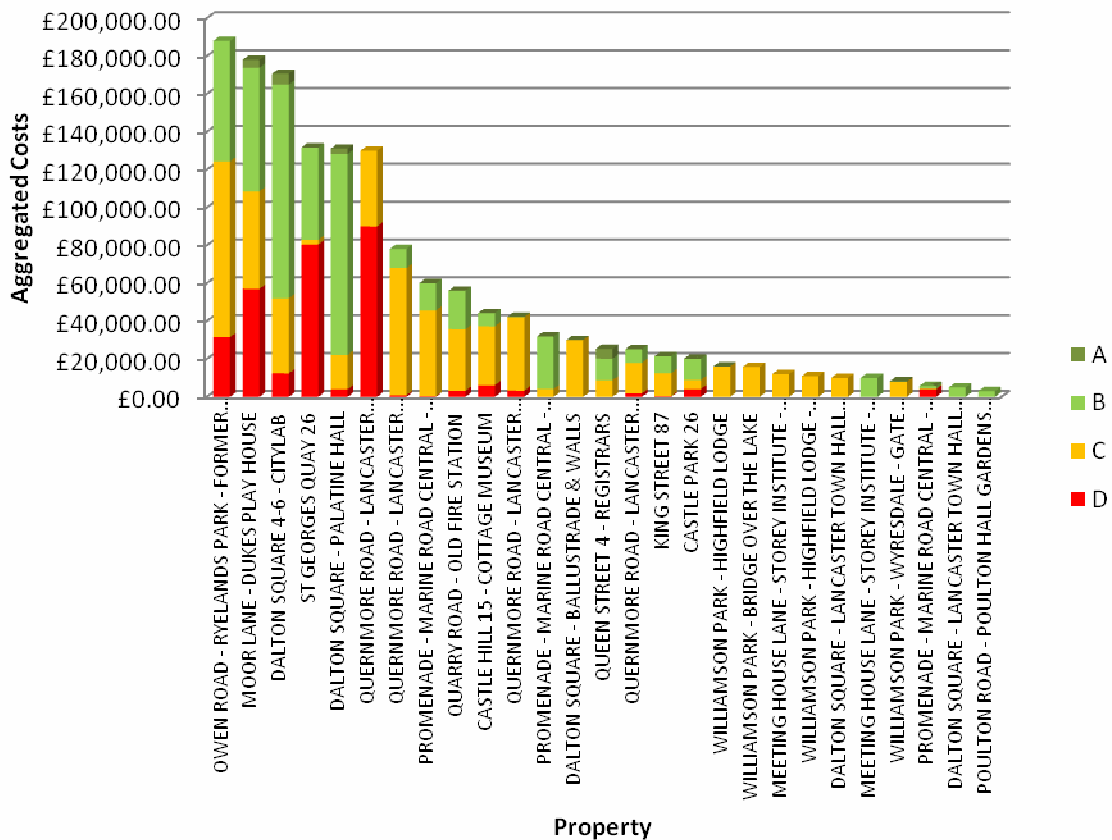


Figure 6: Listed Buildings aggregated identified works less than £200,000.

4. Condition Survey – Normalised Costs Ratio Spectrum

Figure 7 shows the normalised cost ratios for the listed properties in the condition survey. Normalised cost ratios show the relative contribution of costs by condition category. This provides a visual indication as to the nature of repair costs in terms of condition. Normalised cost ratios will undervalue element conditions which carry little financial weight, for example Condition A elements generally carry a minimal cost. It does however provide a visual health check for each property. Properties are sorted in descending order of aggregated costs for identified works.

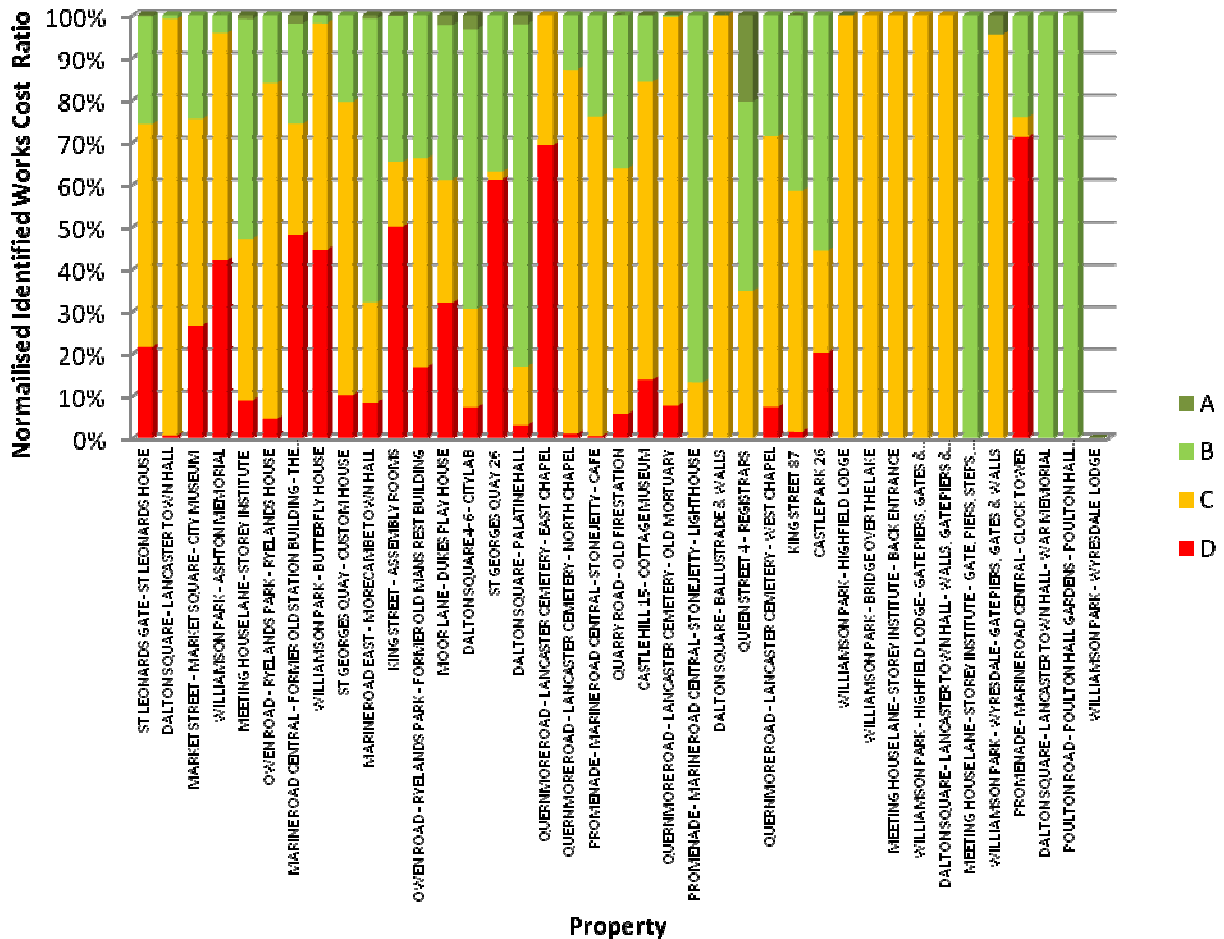


Figure 7: Normalised Cost ratios for listed properties

5. Condition Survey – Normalised Element Count Ratio Spectrum

Normalised element count ratios show the relative number of items in a condition category constituting a property. Normalisation means that the number of elements in a certain condition are expressed as a percentage of the whole. Biases can be introduced where a scheme of work, such as a new heating system, is identified for a property and this is entered as a single identified work, whereas other elements such as redecorations are entered element by element – this can provide an optimistic snapshot of the condition of the property. Properties are sorted in descending order of number of elements scored.

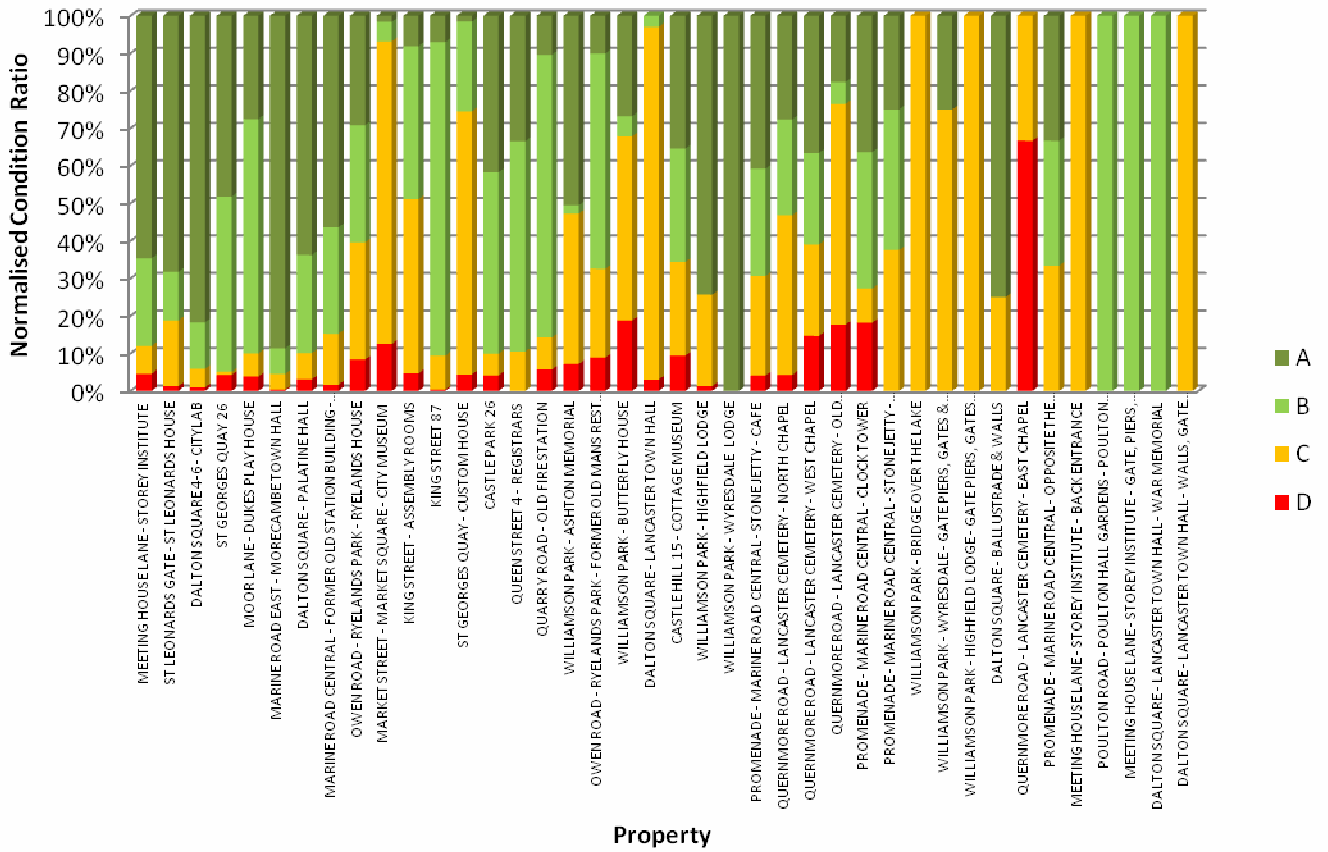


Figure 8: Normalised Element Condition Count ratios for listed properties

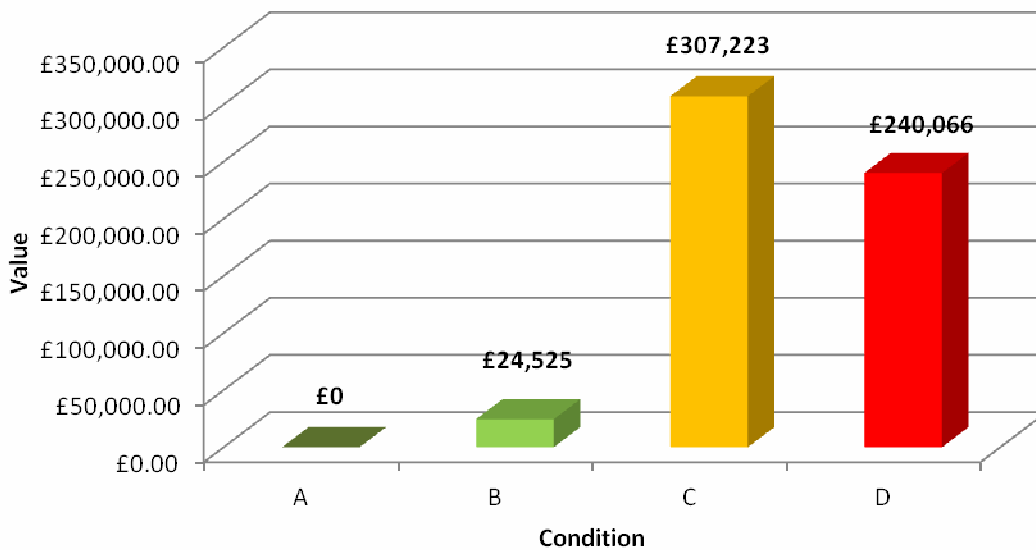
Specific Case Studies

The case studies provide a property-centric perspective of the condition survey. Two properties have been selected, and outline data presented giving a snapshot of the condition of the portfolio.

Case Study 1: Ashton Memorial

Identified Work Values by Condition Category

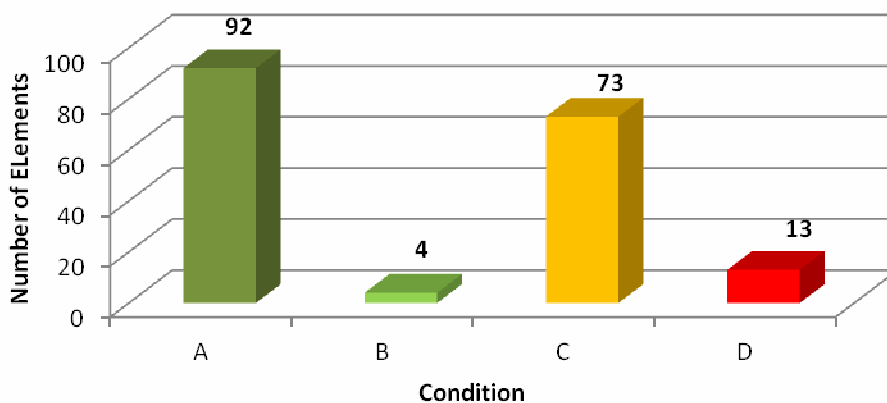
Ashton Memorial- Identified Work Cost Summary



Condition	A	B	C	D	Total
Value	£0.00	£24,524.50	£307,222.60	£240,065.60	£571,812.70

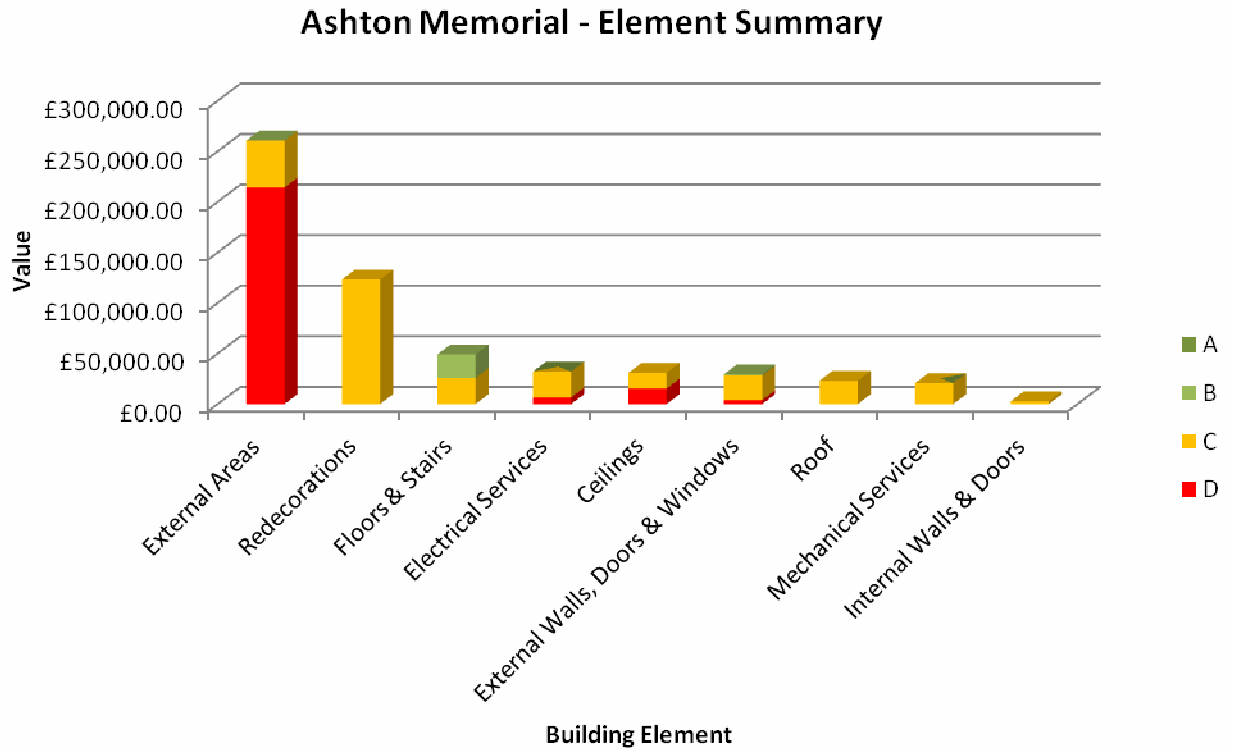
Identified Work Element Count

Ashton Memorial - Element Count



Condition	A	B	C	D	Total
Number of Elements	92	4	73	13	182

Identified Work Values by Building Element



Element	D	C	B	A	Total
External Areas	£214,198.60	£46,415.60	£77.00	£0.00	£260,691.20
Redecorations	£0.00	£123,200.00	£0.00	£0.00	£123,200.00
Floors & Stairs	£0.00	£25,833.50	£23,292.50	£0.00	£49,126.00
Electrical Services	£6,617.00	£25,481.00	£0.00	£0.00	£32,098.00
Ceilings	£15,400.00	£15,400.00	£0.00	£0.00	£30,800.00
External Walls, Doors & Windows	£3,850.00	£24,447.50	£1,155.00	£0.00	£29,452.50
Roof	£0.00	£23,100.00	£0.00	£0.00	£23,100.00
Mechanical Services	£0.00	£20,650.00	£0.00	£0.00	£20,650.00
Internal Walls & Doors	£0.00	£2,695.00	£0.00	£0.00	£2,695.00
Grand Total	£240,065.60	£307,222.60	£24,524.50	£0.00	£571,812.70

Maintenance: Landlord Full Repairing

Executive Summaries

Building

The building is generally in reasonable condition but the exposed site requires vigilance in the maintenance regime. The building has considerable metalwork embedded within the structure and it is imperative that the external envelope is maintained watertight to prevent corrosion within the structure. The west flight of steps are currently being repaired and the lower dome to the ground floor is also being investigated for the causes of cracking to the plasterwork. The windows are failing at the seals both to the frames and glazing. The asphalt roof finishes are beginning to fail, pitting in areas and the consequences of failure would be severe on internal finishes and the structure. The stonework in general is in reasonable condition. Areas of erosion to the carved surfaces are evident and a long term programme of remedial work is advisable. The regular safe clearance of rainwater goods of blockages needs to be addressed. The paintwork needs to be redecorated to prevent loss of fabric. Areas of the basement were inaccessible due to the storage of materials. The plantroom was locked and not accessible.

Mechanical

The heating system to this building is fed from the main boiler room outside the butterfly house and the heating pipes carry heat through an underground duct and warm up the iron panel bespoke radiators in the plant room in the basement and these radiators convect heat upwards through the open floor vent in the main ground floor area, this system although an antiquated idea and system works well. Replacement radiators are required to mezzanine areas.

Electrical

The electrical installation is wired in micc cable contained within the fabric of the building and is in satisfactory condition along with the distribution equipment. Lighting is a mixture of fluorescent fittings and decorative lighting and bespoke chandeliers. The fire alarm system is monitored and well maintained and in good condition with the use of infra red beams for high level detection.

An intruder alarm is installed and in good condition and well maintained.

The emergency lighting system will need replacement on this scheme to provide better light coverage and fittings are showing signs of deterioration.

A chandelier was damaged and broken and a bespoke one needs to be made and fitted to the dome area.

It would be prudent to have made spare glass shades to match the decorative ornate lighting fittings which occasionally get damaged as there are no spares left available as all spares have been used up and these will keep the fittings as intended and designed to go with a building of this stature cheap replacement odd shades are not fit for use on this building.

Property: WILLIAMSON PARK - ASHTON MEMORIAL
Block: EXT - West Elevation
Element: 11 - External Areas
Sub-Element: 11.2 - Paths & Pedestrian Paved Areas
Item: 7.1.1 - Heat Source & Equipment
Location: West steps
Room:

Condition: D
Priority: 1
Time Scale: 2013-2014

Defect:
Corroding/failing support structure, uneven steps. Repair works in progress with a projected cost of £180K.

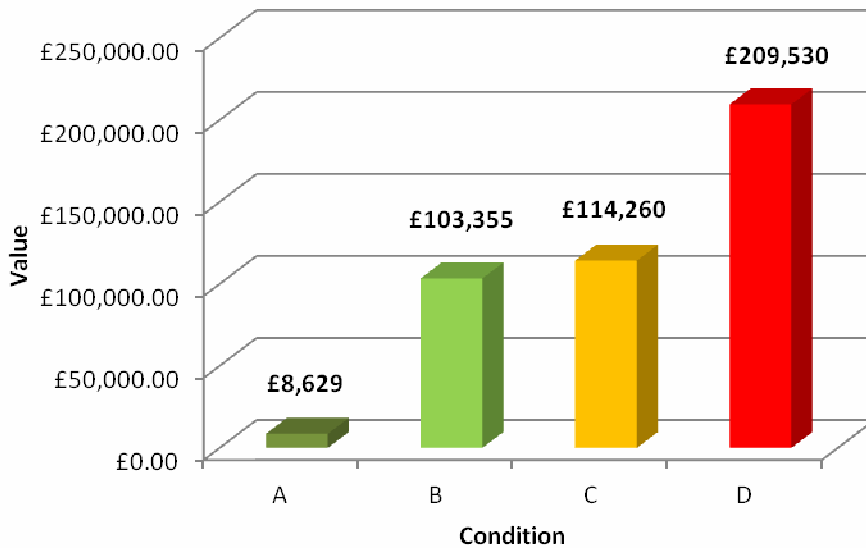
Remedy:
Complete repairs
Estimate: £184,800.00
Photos: -



Case Study 2: The Platform

Identified Work Values by Condition Category

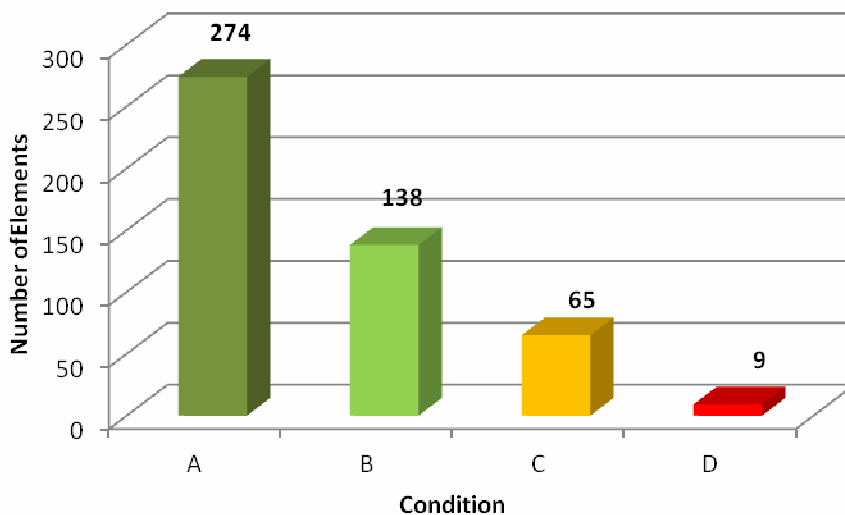
The Platform - Identified Work Cost Summary



Condition	A	B	C	D	Total
Value	£8,629.00	£103,355.00	£114,260.00	£209,530.00	£435,774.00

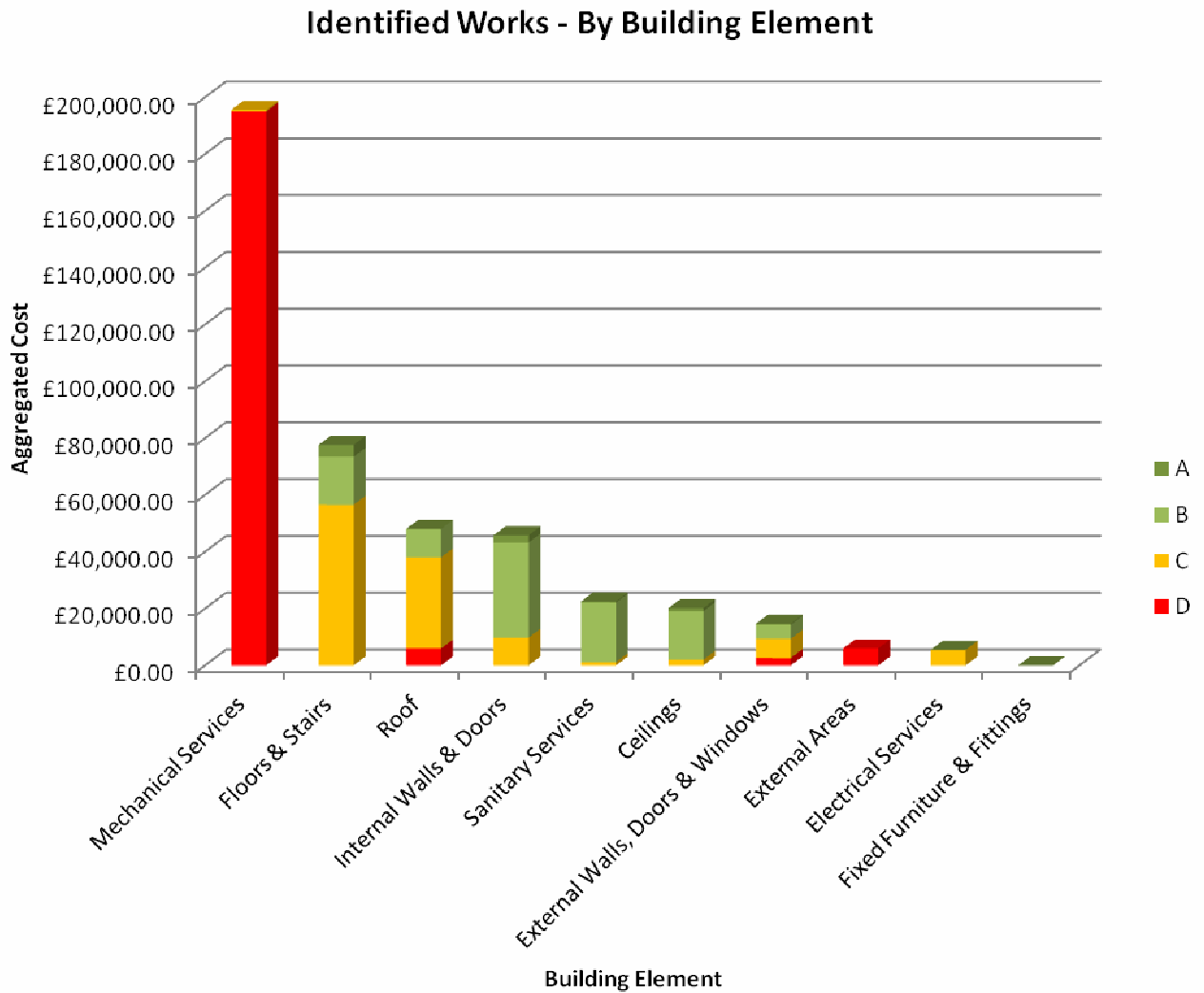
Identified Work Element Count

Platform - Element Count



Condition	A	B	C	D	Total
Number of Elements	274	138	65	9	486

Identified Work Values by Building Element



Element	D	C	B	A	Total
Mechanical Services	£195,000.00	£552.00	£0.00	£0.00	£195,552.00
Floors & Stairs	£0.00	£56,542.00	£16,887.00	£4,206.00	£77,635.00
Roof	£5,950.00	£32,080.00	£9,980.00	£0.00	£48,010.00
Internal Walls & Doors	£0.00	£9,721.00	£33,496.00	£2,574.00	£45,791.00
Sanitary Services	£0.00	£1,150.00	£20,960.00	£399.00	£22,509.00
Ceilings	£0.00	£1,965.00	£17,102.00	£1,100.00	£20,167.00
External Walls, Doors & Windows	£2,580.00	£6,780.00	£4,930.00	£350.00	£14,640.00
External Areas	£6,000.00	£0.00	£0.00	£0.00	£6,000.00
Electrical Services	£0.00	£5,470.00	£0.00	£0.00	£5,470.00
Fixed Furniture & Fittings	£0.00	£0.00	£0.00	£0.00	£0.00
Grand Total	£209,530.00	£114,260.00	£103,355.00	£8,629.00	£435,774.00

Maintenance: Landlord Full Repairing

Executive Summaries

Building

Morecambe Promenade Station, now known as the Platform was the rail terminus for the North Western Railway built by the Midland Railway Company in the early 1900's. The building is Listed by English Heritage with a Grade II Listed status. The design was possibly the work of Lancaster Architect E.G. Paley. The stonework came from the former station constructed in the 1870's in Northumberland Street. It opened to passengers in 1907.

The station was built with four main platforms to cater for large passenger numbers and a goods siding. The station was closed in 1994 and a new station was constructed closer to the town centre. In 1997 the building was restored to its original condition and became an entertainment venue comprising of The Platform pub, The Platform Performing Arts Centre and Morecambe Tourist Information Centre which moved into the building in 1992.

Leisure Services (Community Engagement)

Leisure Services are located to the east of the building behind the Performing Arts Centre and between the flanking Festival Hall Market.

Leisure Services consist of two large offices with an external room used for storage. There is a door leading to the Platform Performing Arts Centre where they share access to staff kitchenette and WC provision. Internally the offices are carpeted with painted walls and suspended ceiling tiles in an exposed grid. Finishes are generally satisfactory, however there are a number of ceiling tiles that are water stained. The store room floor is concrete with painted walls and suspended ceiling. There is some damage to the suspended ceiling grid along with damaged and water stained tiles. There has been some damage to plaster painted finish to the far corner from a previous water leak and this requires making good. Externally there are 4 bays of large aluminium double glazed floor to ceiling window panels with sliding doors in a plain stonework facade. There are also timber double doors leading outside, with unmarked vision panels. Outside the office area is a glazed, part slate roof canopy supported on metal painted trusses with 5 metal columns. The underside of the canopy is protected by bird netting. Tarmac external flooring to the canopy area. The external area is in satisfactory condition, however external decoration is required to the painted surfaces.

The roof above the office space is flat. It was originally felted but has been overlaid with insulation, a waterproof membrane and solar reflective chippings. There is a leak to the north west corner corresponding to the internal RWP. At the time of survey joints to RWP's were faulty. There was further stained tiles to the north western corner. This junction on the roof has a flashband repair. Water penetration also occurs to the eastern edge of the roof. It is recommended that consideration be given to replacing this roof to prevent further deterioration to internal surfaces, equipment and roof structural timbers.

Cultural services (Community Engagement)

Cultural services are located on the first floor over the Tourist Information Centre to the west elevation and over part of the Platform Performing Arts offices to the south elevation. Access to the offices is via a staff entrance at pavement level to the south elevation, through a shared corridor with kitchen and WC rooms leading from it. Stairs lead up to the first floor.

The first floor accommodation comprises of an open plan area with velux windows. From this office there are two further rooms, one with a foiled circular window to the west elevation and another office with window to the east elevation, overlooking the atrium to the concourse. There is a further window to the north elevation. To the northern end there is access to the roof void, compartmented into two rooms.

The habitable rooms to the first floor consist of carpet flooring with painted plaster walls and ceilings and are in a satisfactory condition. Doors currently do not have door closers and it is recommended that these are fitted.

The roof void areas consist of partly boarded walkway over joists infilled with mineral fibre quilt insulation. The walls are brickwork. The underside of the roof has been coated with expanding foam. The Platform is Grade II Listed. English Heritage recommend this procedure is not applied to Listed Buildings, as the foam damages the ends of slates and prevents them being reused. Also the slate battens and rafters are sealed in, which may cause rotting as there is insufficient air flow and condensation may occur. The roof space appears satisfactory, however it is recommended that the roof space is inspected regularly for condensation and any rot to timbers.

Between the joists there is 100mm insulation, this falls short of current Building Regulations (270mm). It is recommended further mineral quilt fibre is cross laid to reach this height and that walk ways are raised.

The door to roof space 5 is currently not fire rated and requires replacing with a fire door and all associated door ironmongery.

Tourist Information Centre

The Tourist Information Centre is located to the sea side of the building. It consists of a large room which the General Public access and a back office. Surfaces in the tourist information office are of a good standard with vinyl flooring and painted walls and ceiling. There are shelving and display units to the perimeter of the room. The rear office has painted walls and ceiling with carpet to the floor which is heavily stained and requires replacing.

Access to the Tourist Information Office is either through the main public entrance via the porte-cochere or from a staff doorway to the south elevation.

Mechanical

The heating in the building is supplied through a roof top mounted air handling unit with an integral 476kw output airstream mounted gas fired burner this unit is manually turned on and off by staff and this air handling unit is proving problematic and costly to maintain and is approaching the end of serviceable life odours which are the products of combustion are leading to complains from building operatives. This system will need replacement, with a ducted ventilation system incorporating heat recovery, served by a gas fired condensing boiler feeding radiant panels and controlled with a building management system.

The platform offices are heated by a separate low pressure hot water heating system with radiators and a second domestic sized gas meter serves this boiler.

The tourist information centre is heated / cooled via ceiling cassette refrigerant based air source heat pump units.

The main entrance lobby is heated by way of a high level fan convector wall mounted onto feature tile work. These needs replacement with an air curtain over the main entrance and remove the convectors. Approximate overall cost £195000

The sanitary fixtures and fittings are in good condition

Pipe work is installed in a mixture of copper and iron and is in a good condition throughout.

Electrical

The platform is a live performance venue in a converted railway station.

The electrical installation is approximately 14 yrs old has been well maintained and is of good condition throughout. The system is wired in PVC single cables contained buried in the walls or surface mounted in conduit and trunking and micc bare copper pyro is clipped surface to the fabric of the building. All distribution and control equipment again are in a very good condition.

There are adequate power points throughout and it systems in place and the lighting is fit for purpose and satisfactory. The existing distribution would benefit from the provision of additional distribution board as the existing boards are approaching becoming fully loaded and this would provide a number of spare ways for future additional circuits.

The existing stage lighting comprises 6 no lighting support trusses, 3 no located above the central side stage area and 3 no mounted transversely at the managers office.

No evidence of pat testing certification was found on site so a recommendation of a full pat test is undertaken.

Property: MARINE ROAD CENTRAL - FORMER OLD STATION
BUILDING - THE PLATFORM
Block: Ground Floor
Element: Mechanical Services
Sub-Element: Heat Source & Equipment
Item: 7.1.1 - Heat Source & Equipment
Location: Building Wide
Room:

Condition: C
Priority: 2
Time Scale: 2013-2014

Defect:
roof top mounted air handling unit with an integral 476kw output airstream mounted gas fired burner this unit is manually turned on and off by staff and this air handling unit is proving problematic .

Remedy:
This system will need replacement, with a ducted ventilation system incorporating heat recovery, served by a gas fired condensing boiler feeding radiant panels and controlled with a building management system. full new heating and water system installation required to this building as it is at the end of serviceable life

Estimate: £195,000.00

Photos: -

CABINET

Request to install a flagpole structure with associated rigging on the Stone Jetty Morecambe by Morecambe Town Council

22 January 2013

Report of Head of Regeneration & Planning

PURPOSE OF REPORT			
To consider the request of Morecambe Town Council for the erection of a flagpole and associated rigging on the Stone Jetty.			
Key Decision	<input type="checkbox"/>	Non-Key Decision	<input type="checkbox"/>
		Referral from Officer	X
Date Included in Forthcoming Key Decision Notice			n/a
This report is public			

RECOMMENDATIONS OF HEAD OF REGENERATION AND PLANNING

(1) That Morecambe Town Council be advised that the City Council regrets that it cannot be supportive of the proposal on this occasion because of the adverse effect that the structure would have upon the provision of parking and access for disabled anglers and the ability to use the maintenance ramps to adequately maintain the sea defences in this location.

1.0 Introduction

1.0 Morecambe Town Council have written to the City Council asking for agreement to site a large flagpole structure towards the seaward end of the Stone Jetty, capable of displaying Nelson’s Fleet signal. The flagpole would not be a simple single mast structure but a mizzenmast flagpole with outrigging supports. This type of structure is capable of supporting a number of flags.

1.2 There are several issues for the City Council. The mast would require planning permission and have to be considered on aesthetic and functional grounds. The Stone Jetty is also part of the Council’s property assets and its wider role to the community would have to be considered. Finally the City Council also has a duty as a riparian owner of this part of the coastal defences to ensure that it is adequately maintained, an increasingly important duty as the nation experiences more incidences of severe weather. This report simply deals with the Council’s response as landowner.

2.0 Material considerations

- 2.1 The area upon which the Town Council would like to see the flagpole structure situated was originally designed to allow access for large machinery for maintenance of the rock armour and to accommodate the parking and access needs of anglers with disabilities. The anglers traditional access to the various areas of the Promenade for fishing purposes was lost when the recent generation of sea defences was constructed.
- 2.2 There are also two ramped access points from this circular feature down from the jetty onto the foreshore which facilitate access by plant and machinery to undertake maintenance of the rock armour around the jetty.
- 2.3 The outrigger supports for a mizzenmast flagpole would interfere with the free movement of vehicles, plant and machinery on this part of the Stone Jetty and therefore prevent its use for the purpose for which it was designed.
- 2.4 Understandably the anglers still feel an injustice was done when they lost access to their traditional fishing locations and a further threat to their new location would not be expected to be welcomed. By impeding access to maintain the Stone Jetty the City Council would also be compromising its duties to maintain this part of the sea defences.

3.0 Conclusions

- 3.1 On balance whilst the City Council understands the Town Council's desire to locate Nelsons Fleet signals in this location, it is considered that it would be very difficult to justify the removal of the facilities provided for disabled anglers to do this. Equally it would be unwise to compromise the maintenance regime for the jetty itself.

4.0 Details of Consultation

- 4.1 The Head of Resources has no comments to make on the report.
- 4.2 The Head of Community Engagement acknowledges the issues relating to the use of the jetty by anglers with disabilities.
- 4.3 The Councils coastal engineers advise against the construction of a mizzenmast flagpole structure in the location suggested for the reasons given in the report.
- 4.4 No formal consultation has taken place with anglers groups at this stage.

5.0 Options and Options Analysis (including risk assessment)

- 5.1 **Option 1** to support the Town Councils request to site a mizzenmast flagpole on the Stone Jetty. This would lead to conflict with the provision of disabled parking spaces and access for maintenance of the Stone Jetty.
- 5.2 **Option 2** not to support the Town Council's request to site a mizzenmast flagpole on the Stone Jetty. This would protect the facilities for disabled parking and access maintenance but will inevitably be a cause of disappointment for those who support the celebration of a national hero and a historical victory in this manner.

RELATIONSHIP TO POLICY FRAMEWORK

The regeneration of Morecambe Town Centre is a part of the economic Growth key priority in the latest version of the corporate Plan 2012-2015. The maintaining of sea defences is a duty for the Council as owner of this part of the coastline, and aligns with the corporate plan priority to keep the district safe.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

The provision of facilities for anglers with disabilities was a specific objective of the design of this part of the coastal defences. The removal of this facility without overriding justification would conflict with the Corporate Plan priority which seeks to improve the health and well being of local residents by participation in sports and leisure activities.

FINANCIAL IMPLICATIONS

There are no financial implications attached to the recommendations in this report.

SECTION 151 OFFICER'S COMMENTS

The Deputy S151 Officer has been consulted and has no comments to add.

LEGAL IMPLICATIONS

There are no legal implications attached to the recommendations in this report.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

Letter from Morecambe Town Council dated 07 November 2012

Contact Officer: Andrew Dobson

Telephone: 01524582303

E-mail: adobson@lancaster.gov.uk

Ref:

Cabinet

COLLECTIVE ENERGY SWITCHING
22nd January 2013

Report of the Head of Community Engagement

PURPOSE OF REPORT			
This report sets out the background to the Collective Energy Switching scheme and potential options for Lancaster City Council in taking this agenda forward			
Key Decision	X	Non-Key Decision	Referral from Cabinet Member
Date of notice of forthcoming key decision	21 December 2012		
This report is public			

RECOMMENDATIONS OF COUNCILLOR EILEEN BLAMIRE

- (1) That Cabinet agrees to a pilot collective energy switching scheme for the Lancaster district and collaboration with other interested Local Authorities to achieve the best deal for residents, subject to there being no additional call on City Council resources.
- (2) That any income generated by the scheme through the referral fees be incorporated into the Council's revenue budget.
- (3) That a review of the pilot project is undertaken upon completion and a report submitted to Cabinet to evaluate the possibility of future collective energy switching schemes.
- (4) That the Head of Community Engagement be given delegated authority to accept any grant funding, up to £15,000, which is awarded following the recent application to the DECC "Cheaper Energy Together" fund and that the General Fund Revenue Budgets be updated accordingly.

1.0 Introduction

- 1.1 In 2004 the average household fuel bill was £600. This had risen to £1,250 in 2011. Low income households are affected more by increases in fuel prices because they spend a higher proportion of income on fuel. A household is classed as being in fuel poverty when it spends more than 10% of its disposable income on fuel. Recent figures produced by Department of Energy and Climate Change (2010) demonstrate that 24% of homes (approximately 14,300 households) in the Lancaster district are in fuel poverty. Rising fuel prices are the No1 concern for people in Britain today [Which? June 2011] and financial worries have an impact on wellbeing. 48% of people in Morecambe and Heysham, (low incomes wards), said their homes are too costly to heat [LCC Housing Needs Survey 2011].
- 1.2 The Lancashire Mental Health and Wellbeing Report (Joint Strategic Needs

Assessment, 2011) identified that fuel poverty is increasing inequality in the county. Addressing affordable warmth has been established as one of the initial priorities of the Lancashire Health and Wellbeing Board.

- 1.3 Evidence from elsewhere suggests that residents are often paying up to £300 per year more than they need to for energy costs because they are not on the most efficient energy tariff. It has been suggested that traditionally there has been unwillingness for citizens to individually shop around for energy services and switch to the cheapest provider due to the complexity of the information and the time involved in switching. Whereas many residents do this regularly for products and services such as car and home insurance generally, for energy services, they do not.
- 1.4 However, in recent months, a number of organisations, including local authorities and community groups, have established collective energy switching schemes which aim to stimulate residents to reduce the amount they are paying on their energy bills. Such schemes are based on the principle of conducting an auction with energy providers to obtain the lowest feasible energy price; a process for which any household can sign up with no obligation. This enables consumers to benefit from reduced energy bills and, as referral fees can be claimed from energy companies, can be used as a means of income generation for the organisation leading the project.

2.0 Proposal Details

- 2.1 The aim of Collective Switching is to stimulate residents to reduce the amount they are paying on their energy bills. The scheme is based on the principle of conducting an auction with energy providers to obtain the lowest feasible energy price; a process for which any household can sign up with no obligation.
- 2.2 The scheme involves four principal stages; (1) Registration – lasting approx 2 months; (2) Auction – Conducted over one day; (3) Acceptance of winning offers – lasting one month; and (4) Close out – Transfer of customers to new providers. All the applications are grouped anonymously and the price offered by the suppliers is independent of the number of participants who make the switch. The more people sign up the more likely suppliers are to give an additional discount. Residents are not obliged to sign up to the scheme once a provider has been chosen, but those that do, could benefit from reduced bills.
- 2.3 Collective energy switching is still in its infancy so, should Lancaster City Council choose to deliver a scheme, it would be advantageous to undertake an initial pilot scheme, with the results used to inform the viability of undertaking future schemes.
- 2.4 There are currently two appropriate options for collective energy switching:
 - a) *Independent Lancaster Scheme*
- 2.5 To overcome a lack of experience in delivering a collective energy switching scheme, it would be appropriate to procure the services of an external Broker who could use their knowledge, experience and skills to deliver an effective scheme. In selecting a broker it would be necessary to undertake a formal public tender exercise to appoint a specialist switching partner to deliver the pilot scheme.
- 2.6 It is expected the Broker would:
 - Market the scheme effectively to residents of the Lancaster district through appropriate methods in liaison / coordination with the Council
 - Handle enquiries on the scheme and sign up interested residents

- Carry out the energy auction with the energy market to determine the lowest tariff
- Complete the handover process with the successful energy company for residents who wish to go ahead and switch provider
- Carry out the necessary supporting activities in line with the points above.

2.7 It is expected that the Council would:

- Provide overall project management for the scheme delivered by the Partnerships Officer (Sustainability) for approx 1-2 days per week for the duration of the project
- Provide communications support / advice for the marketing activities and access to Council communications channels e.g. Your District Council Matters, etc.
- Highlight / signpost the scheme to citizens who may be interested through frontline services that regularly engage with customers eg the Contact Centre, Debt Advisors, Housing Officers etc.
- Provide additional support / advice for vulnerable residents who may be interested in the scheme.

2.8 Alternatively, the council could take advantage of a contract developed by another local authority. For example, Appendix 1 details the arrangements developed by the Association of Greater Manchester Authorities (AGMA), who are offering the opportunity for other authorities throughout the UK, to use a contract that has been developed following a formal public tender exercise.

2.9 The timings of delivering a scheme would have to be agreed, with consideration given to procurement requirements and to maximising the financial benefits to residents and the council.

2.10 There will be some costs involved with the administration of a pilot scheme, but these are expected to be minimal. In addition, a marketing strategy is being established to maximise the use of existing communication channels with any costs to be met from existing budgets. The scheme could also generate additional income for the City Council through a percentage of the referral fee paid to the broker by the energy company.

2.11 The experience of local authorities who have previously delivered similar schemes would suggest that most customers choosing to get involved will not require any assistance so any increase in enquiries to the council's customer service centres is expected to be within manageable levels. As our customer service centres are currently working to full capacity we may need to review resource requirements and take appropriate action within existing budgets should demand be significantly more than anticipated.

b) Lancashire Scheme

2.12 A number of other local authorities within Lancashire are currently preparing collective energy schemes for their jurisdictions. Should all local authorities within Lancashire decide to run schemes independently of one another, there would be a large duplication of local authority resources. In addition, there could be a situation where multiple schemes would be operating within a small area which could offer confusion for residents and unnecessary competition for registrations.

2.13 To avoid this situation, interested authorities could combine resources to operate as a single scheme. This would see the co-ordination of the principal stages of collective switching (detailed in Paragraph 2.2) to maximise the

impact of marketing campaigns. Furthermore, greater numbers of residents involved in the auction increases the financial gains of collective switching.

- 2.14 Lancaster City Council has been in negotiations with other local authorities within the Lancashire area to discuss collaborative proposals. The response has been very positive with thirteen of the fourteen Lancashire District Authorities expressing an interest in taking a joint initiative forward.
- 2.15 Project management arrangements would need to be agreed with partner authorities, with the dates of registration periods and the auction being timed to be mutually acceptable. However, a Lancashire Scheme could operate in a similar manner to an independent Lancashire scheme and would benefit from undertaking a procurement exercise, as per Paragraph 2.4. However, although the Broker would undertake activities as detailed in Paragraph 2.6, it may be appropriate for the activities and costs detailed in paragraphs 2.7 and 2.8 to be undertaken by each individual authority. This would ensure that each local authority is able to take advantage of the referral fees for residents from their specific localities.
- 2.16 The timings of delivering a scheme would have to be agreed with partner authorities, with consideration given to procurement requirements and to maximising the financial benefits to residents and the councils involved. In finalising any arrangements for a pan-Lancashire scheme, officers would not enter into any agreement that would incur extra costs for Lancaster City Council without seeking further approval from Cabinet.
- 2.17 Alternatively, partner Lancashire authorities could collectively take advantage of a contract developed by another local authority (as discussed in Paragraph 2.8 and Appendix 1).
- 2.18 Although a Lancashire scheme has yet to be finalised, the Department of Energy and Climate Change (DECC) recently announced a funding stream called 'Cheaper Energy Together'. This £5 million fund is designed to support the development of innovative collective switching schemes which have a focus on vulnerable consumers. Blackburn and Darwen Borough Council have submitted a bid on behalf of Lancashire Authorities. Any funding awarded would cover the marketing costs for a Collective Energy Switching campaign across Lancashire. Promotional activity would encompass a broad range of marketing techniques, from radio, bus shelter advertising, leaflets, posters, and websites as well as through the emerging media of Facebook and Twitter. Additional assistance would be undertaken through a range of external partner organisations and networks, for example, the Affordable Warmth Group. Whilst Blackburn and Darwen Borough Council will be principally using the funding to finance generic pan-Lancashire marketing, should Lancaster City Council choose to be part of a Lancashire scheme, funding could be made available for Lancaster specific marketing. The amount received by Lancaster City Council would need to be agreed through negotiations with partner authorities but would be unlikely to exceed £15,000.

3.0 Details of Consultation

- 3.1 The proposals within this report have been formulated through discussions with representatives from local authorities within the Lancashire footprint. In addition, the Council's Procurement, Legal and Communications teams have been consulted throughout the preparation of this report and its proposals.

4.0 Options and Options Analysis (including risk assessment)

	Option 1: Do nothing	Option 2: To agree to establish a collective energy switching scheme for the Lancaster District and for Lancaster City Council to work independently to achieve the best deal for residents.	Option 3: To agree to establish a collective energy switching scheme for the Lancaster district and to collaborate with other interested Local Authorities to achieve the best deal for residents
Advantages	<ul style="list-style-type: none"> No impact upon council resources 	<ul style="list-style-type: none"> Enables the council to address economic and social impacts associated with energy price increases The Council could receive a referral fee Greater flexibility in setting timescales and running auctions 	<ul style="list-style-type: none"> Enables the council to address economic and social impacts associated with energy price increases The Council could receive a referral fee A larger campaign increases effectiveness of any marketing. Increased financial benefits for residents and council with a larger scheme. Avoids competition for customers with other Lancashire authorities
Disadvantages	<ul style="list-style-type: none"> The council will have lost an opportunity to help vulnerable groups increase their resilience to periods of cold weather. 	<ul style="list-style-type: none"> Duplication of resources with other local schemes Possible confusion with other local schemes Unnecessary competition for registrations with other Lancashire authorities 	<ul style="list-style-type: none"> Reduced flexibility to organise registration periods and auction dates

<p>Risks</p>	<ul style="list-style-type: none"> • Lost opportunity to help the residents of the Lancaster district reduce their energy bills • Lost opportunity for the council to benefit from a new income stream 	<ul style="list-style-type: none"> • Procurement: An unsuitable external organisation is chosen to operate the scheme • Mitigation: Risk could be minimised by undertaking a formal public tender exercise or taking advantage of another authorities procurement methodology (as per Appendix 1) • Reputational: The council receives negative publicity should the scheme be unsuccessful. • Mitigation: Public and press responses to schemes already declared have been positive and so the risk of reputational damage to the authority is considered low. • Low uptake of the scheme as residents prefer to be involved in a scheme operated by another authority 	<ul style="list-style-type: none"> • Procurement: An unsuitable external organisation is chosen to operate the scheme • Mitigation: Risk could be minimised by undertaking a formal public tender exercise or taking advantage of another authorities procurement methodology (as per Appendix 1) • Reputational: The council receives negative publicity should the scheme be unsuccessful. • Mitigation: Public and press responses to schemes already declared have been positive and so the risk of reputational damage to the authority is considered low.
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5.0 Officer Preferred Option (and comments)

5.1 The officer preferred option is Option 3: To agree to establish a collective energy switching scheme for the Lancaster district and to collaborate with other interested Local Authorities to achieve the best deal for residents. This would provide the maximum potential benefits to residents and the council through the most efficient use of available resources.

6.0 Conclusion

6.1 Collective Switching offers an opportunity for Lancaster City Council to address economic and social impacts associated with increased energy prices. There would be cost implications involved for facilitating such schemes, but these could be offset by income generated through the scheme.

6.2 However, as collective energy switching is still in its infancy, it would be advantageous to undertake an initial pilot scheme, with the results used to inform the viability of undertaking future schemes.

RELATIONSHIP TO POLICY FRAMEWORK

Health and Wellbeing is one of the key priorities within the Corporate Plan 2012-15. In particular, one of the Plan's outcomes is "health and wellbeing improved and mortality rates reduced for vulnerable people in the district". Furthermore, the Corporate Plan includes a success measure of the "number of vulnerable individuals benefiting from Warm Homes initiatives". The provision of a Collective Energy Switching scheme will allow Lancaster City Council to achieve these outcomes and deliver the success measure.

Affordable Warmth is also being considered as a priority in the emerging county wide Health and well being strategy being developed by the Shadow Health and well being Board and is also being targeted for intervention by our local clinical commissioning group.

CONCLUSION OF IMPACT ASSESSMENT

(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, HR, Sustainability and Rural Proofing)

Collective energy switching will benefit residents across the district meet the rising costs of energy prices.

LEGAL IMPLICATIONS

The precise terms of a contract with any switching partner will need legal consideration and any contract award will need to be made in compliance with Contract Procedure Rules.

FINANCIAL IMPLICATIONS

Advice and consultation with authorities who have already undertaken similar initiatives indicates that the costs of conducting a one-off pilot scheme are minimal. It is therefore proposed to conduct such a scheme with all costs and officer time being met from within existing budgets and resources. Once this is complete Officers will be in a clearer position to review the scheme's success and report back to Cabinet with options for its long-term sustainability.

There is currently no information available which confirms the financial impacts from Collective Energy Switching schemes undertaken by other Local Authorities. It is therefore difficult to estimate the level of income that will be generated through the Council's share of referral fees as this will be based on the outcome of the auction and the final level of take up amongst residents in the district. However, a similar scheme operated in 2012 by South Lakeland District Council reported 517 residents completing a switch to a new provider. It is proposed that any income received from this pilot exercise would be used to support the Council's budget generally and a nominal amount of £5000 would be included in the budget should this pilot scheme be approved.

OTHER RESOURCE IMPLICATIONS

Human Resources:

There are no direct implications arising as a result of this report other than some use of officer time to progress and manage the project

Information Services:

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

Property:

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

Open Spaces:

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

SECTION 151 OFFICER'S COMMENTS

The s151 Officer has been consulted and has no further comments.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

none

Contact Officer: Daniel Wood

Telephone: 01524 582061

E-mail: dwood@lancaster.gov.uk

Association of Greater Manchester Authorities Collective Energy Scheme

Joining the Collective

28th November 2012

Briefing note for local authorities

1.0 Energy switching – the opportunity

- 1.1 Collective energy switching occurs when a group of consumers come together to negotiate a better deal with their gas and electricity suppliers. As a collective, consumers potentially have greater purchasing power in the marketplace, meaning there is the potential to access energy tariffs that are better than those listed on the open market.
- 1.2 A particular aspect of the AGMA switching scheme is that it offers those residents without internet access another way to switch using libraries, telephone support and other front line services. This, alongside local partnership working, has the potential to help provide a switching and saving service for your borough's most vulnerable residents who often pay the most and could save the most; particularly given that they are less likely to have switched providers before. Prepayment and cash customers can also join the collective.
- 1.3 In general, collective switching is where a third party actively negotiates a better tariff on behalf of the consumers they represent. Oldham Council has procured an organisation that will run a collective purchasing and switching scheme for the 10 local authorities that make up the Association of Greater Manchester Authorities (AGMA). AGMA authorities support around 2.5million resident that occupy 1.2 million homes and it is these residents who form the basis of the initial energy collective. Auctions will initially be held quarterly and can be joined by other authorities who set up their own collectives; frequency and timing will be dependant on demand.
- 1.4 AGMA is also offering the opportunity for other authorities, throughout the UK, to use the contract that has been developed following a formal public tender exercise. This contract will offer your authority the ability to work with an energy switching Broker on behalf of your residents.
- 1.5 The procuring Authority and AGMA also recognises the General Power of Competence contained in the Localism Act 2012 as a further option for Local Authorities to explore in considering embarking on an energy switching scheme.

2.0 Local authority commitment

- 2.1 Participating authorities will be expected to commit resources including staff time and funding to ensure that the project is promoted successfully. The level of marketing necessary to achieve success will vary between approaches. For the January auction it is suggested that authorities seek a minimum of 1000 registrants based on a short intensive marketing campaign. This figure is achievable based on existing experience from Oldham, Rochdale, South Lakeland, and Norwich Councils.
- 2.2 Each participating authority will be required to produce a local marketing plan that will be agreed with the selected Broker as part of the contract. The Broker will also offer support and a further marketing package can be purchased should this be required.
- 2.3 It is possible to discuss obtaining a marketing package from Oldham Councils Marketing team. **If you are interested in discussing this option, then please state so within your registration email as per section 5.0 below.**
- 2.4 Each participating authority will be provided with access to a web portal by the Broker. The portal will provide information, allow residents to sign-up online and has the potential to be Local Authority branded.
- 2.5 Each authority will be required to provide opportunities for residents to sign-up who don't have access to the internet. This means a provision will need to be made for offline support, for example, by allowing residents to use library or customer access facilities.
- 2.5 There are two levels of telephone support required; one for receiving general queries and a second for residents without internet access allowing the capability to register over the phone. There is also the potential for these services to be negotiated with the Broker or delivered through the Local Authority's own arrangements in agreement with the Broker.
- 2.6 Staff training will be required to support offline registrations as detailed in section 2.4 and this will be provided by the provider of the service. Typically a cascade approach will be undertaken by inviting a key representative from the authority to a central training session and they in turn will deliver training to relevant departments. **See section 5 for details of upcoming training sessions.**

3.0 Joining the scheme – contract and tender

- 3.1 A formal tender exercise has been undertaken to find a zero cost energy switching Broker designed to help residents switch utility provider and save money through an energy collective. The contract and terms and conditions can be used by all English Local authorities. The contract will be available to use from mid December.
- 3.2 The contract will be issued by Oldham Council to participating authorities, with the contract held between each participating authority and the winning Broker. The contract can be amended to reflect local needs; however, the commercial and legal aspects of the contract cannot be changed.
- 3.3 This opportunity is open to all English local authorities who can use the tender for free; however, this is subject to acceptance¹ and agreement of the switching Broker.
- 3.5 The contract runs for an initial 12 month period. Authorities wishing to leave the scheme after agreeing a contract between the Broker and themselves will be required to give notice of three months.²
- 3.4 There is a referral fee (or commission) entitlement for each local authority based on the number of successful residential switchers in their authority area. The percentage of commission payable is a set fee per successful switch for dual or single fuel switchers. (This fee determined as part of the Oldham Tender Exercise so cannot be renegotiated by participating authorities)

¹ Subject to final negotiations however its likely a Non Disclosure agreement will need to be signed before the contract is released.

² Notice period length to be confirmed within the contract

4.0 Joining the collective – timetable and actions

- 4.1 A comprehensive auction timetable is being developed; plans are being developed for auctions to take place in January and April 2013 and detailed dates will be communicated as soon as possible.
- 4.2 **It is possible for your local authority to join the January 2013 auction or defer until the March/April 2013 auction date.**
- 4.3 In order for your authority to participate within the **January** auction there are a number of key milestones that will need to be achieved in order to participate which include;

4.2 Late November/December

Preparation:

- The Broker will provide your authority with the website that residents will use to register for the scheme. It is recommended for those authorities whom share a local geography that this is one common website. The text will be provided however some work will be required to personalise this for you authority,
- The Broker will train two key staff to register both online and offline residents. (see section 5.0 below re training session dates)
- The Broker will provide your authority with examples of marketing materials that can be used to promote the scheme.
- Your authority will have approved progressing the scheme through the appropriate governance structure for your authority.
- Your authority will provide feedback on branding and text for the marketing materials.
- Your authority will be required under contract with the Broker to commit to actively market the scheme through varied communication channels.

Registration phase:

- The Broker will launch your registration website at the end of December or early January 2013.
- The Broker will provide weekly data analysing the level of signups.
- Your authority will provide locations for residents to signup who do not have access to the internet (offline residents).
- Your authority will continue to implement the marketing plan.

4.4 January 2013

Auction:

- The Broker will hold the online energy auction- inviting all UK energy companies to participate.
- Your authority will be required to sign off emails and letters that will be distributed to residents immediately after the auction has closed and results have been verified by the winning energy supplier
- The Broker will send a personalised email or letter detailing the auction result to all registrants.
- The Broker will work with the selected energy supplier to ensure a smooth switch for registrants.
- Your authority will provide assistance for residents who participate in the switching process.

4.5 February/March 2013

- The Broker will continue to manage the switch in conjunction with the winning collective energy supplier.
- The Broker and your authority will review the scheme and share learning with other members of the broader energy collective.
- The referral fee to be paid upon confirmation of the successful number of switches to participating authorities or other nominated recipients (e.g. charity fund or voluntary group for example)

4.6 These steps are repeated for subsequent auctions post January.

5.0 In summary

- **For those authorities wishing to join the January auction (assume mid to late January for the actual auction date) then please email your contact details stating energy switch contract registration to ce.procurement@oldham.gov.uk before the 6th December 2012 to register.**
- **For those Authorities considering the March/April auction date please email ce.procurement@oldham.gov.uk stating energy switch contract March/April with your contact details**
- **Those wishing to join the January auction you will be required to send upto two key representatives to the training session in Oldham proposed for the either the 14th or 17th December. It is advised that this is somebody who has responsibility and authority to cascade messages to front line staff based at your libraries or other public council**

access points. This will ensure that staff are ready to help your residents sign up before the marketing campaign starts.

- **Also given that the Oldham Council has sought to develop the programme and borne the overall development costs we are actively encouraging those council wishing to use our contract to make a voluntary financial contribution to Oldham's Co-operative fund. This charity fund will help continue our essential work on transforming the lives of our most vulnerable residents.**

CABINET

**Fees and Charges Review – 2013/14
22nd January 2013**

Report of Head of Environmental Services

PURPOSE OF REPORT				
To consider the annual review of parking fees and charges for 2013/14.				
Key Decision	X	Non-Key Decision	Referral from Cabinet Member	
Date of notice of forthcoming key decision		21 December 2012		
This report is public				

RECOMMENDATIONS OF COUNCILLOR HAMILTON-COX

- (1) That Cabinet's recommendations for car parking charges are put forward to underpin the intended outcomes of the Council's parking strategy for this District; and in particular recognise the potential impact of disruption that may be caused by the upcoming works in Lancaster by United Utilities.
- (2) In the event of the County Council increasing on street parking charges the preferred option for increasing parking fees remains based around option 1a.
- (3) In the event that County Council decides to freeze on street parking charges as part of its 2013/14 budget the next best option is for the City Council to do likewise for 2013/14.
- (4) That work takes place to develop options to catch up any budgetary shortfall in 2014/15, including reducing operating costs.
- (5) That in the event that 3) above applies, the proposal be included as part of Cabinet's overall budget proposals for next year, subject to Council approval.

1.0 Introduction

1.1 At its meeting held in December Cabinet considered a report on the Council's Fees and Charges Policy, previously reported on 06 December 2011, and a Council wide review all of Fees and Charges for 2013/14. Cabinet approved the Policy and considered fees and charges across a number of service areas. For car parking it was agreed that consideration of the proposals would be deferred until the January meeting when it was hoped the County Council would have confirmed their proposals regarding on-street parking charges and in view of this still allowing sufficient time for implementation in April 2013.

- 1.2** Since the original report was finalised the County Council has confirmed that it will continue to support the policy of maintaining the higher on-street tariffs, and that any changes to their charges would be considered as part of their forthcoming budget round. Officers advised County that Cabinet is considering the matter again at this meeting and requested an update on their timescales for making any changes to their on-street charges. County have confirmed that any formal decision will be taken by their Cabinet Member at a decision making meeting still to be agreed but likely to be February 2013. This timescale does not allow for the synchronisation of on and off-street parking charges in line with the wider aims of managing traffic and parking. This now requires Cabinet to confirm any changes to car parking charges at this meeting to allow sufficient time for implementation in April 2013.
- 1.3** It is important to also recognise the Council has an agreed parking strategy for the District and the options brought forward in this report are designed to support the intended outcomes of this strategy.

2.0 Background Information

- 2.1** Parking fees and charges are reviewed annually to ensure the Council meets its transportation and budget commitments. Last year Members approved retaining the existing permit charges but increasing pay and display charges as follows:

Increase the Evening Charge from £1.20 to £1.40
Increase Short Stay Up to 2 hours from £2.00 to £2.20
Increase Short Stay Up to 3 hours from £2.70 to £2.80
Increase Short Stay Up to 4 hours from £3.40 to £3.50

It was originally proposed to increase the up to 1 hour charge on all car parks from £1.20 to £1.30, however this was on the basis that Lancashire County Council applied the same increase to on-street pay and display charges. Despite initial indications that this would be proposed their final recommendations did not include this, therefore this option was not finally approved.

For information, we maintain a differential in the up to 1 hour charge between off-street and on-street (this being the higher) to encourage greater use of car parks and to discourage customers from driving around the limited number of on-street parking spaces looking for a space and adding to congestion and increasing pedestrian safety issues.

2.2 Influencing Factors for 2013/14

There are a number of issues that need to be taken into account when looking at parking during 2013/14 and future years. These include major works being undertaken by United Utilities, Cabinet's recent decisions about the future of the Festival Market, the Portas Pilot and the Morecambe Area Action Plan.

United Utilities – Major works are going to be undertaken in Lancaster city centre, between February 2013 and November 2014, to improve bathing water quality.

These works will affect Wood Street car park and access to and from St Nicholas Arcades car park will also be affected during some phases of the works. The impact of these works is likely to be significant and there is the potential for Lancaster’s retailers to be affected.

Portas Pilot – the Pilot is looking at specific initiatives to bring extra trade into Morecambe Town Centre and there may be requests for cheaper or free parking to support these initiatives.

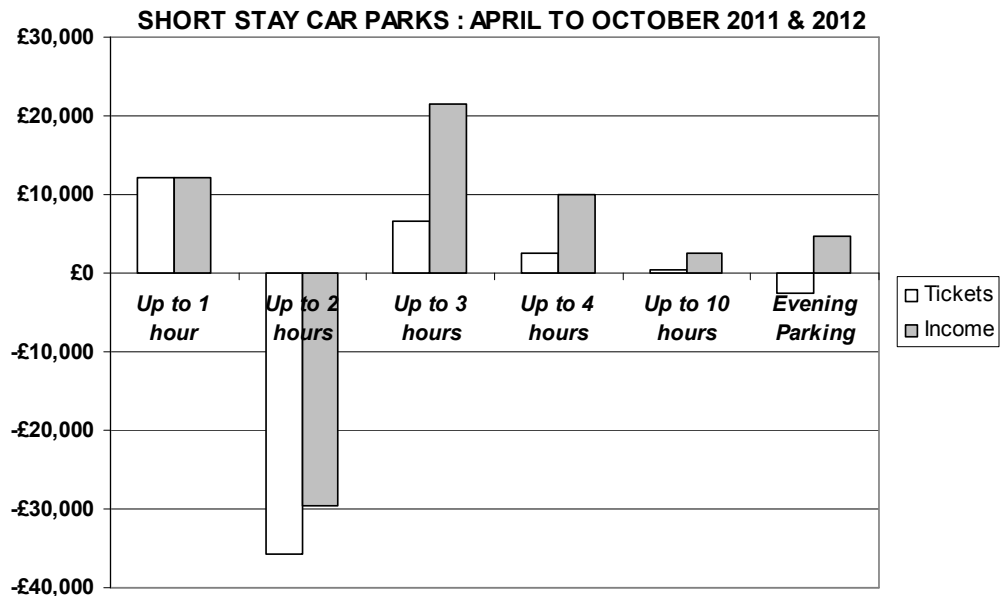
Morecambe Area Action Plan (MAAP) - The First Draft MAAP now out for consultation considers provision of both on and off street parking in Central Morecambe and identifies many issues and suggests that changes are required to parking provision and in management to support the regeneration of the town centre.

Besides these issues we also need to be looking further forward and considering the potential impact of the Duchy of Lancaster’s plans for the castle as well as the impact of development of the canal corridor.

2.3 Current Usage and Financial Position

2.4 Usage Update

In terms of the number of cars using pay and display car parks, the overall level has dropped by 2.3% when comparing April to October figures for 2011 and 2012, however actual income has increased by 2%. The main reason is because there has been a shift on short stay car parks from parking up to 2 hours to parking for either 1, 3, 4 or 10 hours, so whilst the overall number of cars parking has dropped, the period being parked for has increased. The following graph shows this in more detail.



It is clear therefore that whilst usage can reduce the actual income generated can increase.

2.5 Financial Position

The financial position at the end of 2011/12 as shown in the following table was £53K

more than the revised estimate. This is due to income being an average of nearly 4% per month down on target for the first 8 months prior to the Revised Budget being set and this was then followed by an improved position during the remaining 4 months.

	2011/12 Estimate	2011/12 Revised	2011/12 Actual	Variance on Revised
Fees	£2,065,900	£1,979,900	£2,037,851	+£57,951
Evenings	£84,800	£93,600	£91,403	-£2,197
Permits	£239,800	£161,500	£158,864	-£2,636
TOTAL	£2,390,500	£2,235,000	£2,288,118	+£53,118

The current 2013/14 Draft Budget outlined in the table below assumes that income across the three headings will continue at the same level as projected for 2012/13, i.e. Fees and Evening income will remain the same and permits will reduce by £4.5K each year. An inflationary increase of 2% has also been added in line with the Council's existing policy on fees and charges.

	2012/13 Estimate	2012/13 Revised	2013/14 Estimate	Inflation Included
Fees	£2,032,900	£2,032,900	£2,073,600	£40,700
Evenings	£106,400	£106,400	£108,500	£2,100
Permits	£146,100	£141,600	£144,400	£2,800
TOTAL	£2,285,400	£2,280,900	£2,326,500	£45,600

The annual review needs to consider options for covering additional inflationary increases of £45.6K across the above headings.

3.0 Proposal Details

The proposals are to focus on day time pay and display charges as evening charges were increased in April 2012 and permit income has been reducing in recent years. The options are set out in **Appendix A**.

4.0 Details of Consultation

The local Chambers of Commerce and of Trade, the Federation of Small Businesses and Morecambe Town Council have been consulted over the pay and display options included in the report and their comments were circulated before the December meeting of Cabinet.

On-Street pay and display charges are the responsibility of Lancashire County Council and the latest position with these charges is set out in the report.

5.0 Options and Options Appraisal

All options and relevant analysis are set out in **Appendix A**.

6.0 Officer Preferred Option

Option 1(a) is the officer preferred option as this limits increases to one tariff and the

estimated additional income of £46K would meet the budgetary target. However, this option should be linked to a positive response from the County Council to raise the on-street charges otherwise car park charges would be higher than on-street charges and this would not maintain the required differential as outlined in this report.

In the event of the County Council not increasing their charges the officer preferred option would be Option 1(b). This would result in a budgetary shortfall of approximately £13K. Increasing the long stay charges even higher to meet this shortfall would require significant increases that are not considered to be acceptable. As a result further savings would need to be identified or a growth item submitted to meet the shortfall.

7.0 Conclusion

The officer preferred options set out in this report will meet or make a contribution to the required inflationary increases already built into the latest 2013/14 draft budget. They take on board the need to generate income in line with the requirements of the Medium Term Financial Strategy and the Fees and Charges Policy, whilst endeavouring to minimise the impact on customers.

RELATIONSHIP TO POLICY FRAMEWORK

Fees and charges form an integral part of the budget setting process, which in turn relates to the Council's priorities. Under the Medium Term Financial Strategy (MTFS), income generation is a specific initiative for helping to balance the budget.

Parking Strategy – to set charges to meet the Council's transportation policy objectives and budget commitments and to ensure the cost differential between on and off-street charges is maintained (see attached).

CONCLUSION OF IMPACT ASSESSMENT

(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, HR, Sustainability and Rural Proofing)

The proposed increases are considered to be fair and reasonable.

LEGAL IMPLICATIONS

Legal Services have been consulted and have no observations to make on this report.

FINANCIAL IMPLICATIONS

As mentioned in the report the proposals are to consider changes to day time pay and display charges rather than evening or permit charges.

Detailed financial implications are set out in the body of the report and Appendix A.

In summary, the officer preferred Option (1a) will generate estimated additional receipts of £46K which will meet the inflationary increase currently built into the latest 2013/14 draft budget. However, should Members approve option 1a and then the County Council do not increase their on-street parking charges in line with Lancaster's off-street increase then off-street parking will have a higher charge than on-street parking for a one hour stay.

For Option 1b, there will be a budget shortfall of £13K with regard to parking, as explained in Appendix A. However, should Members decide to approve Option 1c then this will create a budgetary surplus of £33K.

For Option 2, there will be a budget shortfall of £46K with regard to parking, as explained in

Appendix A.

Members are reminded, that if either options 1b, 1c or 2 are taken forward, then as it falls outside of the current budget framework and it will impact on the need to make more savings or the potential for growth in other areas of activity, then it would need to form part of Cabinet's proposals for further consideration and approval by full Council.

OTHER RESOURCE IMPLICATIONS

Human Resources / Information Services / Property:

None.

Open Spaces:

None specifically, other than income generation as referred to in the report.

SECTION 151 OFFICER'S COMMENTS

The proposals should be considered in the context of the wider budget prospects, an update on which is provided elsewhere on this agenda. In the short to medium term, the Council is facing further major reductions in Government funding. As a general principle therefore, the Council is advised to maximise any opportunities for improving income generation, having due regard to charging policy, as this would help protect priority services.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

Parking Strategy

Contact Officer:

David Hopwood

Telephone: 01524 582817

E-mail: dhopwood@lancaster.gov.uk

Ref:

Parking Fees and Charges 2013/14

Options Analysis (including risk assessment)

Option 1(a)

This option is aimed at achieving the budgetary target of £45.6K that has been included in the 2013/14 Draft Budget.

Short Stay and Long Stay Car Parks	Current Tariff	Proposed Tariff	Additional Income
Increase Up to 1 hour tariff	£1.20	£1.30	£46,000

Advantages	Disadvantages	Risks
<p>This option meets the budgetary target and ensures that car parking makes a contribution to a balanced budget.</p> <p>This option avoids the need for additional savings or income from other functions of the Council.</p>	<p>Although this option only seeks to increase one tariff, this accounts for 42% of all ticket sales and the first hour's tariff often influences customers' perceptions of the overall level of all parking charges.</p>	<p>This option requires the County Council to implement increases to its 1 hour charges to maintain the required differential.</p> <p>If the County Council does not increase its charges and this option is approved, charges would be further misaligned and this could lead to longer term tariff issues and County needing to make significant increases in the future.</p> <p>There is always the risk that customer resistance would be greater resulting in budgetary issues.</p>

Option 1(b)

This option is aimed at making a contribution of £33K to the budgetary target of £45.6K resulting in a budget shortfall of approximately £13K.

Long Stay Car Parks	Current Tariff	Proposed Tariff	Additional Income
Increase Up to 3 hour tariff	£2.20	£2.50	£24,000
Increase Up to 5 hour tariff	£3.70	£4.00	£3,000
Increase Over 5 hours tariff	£6.00	£6.50	£1,800
Other Car Parks			
Increase Up to 4 hour tariff	£0.80	£1.00	£3,600
Increase Over 4 hour tariff	£1.20	£1.40	£600

Advantages	Disadvantages	Risks
<p>This option raises over 70% of the required budget target.</p> <p>This option limits tariff increases to long stay car parks that tend to be used by commuters.</p> <p>This option could lead to increased permit sales.</p> <p>This option does not affect any short stay tariffs that are a key part of maintaining city and town centre viability.</p> <p>This option does not require the County Council to specifically increase their on-street charges although this would still be desirable to implement the differential charges.</p>	<p>This option affects a number of long stay tariffs that could reverse the increased long stay sales in Lancaster and further reduce the long stay sales in Morecambe.</p>	<p>The increase in long stay tariffs could lead to customers choosing not use car parks and park on-street in unrestricted parking areas causing further difficulties for residents living in these areas.</p> <p>There is always the risk that customer resistance would be greater resulting in budgetary issues.</p>

Option 1(c)

This is to consider approving Options 1a and 1b resulting in a range of increases covering both short stay and long stay car parks meeting the budgetary target of £45.6K and making a further contribution of approximately £33K.

The advantages, disadvantages and risks associated with this option are similar to those for Option 1(a) and 1(b) with a significantly increased risk of not actually achieving the levels of estimated additional income. This would have the potential to complicate further reviews of parking charges and potentially limit the tariffs that could be increased in 2014/15.

Option 2

This option is not to implement any parking fees and charge increases in 2013/14 resulting in a budget shortfall of £45.6K.

Advantages	Disadvantages	Risks
<p>This option limits the impact on parking usage and town centre businesses and trading.</p> <p>This option could ease the concerns of businesses and retailers about the</p>	<p>This option is unlikely to achieve the required budget contribution through increased usage.</p> <p>This option could lead to the need for larger increases in future years.</p>	<p>This option increases the budget preparation difficulties at a time when additional income or major savings are required.</p>

<p>major works being undertaken in Lancaster and reducing levels of usage in Morecambe.</p> <p>This option has the potential to reduce any further reductions in usage.</p> <p>This option is likely to receive the most support through the consultation process.</p>	<p>This option could lead to increased usage that could impact on traffic congestion.</p>	
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CABINET

Community Safety Priorities

22nd January 2012

Report of Head of Environmental Services / Head of Community Engagement

PURPOSE OF REPORT			
This report requests specific decisions related to the funding by Lancaster City Council of domestic abuse services in the district – in particular, the use of £50,000 Performance Reward Grant allocated in principle to address this issue. It also provides more general information on other aspects of community safety.			
Key Decision	<input type="checkbox"/>	Non-Key Decision	<input type="checkbox"/>
		Officer Referral	<input checked="" type="checkbox"/>
Date Included in Forthcoming Key Decision Notice	21.12.12 (Submitted as Joint Commissioning for Domestic Abuse Services in Lancashire)		
This report is public			

RECOMMENDATIONS OF HEAD OF ENVIRONMENTAL SERVICES/ HEAD OF COMMUNITY ENGAGEMENT

With regard to Domestic Abuse Services it is recommended that:

- (1) Cabinet agrees in principle the request from Lancashire County Council that Lancaster City Council contributes £12,000 a year for three years towards the commissioning of mainstream domestic abuse services (Appendix A)
- (2) £36,000 of previously allocated Performance Reward Grant (PRG) is used to meet the expectations in (1) above, and that the remaining £14,000 is allocated to maintaining the Domestic Abuse Outreach Service in the district 2013/14
- (3) £17,526 of unused funding earmarked for mainstream domestic abuse services during 2012/13 is returned to balances

With regard to Police Community Support Officers it is noted that:

- (4) The current position with regard to the City Council's part funding of nine additional PCSOs in the District for 2012/13 is that a growth bid will be required. Cabinet are requested to identify their position

With regard to CCTV it is recommended that:

- (5) That in view of the Council's budgetary provision and the contractual position of the Council's CCTV operation a review of CCTV is undertaken with recommendations to be brought forward to Cabinet in the 2013/14 financial year.

With regard to Lancaster City Council's other contributions to the Lancaster District CSP:

- (6) That Cabinet consider whether any contribution should be made in 2013/14 to contribute to the support of a range of other CSP activities.

Introduction

1.1 Clean, Green and Safe Places is a priority in Lancaster City Council's corporate plan. In addition the Council has some statutory responsibilities with regard to community safety.

1.2 Within the context of this and the budget setting exercise this report will provide Cabinet with a number of options in relation to-

- Domestic Abuse Services
- Police Community Support Officers (PCSOs)
- CCTV
- Other Community Safety activities

2.0 Domestic Abuse Services

2.1 The Government definition of domestic violence and abuse is due to be updated from March 2013, to:

“Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse: psychological, physical, sexual, financial, and/or emotional.”

2.2 The Lancaster & District Strategic Assessment, produced by Lancaster District Community Safety Partnership (LDCSP), highlights domestic abuse as one of its top five community safety priorities. Domestic abuse is worsening across the district with Lancashire Constabulary reporting an increase in domestic related crimes and referrals to Lancaster District Women's Aid (LDWA). Over the last 18 months there has been one domestic related murder within the district. Around 75% of victims of domestic abuse are female.

2.3 The Probation Trust also reports Lancaster District as being substantially worse than other areas, based on offender need.

2.4 At the time of writing, the recently elected Police and Crime Commissioner has yet to develop Lancashire's Police and Crime Plan; however the Commissioner has pledged to prioritise the issue of domestic violence and child sexual exploitation. Once set, Lancaster City Council has a legal obligation to work with regard to these priorities in all action taken to address the issue.

Current funding arrangements for Domestic Abuse Services

- 2.5 Historically across Lancashire funding for some of the services that support the victims of domestic abuse hasn't been part of the mainstream budgets of public sector agencies. Instead funding has been found each year from a variety of available budgets and partnership grants.
- 2.6 In 2011/12 Lancaster City Council contributed £20,000 towards the Independent Domestic Violence Advocate (IDVA) service. This service provides intensive support to victims of high level domestic violence; from safety planning to guidance through the Criminal Justice system, the IDVA service supports the victim and their family with regard to safety planning and living free from violence.
- 2.7 The former Lancaster District Local Strategic Partnership (LDLSP) and Lancaster City Council have also funded the District's Domestic Abuse Outreach Service. At a cost of £13,000 per annum, this service directly compliments the IDVA provision by supporting those at low to medium risk of domestic abuse, reducing the risk of escalation to violence which would require resources from many agencies as well as intensive support through the IDVA service.
- 2.8 Lancaster City Council has also contributed £25,000 through the Take Pride Community fund towards the development of the Lancaster District Women's Refuge. The refuge will provide emergency accommodation for up to six families in the District at any one time, and will open by April 2013. In addition, the council currently allocates £15,000 per year from the homeless prevention grant towards the sanctuary scheme which provides enhanced security measures to enable victims to remain in their property.
- 2.9 In 2012/13 an attempt was made by the Safer Lancashire Board to agree mainstream funding for the IDVA service from all the responsible community safety authorities, including the city council. Once again £20,000 was allocated for the service during the budget process. However, ultimately the city council was asked to contribute only £2,474 to the IDVA service for 2012/13, leaving a surplus for 2012/13 of £17,526.

New Proposals for Commissioning Domestic Abuse Services

- 2.10 Following further discussion and agreement by partners at a countywide level, arrangements are being put in place to mainstream funding to commission domestic abuse services for the next three years, 2013/14 to 2016/17. In particular this would provide a basic level of IDVA service provision across the whole of Lancashire. Calculations of need within each district have been used to determine what contribution each agency should make; from 2013 onwards the city council has been asked to contribute £12,000 per annum. This request has been formally made by Lancashire County Council (Appendix A - letter) and supported by the Lancashire Chief Executives Group (Appendix B – report)
- 2.11 All other Responsible Authorities under the Crime & Disorder Act 1998 are aware of their apportioned contribution and are making arrangements within their own management structures to ensure a consistent core IDVA service across the County. For comparison a proposed yearly contribution by the Lancashire Constabulary is £49,195 and Lancashire NHS is £17,180. Collectively all of the district councils in Lancashire are being asked to contribute a total of £341,278 (Appendix A).

Former Performance Reward Grant

- 2.12 The former LDLSP previously approved the allocation of £70,000 of Performance Reward Grant (PRG) funding for domestic abuse: £50,000 revenue for the extension of the IDVA service in the district and £20,000 capital to support the development of the Refuge. This decision was ratified in principle by Cabinet on the 26th July 2011 (Minute 26 refers).
- 2.13 Subsequently the LDLSP discovered that funding for the refuge would require far more capital funding than the nominal £20,000 allocated, and so this proposal was withdrawn and focus put onto the £50,000 revenue. There was a further delay to commissioning any service due to the earmarking of the funding as potential match for a large bid to the European DAPHNE Fund earlier in the year – this bid was ultimately unsuccessful and so the funds are now free for allocation.
- 2.14 It is proposed that £36,000 of this revenue funding is allocated to cover the request for Lancaster City Council to contribute to the proposed countywide domestic abuse services noted in 2.10 above. This will ensure the Authority meets its statutory requirement under Section 17 of the Crime & Disorder Act and statutory responsibility for reducing-reoffending introduced through the enactment of the Police & Crime Act 2009.
- 2.15 It is proposed that the remaining £14,000 be used to continue the Domestic Abuse Outreach Service currently funded by LDCSP using Police Authority Second Homes Funding. This service is offered to those experiencing/recovering from domestic abuse and provides support to those not deemed high risk and therefore not able to access the IDVA service.
- 2.16 The Outreach Service directly compliments the work of the IDVA in that it provides specialist support to enable victims to achieve or maintain safety and to establish themselves within the community and progress towards access to services available to them to meet their needs around domestic abuse and the more holistic needs of their families.
- 2.17 Early intervention can lead to victims achieving safety much earlier and the prevention of escalation of abuse in terms of severity and frequency. This can have a huge impact on the number of incidents of abuse a victim experiences and which in an estimated 90% of cases children witness directly or indirectly.
- 2.18 Funding for this service is due to cease in March 2013 and it is anticipated that there will be an increase in the number of low to medium victims presenting at higher risk level, placing additional demand on the basic IDVA service. The request from Lancashire County Council notes that this kind of early intervention will eventually form part of the mainstream provision. However, initially the countywide provision will be focused on high risk cases. By funding the outreach service in Lancaster District for another year this gap will be covered.
- 2.19 Both the IDVA service and Outreach provision will be managed, supervised and supported by the Lancaster District Women's Aid who provide the current weekday IDVA service. LDWA have recently merged with Blackpool Advocacy in order to develop a financially sustainable organisation that can provide a more effective and efficient IDVA service within Lancaster District.

Options and Options Analysis (including risk assessment)

	Advantages	Disadvantages	Risks
Option 1 Do nothing	Money can be used to fund other projects	Lack of provision in the District to support victims and those at risk of domestic violence / abuse	Increased 'hidden' domestic violence Additional costs to services within the District
Option 2 Agree basic level domestic violence service: £12,000 per annum for three years	Victims of high level domestic violence and their families supported from report of incident through to potential prosecution. Victims feel safer and place lesser demands on other public services	Basic provision does not meet the need of the District Increased IDVA work may raise number of referrals which the service may not be able to manage	High number of referrals, IDVA service not able to meet demand
Option 3 Agree the recommendations as proposed: use of full £50,000 of PRG	Basic IDVA service provision for three years supporting victims of high level Domestic Abuse. Continuation of current Domestic Abuse Outreach provision. Complimenting the IDVA service, the outreach provision will continue to support low to medium risk victims and prevent escalation of abuse.	Still doesn't meet the needs of the District, but will ensure continuation of current provision and development of a sustainable support system for victims at risk of, or experiencing domestic violence and/or abuse.	

Officer Preferred Option (and comments)

- 2.20 The preferred option is **Option 3**. The basic Domestic Abuse contribution of £12,000 for three years will ensure victims - and their families - of high level domestic violence are supported and enabled to make safer and better life choices. The outreach support will complement this service by supporting those at low to medium risk services preventing escalation of violence and increased demand on services.

3.0 Police Community Support Officers

- 3.1 For 2011/12 the City Council have contributed approx £99,000 to the funding of nine additional PCSOs in this District. Besides their core work these PCSOs also deliver a range of tasks agreed with the Council.
- 3.2 There is much evidence to demonstrate that besides their obvious contribution to community safety PCSOs also contribute to maintenance of the public realm.
- 3.3 Prior to the election of the Police and Crime Commissioner two thirds of funding of each PCSO was provided by the Home Office. Early indications are that the PCC will from 2013/14 continue to fund some of the cost of PCSOs. This has, however, yet to be confirmed.
- 3.4 At this stage it is unclear how many PCSOs will continue to be funded by the Police and other partners.
- 3.5 Currently no budgetary provision has been made for the City Council to fund PCSOs in 2013/14.
- 3.6 Cabinet are asked to confirm their position on the funding of PCSOs from April 2013.

4.0 CCTV

- 4.1 The Council currently funds a CCTV system; it is estimated that for 2013/14 this system will cost £188,000 of revenue funding to operate.
- 4.2 As part of the 2012/13 budget the hours during which actual operatives watch the CCTV footage were reduced to generate savings.
- 4.3 Other options including ceasing provision of the CCTV system were also considered.
- 4.4 In view of the Council's budget position going forward and the current contractual position with respect to the different elements of CCTV provision 2013/14 will provide an opportunity to once again review the Council's provision of CCTV.
- 3.7 Cabinet's views on whether they would wish to review the future provision of CCTV are requested.

5.0 Other aspects of Community Safety

- 5.1 The total 2012/13 income for the LDCSP was £79,100; of this Lancaster City Council contributed £13,100. This income has been used to support a number of projects within the District that address the issues identified in the Strategic Assessment:
- £13,000 to run the Domestic Abuse Outreach Service
 - £9,000 to run the Lancaster District Women's Centre
 - £3,000 to support the Lancaster Passport to Safer Cycling project
 - £13,000 towards Sports & Arts Diversionary Activities for Young People
 - £3,000 to run Lancaster Weekend Waste Management project
 - £10,000 to deliver an Alcohol Education Project
 - £9,200 to support the Hate Crime Officer post

- 5.2 In addition the LDCSP contributes approximately £6,000 per year toward the delivery cost of the Arrest Referral Scheme (Tower Project). Lancashire Drug and Alcohol Action Team (LDAAT) is the lead commissioning body for Drug Intervention Project (DIP) Lancashire; in North Lancashire the contract for delivery is held by Addaction.
- 5.3 Lancaster City Council also contributes towards the cost of the Multi Agency Database Exchange (MADE). The MADE project collects and processes data on behalf of all the agencies responsible for working towards a safer Lancashire. The team publish community safety profiles of wards and other small areas. This intelligence informs the commissioning of community safety services, the evaluation of initiatives, monitoring of progress and service planning.
- 5.4 There is currently a balance of £5,956 remaining within the LDCSP budget; Partners have agreed to transfer this into 2013/14 budget as it is anticipated income received next financial year will be much reduced.

6.0 Conclusion

- 6.1 The report sets out specific information for Cabinet to consider with regard to Domestic Abuse provision and also provides general information on other aspects of community safety that Cabinet should consider.

RELATIONSHIP TO POLICY FRAMEWORK

Clean, Green and Safe Places is a priority in the Council's corporate plan. In addition the City Council has statutory responsibilities with regard to community safety.

The activities detailed in this report support the priorities of the Lancaster District Strategic Assessment.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

The domestic abuse services proposed will have a positive impact on community safety and the human rights of the victims of domestic abuse. It is not anticipated there would be any adverse impacts in other areas.

LEGAL IMPLICATIONS

Legal Services have been consulted and have no further comments

FINANCIAL IMPLICATIONS FINANCIAL IMPLICATIONS

Details of the financial implications are set out within the body of this report. The latest draft revenue budgetary provision for direct costs associated with community safety, as reported to Cabinet today, can be summarised as follows :-

	2013/14 Estimate £K	2014/15 Projected £K	2015/16 Projected £K
CCTV (excluding recharges etc)	168	171	175
Contribution to LDCSP	23	17	14

TOTAL**188****188****189**

With regard to the allocation of the Performance Reward Grant (which is a non-ringfenced grant), it is now requested that the £50K is used to provide a £12K annual financial contribution to a Joint Commissioning Fund for Domestic Abuse, for a period of three years commencing 1st April 2013. It is also requested that the remaining £14K is allocated to maintaining the Domestic Abuse Outreach service in the district within 2013/14. Should Members choose to approve this recommendation then the budget will be updated accordingly as part of the current budget process.

The revised budget for 2012/13 includes an amount of £20K towards the Independent Domestic Violence Advocate (IDVA) service. As detailed in the report, there is a likely surplus of £17.5K which can be returned to general fund balances as part of the current budget process.

There is a current year (2012/13) contribution of £99k to fund nine additional PCSOs in the district. There is no budgetary provision for future years and Members are asked to confirm their position with regard to this matter.

The above table sets out the council's contribution to CCTV in the District however it is proposed that an operational review of CCTV is to take place in 2013/14. any recommendations arising from that review will be subject to a further report to Cabinet.

Again, the above table sets out the budgeted council's contribution to the LDCSP. The projections for 2013/14 and 2014/15 include provision to support the Hate Crime Officer post based at Wyre B.C. (£6K and £3k respectively). The allocation of the remaining budget is yet to be determined by the LDCSP.

OTHER RESOURCE IMPLICATIONS**Human Resources:**

NA

Information Services:

NA

Property:

NA

Open Spaces:

NA

SECTION 151 OFFICER'S COMMENTS

Cabinet is advised to consider the proposals in context of affordable priorities and the Council's financial prospects - in particular the need to make major budget savings in future years.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

none

Contact Officer: Amanda Crane**Telephone:** 01524 5882150**E-mail:** acrane@lancaster.gov.uk

Lancashire Chief Executives

Phone: (01772) 533438
Fax: (01772) 533353
Email: mel.ormesher@lancashire.gov.uk
Our ref: LCSSG/DA
Date: 18/12/2012

Dear Colleague

Joint Commissioning for Domestic Abuse Services in Lancashire

As you will know, specialist Domestic Abuse (DA) services in Lancashire are wholly funded by short-term grant monies, the majority of which will not continue after March 2013. Statutory Partners do not currently commission direct core services despite being heavily reliant on them to support victims of DA. Programmes for perpetrators are restricted to those within the criminal justice system.

In line with all of our discussions, this letter now seeks a formal commitment to financial contributions from partner agencies, to a Joint Commissioning fund of £3.5million. This will secure effective provision for vulnerable victims, children and young people, and to change the behaviour of perpetrators. The initial focus will be to stabilise the services for those in crisis, however it is essential that we reduce the number of high risk victims and so the overarching aim is to move investment into earlier intervention and reduce the level of harm.

Following on from discussions at the recent meeting of Lancashire Chief Executives, Lancashire County Council's Cabinet Members have agreed to contribute £500 000 towards this joint fund. This is in addition to the £1.5million Supporting People monies already provided. In order to ensure a robust commissioning approach to this activity, we will also appoint a dedicated Commissioning Officer from our core budget.

Domestic Abuse is a priority for many partners. The Police and Crime Commissioner for Lancashire identified Domestic Abuse as a priority and has committed support.

An early approach to tackling Domestic Abuse is a key priority for the Health and Wellbeing Board. This joint commission will provide a framework for prevention and early support informed by the JSNA.

Domestic Abuse is also a priority for Lancashire Community Safety Strategy Group which is leading on this approach to reduce the harm caused to victims and challenge the behaviour of perpetrators.

We are asking you to confirm a recurrent commitment from your organisation for three years, as set out at the end of this letter.

If you require any further information for your own governance purposes we would be happy to provide it and have attached the discussion paper considered by chief executives for your consideration.

We look forward to receiving your support for this important initiative and would be grateful if you could respond by Monday 28 January 2013. A pro-forma is attached for return to mel.ormesher@lancashire.gov.uk

Your time taken to fully consider this matter is greatly appreciated,

Yours sincerely,

A handwritten signature in black ink that reads "Helen Denton". The signature is written in a cursive, flowing style.

Helen Denton
Chair, Lancashire Community Safety Strategy Group
Executive Director for Children and Young People, LCC

cc. Chief Executives of Partner Organisations
LCSSG members
Community Safety partners

Joint Commissioning for Domestic Abuse Services in Lancashire**Please complete indicating the agreed response:**

Option 1 We agree to provide a financial contribution to a Joint Commissioning Fund for Domestic Abuse, as per the attached formula, and for an initial period of three years

Option 2 We do not agree and will not be contributing to this Joint Commission

Agreed on behalf of:

Organisation	
Date	
Name & Position	
Signature	

Please return to:*Mel Ormesher**Community Safety Manager**Lancashire County Council**Room B9c, County Hall**Preston PR1 8XJ**mel.ormesher@lancashire.gov.uk*

The table below shows the funding allocation requested from each district council towards the Joint Domestic Abuse Services Pooled Fund. The full formula and allocations requested from partners is shown in the Lancashire Chief Executives Discussion Paper attached.

Area	Contribution to pooled fund
Lancashire – District Council Total	£100,000
Burnley	£7,000
Chorley	£9,000
Fylde	£7,000
Hyndburn	£7,000
Lancaster	£12,000
Pendle	£8,000
Preston	£12,000
Ribble Valley	£5,000
Rosendale	£6,000
South Ribble	£9,000
West Lancashire	£9,000
Wyre	£10,000



LANCASHIRE CHIEF EXECUTIVES

23 November 2012

Discussion on Domestic Abuse: The Cost to agencies in Lancashire

1. Purpose of the report

Specialist Domestic Abuse (DA) services in Lancashire are wholly funded by short-term grant monies, the majority of which will not continue after March 2013. Statutory Partners do not currently commission direct core services despite being heavily reliant on them to support victims of DA. Programmes for perpetrators are restricted to those within the criminal justice system.

This paper presents the facts for discussion, and a summary of the business case that is currently being progressed to seek partner agency financial contributions to a Joint Commissioning fund. This will secure effective provision for vulnerable victims, children and young people, and to change the behaviour of perpetrators, and will focus on securing the services for those in crisis, and investing in earlier intervention and support.

Without secure funding it will not be possible to develop an effective, and equitable commissioned service to support the most vulnerable members of our community, and respond to the spiralling number of referrals.

2. What You Need to Know About Domestic Abuse

The Government definition of domestic violence and abuse is due to be updated from March 2013, to:

“Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse: psychological, physical, sexual, financial, and/or emotional.”

Controlling behaviour is: subordination, isolation from support, exploitation, deprivation of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.”¹

An abusive relationship may include different dynamics where one or both partners are violent and controlling, one or both is violent but with the controlling elements, one partner has been subject to abuse for some time, but then reacts violently in response or a combination of behaviour where it is difficult to identify which is victim or perpetrator. ^[1]

¹ Home Office 2012

^[1] Johnson 2008

Who Is Most Affected By Domestic Abuse?

Domestic Abuse is one of the largest causes of morbidity in women aged 19-44 worldwide. Nationally 500 women who have experienced domestic violence in the last six months commit suicide every year. Of these just under 200 attended a hospital for domestic violence on the day they committed suicide.²

- **1 woman is killed every 3 days and 12 men are killed every year, by a partner or former partner.**
- On average a victim is assaulted 35 times before reporting and only 21% of victims report it³.
- **In the UK, at least 1 in 4 women and 1 in 7 men will be a victim of domestic abuse in their lifetime⁴. This equates to 149,050 women and 82,171 men in Lancashire⁵.**
- Domestic abuse has a huge impact on the life chances of children and young people. 5,492 children were referred to LCCs Care Connect team for Domestic Abuse related issues, (April to August 2012).
- **8,144 children lived in households where the police were called to a domestic abuse incident⁶.**
- Much like many infections, violence is contagious. For instance, exposure to violence, especially as a child, makes individuals more likely to be involved in violence in later life.⁷
- **Exposure to domestic abuse and physical abuse in are two of the biggest predictors of both perpetrating and being a victim of domestic abuse as an adult.**

What Are The Risk Factors Associated With Domestic Abuse?

Disability - Women and men with a long-term illness or disability are almost twice as likely to experience domestic violence as others. 3% of victims in MARAC cases are registered disabled. 14% of people at risk of DA who accessed a service from Lancashire County Council's Supporting People between April 2009 and June 2012 considered themselves to have a disability.

Substance misuse - Partner assaults are 4 to 8 times higher among people seeking treatment for substance-dependence.

Young People - Half of all reported DA is within the 18-31 age-group⁸. 58% of service users for Lancashire County Council's (LCC) Supporting People Service fit this profile. The population of Lancashire is growing, particularly in the age groups which are over-represented in the reported figures. Domestic Violence Disclosure schemes (Clare's Law) may increase reporting.

Pregnancy - The greatest risk of DA for teenage mothers is in pregnancy and during the period just after a woman has given birth.⁹ 30% of reported DA starts or escalates during pregnancy.

Children - Women with children may be more vulnerable to staying in an abusive relationship because of their reluctance to disrupt the children, limited opportunities to gain financial independence and the ability to support an independent household.

Over 8,000 children were present in households where the police were called to a domestic abuse incident in Lancashire in six months (April to September 2012). Children who live with domestic violence are at

² S Walby 2004, The Cost of Domestic Violence

³ CAADA 2010

⁴ Centre for Social Justice, 2012

⁵ Office for National Statistics, 2011

⁶ MADE 2012

⁷ NWPHO, 2012, Protecting People, Promoting Health

⁸ Lancashire JSNA, Domestic Abuse, 2012

⁹ *ibid*

increased risk of behavioural problems and emotional trauma, and mental health difficulties in adult life¹⁰. Recent research by NSPCC states that children who have witnessed violence between their parents or other family members are: 4 times as likely to carry a weapon, such as a knife, or hurt someone badly than their peers; 3 times as likely to take drugs, steal, spray graffiti or bully others than their peers; twice as likely to get drunk or get into fights than their peers; and 5 times more likely to run away from home than their peers. Over half (56%) of children from violent homes show three or more of these kinds of disruptive behaviours whilst at secondary school.

Homelessness - Victims may be forced to leave their homes to escape DA, forced marriage or harassment. 42% of victims had left home for at least one night due to the abuse.¹¹ Family conflict and violence are among the key causes of homelessness among young people¹². 175 people requested a service from LCC's supporting people service in the three months April to June 2012, because they were in fear of domestic abuse, predominantly for re-housing needs. DA the most quoted reason for becoming homeless (40% of all homeless women cite domestic violence)¹³.

Employment - Women with a history of partner violence are more likely to have experienced spells of unemployment, a high turnover of jobs and suffered more physical and mental health problems that could affect job performance. 15% of people who were accessing services for DA issues from LCC's Supporting People stated that they were actively job-seeking.

Ethnicity - There is no statistically significant difference by ethnicity in the risk of being a victim of DA either nationally or locally within Lancashire. However, rules and expectations of behaviour in specific cultural or social groups can support violence and maintain harmful traditional practices such as domestic abuse, forced marriage, female genital mutilation and honour-based violence¹⁴.

Deprivation - 54% of Lancashire's reported DA crime victims lived in the most deprived 20% of LSOAs in England and Wales¹⁵. Proposed changes to the benefits system may adversely impact on the same group with a particular risk for those aged under 25 who may need to access housing benefit particularly when fleeing an abusive partner or are without recourse to public funds.

Repeat Victims - No other type of crime has a rate of repeat victimisation as high as domestic violence. 44% of victims of domestic violence are involved in more than one incident.

3. Background

Domestic Abuse services have relied on grant funding for many years resulting in instability and inconsistency. The majority of such grants have been substantially reduced or withdrawn, meaning that many services will cease in March 2013 without mainstream support.

Providers have been in competition with each other to secure funding, services have been built in response to the criteria set by grant rather than necessarily need leaving gaps and inconsistency in provision. Where a victim or perpetrator lives in Lancashire determines whether services are available. The system of grant allocation does not allow for rigorous performance and contract monitoring to ensure outcomes are achieved. Although there is a vast amount of evidence for the impact of intervention in domestic abuse cases, statutory services have been slow to acknowledge their role in prevention and reducing harm. However this is changing.

¹⁰ Hester, Pearson, & Harwin, 2000; new ed. 2007

¹¹ Coleman 2007

¹² Quilgars, Johnsen, & Pleace, 2008

¹³ Cramer & Carter, 2002

¹⁴ Lancashire JSNA, Domestic Abuse, 2012

¹⁵ Lancashire JSNA, Domestic Abuse, 2012

DA is a priority for the Lancashire Community Safety Strategy Group and the Health and Wellbeing Board as identified by the Strategic Assessment, and JSNA which have been produced in order to create a better understanding of the impact on community safety, health and wellbeing.

This problem is not the responsibility of any single agency and so there must be wide spread recognition of how wide the repercussions reach beyond the individual and throughout the community including social welfare, the criminal justice system, refuges, health care, employment, childcare, and housing. Developments in the last decade have shown that taking a more pro-active, preventative approach not only saves lives but also saves public money.

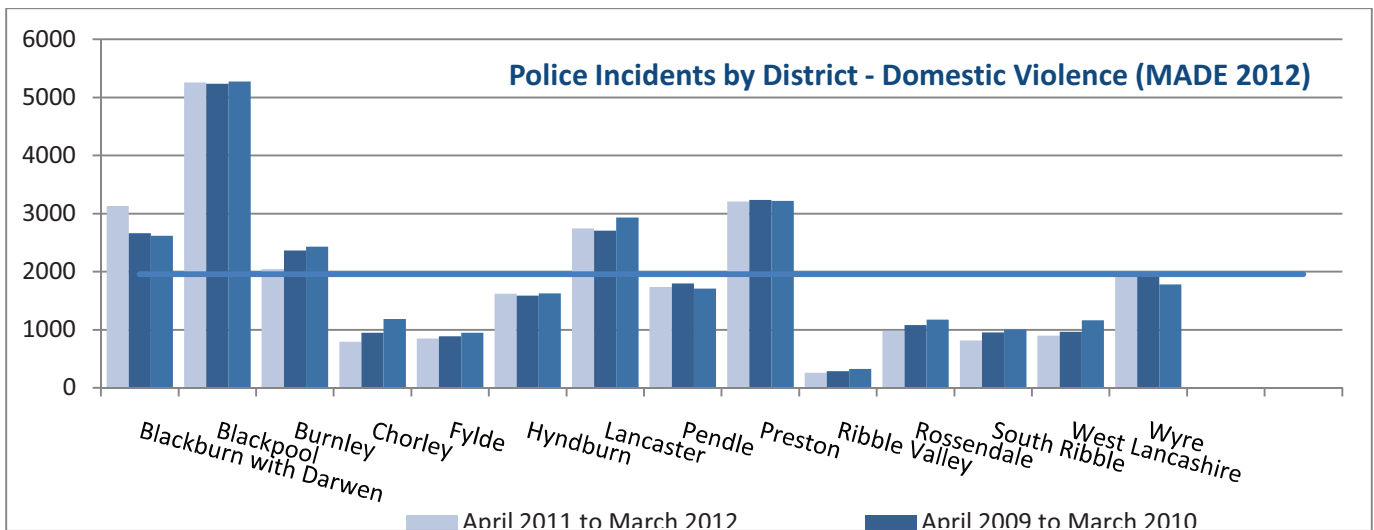
The funding distribution methodology in this paper has been identified by the Department of Trade & Industry based on research of the relevant cost of DA to each public service (and business) and the percentage of the overall cost relating to each organisation. The Business Case shows the suggested contribution from each public sector organisation based on that formula.

4. Prevalence and Trends

Lancashire Constabulary received 45,208 calls relating to domestic abuse between April 2011 and September 2012. Over 23,000 calls were made to domestic abuse service provider Helplines in the county.

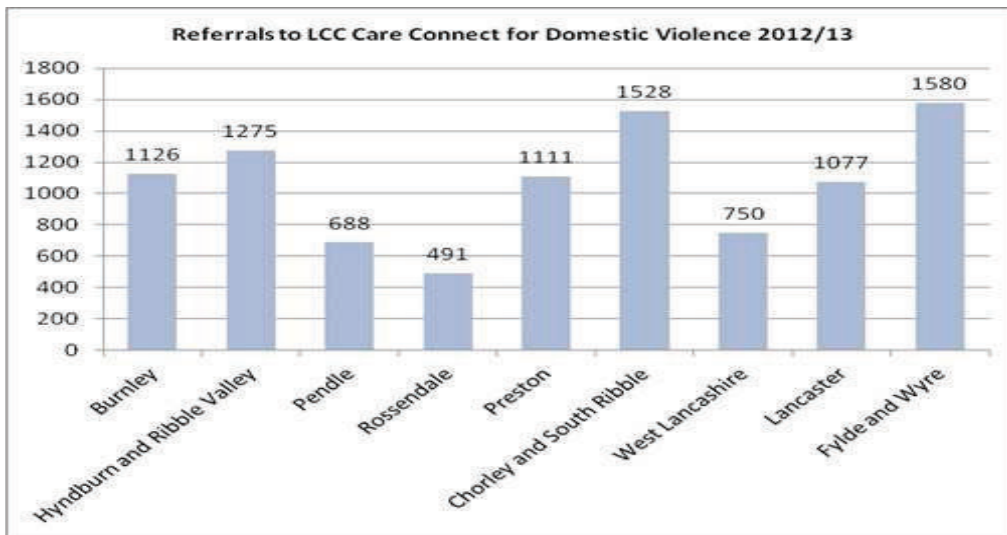
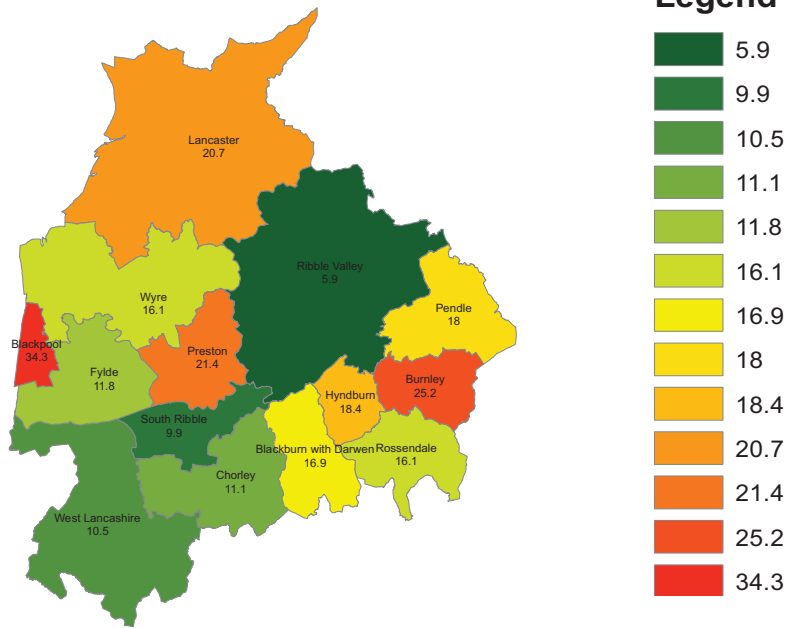
There were at least 736 attendances at accident and emergency departments within Lancashire there were assaults that took place in the home. 3,178 high risk cases warranted a MARAC (Multi-Agency Risk Assessment Conference) with over 1065 referrals to Independent Domestic Violence Advocates (IDVA) referrals in just six months.

Below is a breakdown of recorded police incidents for domestic violence across the pan-Lancashire area during 2011-12. Burnley, Lancaster and Preston are above the Lancashire average for reports of domestic violence to the police. However, according to the Child and Maternal Health Observatory, Lancashire's rate of domestic abuse of is 19.1 per 1000 population which places it in the top quartile of local authorities.



The below illustrate where the most calls relating to domestic abuse are made to police, and the spread across district of contacts to Lancashire's Care Connect regarding children living in households where Domestic Abuse is present.

**Calls to the police about DA
August 2011 - September 2012
(Rate/1000 pop)**



5. Costs to the Public Sector – Nationally

In 2004 Professor Sylvia Walby was commissioned by the Department for Trade and Industry to undertake extensive research in order to quantify the cost of domestic abuse to the country; this was later updated in 2009. The table below illustrates the total costs identified by the research:

Area	Costs 2001 £m (2004)	%	Costs 2008 £m (2009)	%
Public Services	3,111	13%	3,856	24%
Economic Output	2,672	12%	1,920	12%
Human and emotional costs	17,086	75%	9,954	63%
Total	22,869	100%	15,730	100%

Between 2004 and 2009 the overall cost of domestic abuse fell by £7.1million. As shown above, the reductions appear in the human and emotional and economic output costs, while the costs to services have

risen. Walby argues that this rise is as a result of investment in public sector services which has been cost effective to the country as a whole as the incidence of domestic violence has reduced.

In the 2009 update 24% of the cost of domestic abuse was borne by services. Although this is a rise on the 2004 research the percentage split across agencies remains the same in both studies.

6. Costs to Services in Lancashire

Services	2001 £m National	%	2008 £m National	%	2012 £m Lancashire
Criminal Justice System (32.7%)					
• Police (48 %)					
• CPS	1,261	32.7%	1,017		26.2
• HMCTS					
• Probation					
(52%)					
Health	1,730	44.86%	1,396	44.87%	35.8
Social Services	283	7.3%	228	7.3%	5.8
Housing and Refuges	196	5%	158	5.1%	4.0
Civil Legal Services	387	10%	312	10%	8.0
Total	3,856	100%	3,111	100%	80.1

Using Walby's formula, the above table further breaks down the cost to public services identified as 24% (£80,020,716) of the total cost to Lancashire estimated in the region of £333,419,650. Appendix A shows costs per District.

Walby estimates that 5% of the costs to services would be incurred by Local Authorities/ District Councils as part of fulfilling their homelessness duty, as 15% of their expenditure is incurred in relation to domestic abuse. These costs can be broken down as follows:

Type of Cost	State (local or national) £'000s	Individual £'000s	Total £'000s
Housing Authority	33,751 (26%)		33,751
Housing Benefit	37,462 (29%)		37,462
Refuges	52,161 (40%)		52,161
Furnishing a new home	6,280 (5%)	19,756	26,036
Re-possession costs		8,450	8,450

2011-12 national data indicates a slight reduction on Walby's estimate, reporting 12% of households accepted by local authorities as owed a homelessness duty reported violent relationship breakdown with partner¹⁶

7. Impact on services

In addition to the impact on services equating to £3.9 billion as identified by Walby, CAADA also identified the impact a domestic abuse case receiving Independent Domestic Violence Advocate (IDVA) support has on public sector services. They report that the cost per case amounts to £20,000 with the following service usage for 1 case:

¹⁶ DCLG Quarterly Returns 2012

- 6 police call outs and involvement in violent incidents
- 3 visits to hospital emergency departments
- 1 appointment with mental health services
- 3 criminal justice system prosecutions
- 4 visits to GP surgery
- 1 visit to sexual health clinic
- Stay in refuge for 6 nights

Between April 2011 and March 2012, 2258 cases were supported by IDVA's in Lancashire, this would equate to over £45 million, and would culminate in 9,032 GP visits, 13,548 police call outs, 6,774 visits to A&E and 13,548 nights in refuge accommodation. The cost of this single case equates to just less than half the cost of one IDVA post.

8. Current funding

The exact amount of funding being directed towards specialist DA services across Lancashire is difficult to quantify due to the nature of the current commissioning arrangements. Specialist service provision has relied heavily on grant funding secured on a short term basis from statutory services and the voluntary sector. An initial scoping exercise of partner contributions, showed that:

- **Borough Councils (inc LSP and Lancashire Police Authority grants):** approximately **£341,278**. (10.6%) Individual contributions varied with 3 contributing less than £5k, 6 between £9k-£20k, and a further 3 just over 20k. Of those Preston contributed £159,154 and Pendle £66,648
- **Lancashire County Council:** approximately **£336,000** through grants, plus an additional **£1,500,000** supporting people monies (55%)
- **NHS Lancashire: £174,180**, of which £51,166 is via East Lancs public health (5%)
- **National and local Charities**, (e.g. comic relief): **£638,793** in Lancashire (16%)
- **Lancashire Constabulary: £49,195** (2%)
- **Home Office Grants: £55,000** (2%)*

*% do not total 100% as contributions were received from other sources.

The table below gives an indication of the types of service the resource provides (Current Cost). The levels of service provided are currently inconsistent across Lancashire. In response to this some work has been done to identify what an extended service might look like, and the minimum costs involved. This has been translated into a possible future cost in the table below.

Service Area	Service Description	Current Cost (Approx)	Possible Future Cost	Gap	
1. Early Identification/Prevention	<ul style="list-style-type: none"> • Helpline • Education/ Awareness • PSHE for children and young people • Training for professional 	<ul style="list-style-type: none"> • First point of contact for women in crisis/ Referral pathway for Professionals • Training of Professionals, events, campaigns and awareness raising sessions 	£48,000 Majority grant funded	£120,000	£120,000
2. Specialist Services: (high/medium and low) For women and men experiencing domestic abuse.	<ul style="list-style-type: none"> • IDVA's- high risk • MARAC's- high risk • Outreach- medium risk • Counselling Services • Sanctuary schemes 	<ul style="list-style-type: none"> • Intensive advocacy support for high risk victims of domestic abuse • One to one and group work interventions inc. evidence based programmes and utilising CBT. • One to One and group specialist domestic abuse counselling 	£1,560,000 Majority grant funded	£1,362,600	£1,362,600

<p>3</p> <p>Specialist Services: (High Medium and low) For children and young people affected by domestic abuse.</p> <ul style="list-style-type: none"> • KIDVA's • One to one and group Therapeutic interventions 	<ul style="list-style-type: none"> • Interventions for child victims of domestic violence. • Assessment of children entering DV services • Advocacy and safeguarding of children • Activities for child victims of domestic violence. • Enables a Total Family response. 	<p>£378,000</p> <p>Majority grant funded.</p>	<p>£480,000</p>	<p>£3480,000</p>
<p>4</p> <p>Specialist services: for perpetrators of Domestic abuse.</p>	<p>Community Voluntary Perpetrator Programme</p> <hr/> <p>Non DV Offenders Perpetrator Programme</p> <hr/> <p>Mandatory Perpetrator Programme</p>	<p>£13,000</p> <p>£0</p> <p>Not Inc.</p>	<p>In Kind</p> <p>In Kind</p> <p>In Kind</p>	
<p>5.</p> <p>Housing Support for families living away from domestic abuse</p> <ul style="list-style-type: none"> • Refuge Accommodation • Supported Accommodation 	<p>Safe temporary accommodation for victims and children</p> <p>Floating support</p>	<p>£1,500,000</p>	<p>£1,500,000</p>	<p>£0</p>
<p>Total Cost of specialist provision</p>		<p>£3,499,000</p>	<p>Total Gap</p>	<p>£2,000,000</p>

It must be stressed that this is still a very basic model of service which allows for the crisis response to be stabilised across Lancashire, with some costs allocated to earlier support work.

9. Partner Funding Requirements

The total cost of sustaining the current level of investment in domestic abuse in Lancashire is £3.5 million.

There is a £1.5 million Supporting People budget contribution that LCC makes and which will become recurrent for the foreseeable future.

- There is further £2 million shortfall which statutory partners are asked to contribute to.

Using the Walby methodology, the financial contributions that could be allocated to each partner in Lancashire, are shown in Appendix A, with a district breakdown at Appendix B.

10. Progress to Date

- The need for Statutory Partners together to take responsibility for tackling DA and develop appropriate service provision has been recognised.
- To ensure the whole system is secured, a commissioning review is underway, with needs analysis, stakeholder engagement and service user consultation complete.
- To move forward, Statutory Partners need to show their commitment to reducing the harm caused by DA by collaborating to fund an 'invest to save' jointly commissioned core service.

- This approach has already been piloted in order to continue provision of the Independent Domestic Violence Advocates (IDVA) service for this financial year. All partners have contributed mainstream funds and an improved performance framework is in place.
- **If this approach is not supported, then the inequity in provision will increase, the availability of services will decrease and cease in many instances, resulting in vulnerable families being left without support and subject to harm.**

11. What will Funding Provide?

- A consistent core offer of evidenced based interventions for victims, children and young people and perpetrators across the continuum of need
- A mixed economy of provision utilising both the statutory and voluntary sectors
- Clear and consistent pathways through the continuum to appropriate services
- A whole family approach to reducing domestic abuse

In order to achieve the following outcomes:

- A reduction in the cost of high end specialist services
- Perpetrators are equipped with the skills to address their behaviour and reduce violence
- Children and young people are able to live in homes that are free from violence in order to achieve positive outcomes and manage healthy future relationships
- Victims are enabled and feel confident to live free from abuse

12. Next Steps If agreed

- Lancashire Community Safety Strategy Group will consider the joint commissioning proposal at its meeting on 27 November. If agreed, the intention is to create a pooled budget from which to fund specialist services from 1 April 2013.
- The incoming Police and Crime Commissioner will be invited to collaborate in this approach.
- With funding secured, a 3-year plan will be developed in order to address gaps in provision and reduce the number of high risk cases requiring specialist provision whilst moving to an early support model. This may include the de-commissioning of some activity, re-shaping of services and a rigorous performance management system to ensure outcomes are delivered.

Recommendation

The Chief Executives Group is asked to agree the contributions identified in order to;

- Secure specialist domestic abuse services
- Support efforts to provide a consistent and effective system of domestic abuse provision in Lancashire.
- Reduce the harm caused by domestic abuse and improve outcomes for children and young people, victims and perpetrators.
- Welcomes that the Police and Crime Commissioner recognises domestic abuse as a priority for action across Lancashire.
- To request that the Lancashire Shadow Health and Wellbeing Board continues to adopt domestic abuse as a priority.
- That Clinical Commissioning Groups and Registered Social Landlords be encouraged to adopt domestic abuse as a priority and that options for partnership working and investing be explored with them.

Appendix A: Costs to Public Services in Lancashire

Service Area	Lancashire Partner	In kind contribution	£ contribution to pooled budget	Invest to save value*
Criminal justice system (32.7%)	Police & Crime Commissioner		654,000	3,924,000
	Police		156,690	
	Probation		156,690	
	HMCTS Crown Prosecution Service	114,000 114,000	114,000	
Health care (44.86%)	Clinical Commissioning Groups 70%		896,000	5,376,000
	LCC Public Health 20%		627,200	3,763,200
	National Commissioning Board 10%		179,200	1,075,200
Social services (7.3%)			89,600	537,600
Social services (7.3%)			146,000	876,000
Housing and refugees (5%)	12 District Councils (Appendix B - Individual Contribution based on population and prevalence)		100,000	600,000
Civil legal services (10%)			200,000	1,200,000
Total Pooled Budget			2,000,000	12,000,000

*For every £1 spent saves £6 (CAADA Saving Lives Saving Money) research indicates that for every £1 invested in domestic abuse services £6 will be saved. The evidence base for IDVA's and MARAC's identifies a 60% reduction in the recurrence of DA. If 60% of domestic abuse stopped in the 2011-12 IDVA caseload this could achieve an annual saving of £27million.

It is recognised that not all partners within Lancashire who would benefit from investing to save are commissioners. For some partners, the ability to contribute financial resources to a pooled approach is therefore limited and as such a contribution in kind is requested.

Appendix B: Calculated Costs per Population by District

Area	Population (Census mid-year estimate 2011)	Yearly Costs in £ (approx £286 per head of population)*	Yearly Prevalence of Domestic Violence (1 woman in 10)**	% to pooled fund	Actual to pooled fund
Lancashire	1,165,803	333,419,650	49,162		£100,000
Burnley	85,575	24,474,450	3,586	7	£7,000
Chorley	104,785	29,968,510	4,389	9	£9,000
Fylde	76,348	21,835,528	3,323	7	£7,000
Hyndburn	81,111	23,197,746	3,277	7	£7,000
Lancaster	139,757	39,970,502	6,009	12	£12,000
Pendle	89,312	25,543,232	3,659	8	£8,000
Preston	134,641	38,507,326	5,659	12	£12,000
Ribble Valley	57,676	16,495,336	2,401	5	£5,000
Rossendale	67,119	19,196,034	2,808	6	£6,000
South Ribble	108,166	30,935,476	4,604	9	£9,000
West Lancashire	110,244	31,529,784	4,723	9	£9,000
Wyre	111,069	31,765,734	4,724	10	£10,000

*£291 per head calculated using Walby 2004 formula but updated using cost of domestic abuse from Walby's 2009 update and dividing it by the population estimate for 2009.

CABINET

**OUT OF OFFICE HOURS RESPONSE TO SEVERE WEATHER
22nd January 2013**

Report of Head of Environmental Services

PURPOSE OF REPORT			
To enable Cabinet to consider generally how the Council should respond to severe weather occurrences out of office hours, and specifically the arrangements for the provision of sandbags to members of the public.			
Key Decision	<input type="checkbox"/>	Non-Key Decision	<input type="checkbox"/>
		Referral from Officer	<input checked="" type="checkbox"/>
Date of notice of forthcoming key decision	NA		
This report is public			

RECOMMENDATIONS OF HEAD OF ENVIRONMENTAL SERVICES

- (1) That in the event of severe weather occurrences out of office hours the operational response should continue to be in accordance with that which is statutorily required under the Civil Contingencies Act.
- (2) That Cabinet considers the issue of provision of sandbags to members of public.

1.0 Introduction

- 1.1 Contained within the Civil Contingencies Act are a number of statutory roles and duties that the City Council has to undertake in the event of emergencies. Practical arrangements are in place to fulfil essential requirements.
- 1.2 Besides these arrangements the City Council has specific operational arrangements in place to cover out of office statutory responsibilities, contracts, formal agreements, emergencies (eg fallen trees, cleaning up after road traffic accidents, dangerous buildings, call outs to Council buildings, placing of storm boards on Morecambe promenade).
- 1.3 In recent years there has been an increase in the amount of severe weather warnings issued for the area. These warnings have preceded events such as prolonged periods of snowfall, ice, heavy rain and localised flooding.
- 1.4 The immediate impact of these severe weather events is disruption to travel and in the case of heavy rainfall or strong winds the potential of damage to property.

- 1.5 Experience from a number of recent severe weather events both nationally and locally has been that when the severe weather event has occurred out of office hours there is an expectation that besides the emergency services the local Council will provide an immediate operational response in some shape or form. It is not clear quite what operational response is expected but there does seem to be a popular perception that the local Council should be at the scene doing something.
- 1.6 Putting popular perceptions aside in general terms the County Council is the responsible authority for highways. Property owners are responsible for their properties.
- 1.7 The District Council's main responsibility is to oversee subsequent clean up after the event –eg in the event of floods.
- 1.8 If an event occurred such as a major fire that required wholesale evacuation of properties then the District Council would also be involved, with a number of other agencies. Specific arrangements are in place to deal with this.
- 1.9 This report is to seek Cabinet's view on whether the City Council's immediate operational response should be more than that statutorily required and indeed currently provided when a severe weather event occurs out of office hours.
- 1.10 For the purpose of this report the term immediate operational response refers to having frontline staff available with a suitable vehicle and equipment who could attend the scene of a flood or severe weather event and provide a City Council presence. In doing so the City Council would be acting above what it is required to do.
- 1.11 As the City Council does not have any specific statutory duty to provide an immediate operational out of hours response the situation currently is that –
 - *Apart from the capacity described in paras 1.1, 1.2 the Council does not have staff on standby to provide an immediate operational out of office hours response in the event of severe weather etc.*
- 1.12 This means that currently if a severe weather event were to occur out of office hours the City Council could not provide an immediate operational response and indeed has no specific statutory duty to do so. If the severe weather event occurred during office hours again there is no specific statutory duty to provide an immediate operation response. However, there have been many occasions where assistance has been provided to agencies making the request by diverting existing staff from their scheduled duties, on the basis of mutual aid and at this point it is envisaged these mutual aid arrangements would continue.
- 1.13 Historically the City Council also makes sandbags available to members of the public. These have to be picked up by the individual from outside White Lund Depot. Contrary to popular opinion, there is no statutory duty for any Council to provide sandbags to members of the public and indeed doing so has led to confusion as to what local residents might expect to be provided by the Council. For example residents who might wish to make use of this facility but have no means of transport. Nowadays, of course, they are widely available at builders' merchants etc. No monitoring of who takes the sandbags and where they go takes place. In the last 12 months around 2500-3000 sandbags have been taken by members of the public. The cost of providing these is approximately £6750- £8100.
- 1.14 It should also be noted that sandbags often only have a very limited effect in flooding situations. They are most effective in diverting running water. In a

rising water situation however the water will most probably rise on both sides of the sandbags rendering them ineffective and so they are not a 'cure all' solution.

2.0 Proposal Details

2.1 The proposal is that Cabinet notes council policy with regards to out of hours operational response in the event of severe weather and considers the issue of sandbags. This will ensure that a consistent message is provided to residents and other stakeholders.

3.0 Details of Consultation

3.1 No consultation has been undertaken

4.0 Options and Options Analysis (including risk assessment)

OUT OF HOURS OPERATIONAL RESPONSE

	Option 1a Continue with the existing policy of not providing an operational response over and above statutory responsibilities in the event of an out of office hours severe weather event.	Option 1b Provide a year round enhanced out of office hours response in the event of severe weather	Option 1c Provide an enhanced out of office hours response when severe weather warnings are received
Advantages	Consistent with statutory duties of a District Council	. Would meet the expectations of some of the public	Would meet the expectations of some of the public
Disadvantages	- Contrary to the expectation of some of the public - Contrary to the expectation of some stakeholders	Would require a team of 2 to be on permanent standby and to be trained accordingly. The staff would also have to be paid for call out. This would cost a minimum of £11,400 per annum. There would obviously be additional staff costs if attendance was required at the	Would require a team of 2 to be on standby for a minimum of 7 days when a severe weather warning is received. Assuming 10 severe weather warnings in a year the approx cost would be £1000 for standby. There would obviously be additional staff costs if attendance was required at the

		<p>incident.</p> <p>The City Council would be operating beyond its statutory responsibilities which raises public expectations</p>	<p>incident.</p> <p>-sometimes severe weather events (eg flash floods) aren't always accompanied by severe weather warnings.</p> <p>If the severe weather warning was received out of office hours it may not be possible to contact the team to put them on standby.</p> <p>The City Council would be operating beyond its statutory responsibilities which raises public expectations</p>
Risks	- Adverse publicity		- raising of public expectation

PROVISION OF SANDBAGS TO MEMBERS OF PUBLIC

	Option 2a Continue to make sandbags freely available for people who wish to collect them from WLD	Option 2b Introduce a charge for the provision of sandbags members of public	Option 2c Discontinue the policy of making sandbags available to members of public
Advantages	Meets the expectations of some of the public	Meets the expectations of some of the public Already the practice in a number of Councils Ensures sandbags are used for the purpose intended	Ensures the Council is not acting beyond its statutory duties Encourages householders to consider in advance how best to protect their home Saves around £6750- 8100 per

			annum
Disadvantages	<p>Already the Council receives requests from the public to deliver the bags to peoples homes because they have no transport. These are declined which causes upset to the member of public.</p> <p>Anecdotal evidence suggests the sandbags are used for all manner of things other than protection from flooding. There is nothing to prevent one person coming and taking away the whole supply of sandbags that is left outside the depot</p> <p>Goes beyond the Council's statutory duty</p> <p>Around 2500- 3000 sand bags are taken per year which costs the Council around £6750- 8100</p> <p>Doesn't encourage people to plan ahead for severe weather.</p>	<p>Would require administering. Charges for the sandbags would have to reflect this</p>	<p>Contrary to the expectation of some of the public</p>
			<p>Adverse publicity – this is a key concern when there has been so much flooding recently elsewhere in the UK. Much footage has been</p>

			shown of sandbags being deployed – to varying degrees of success on national and local news.
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NOTE- the Council also retains a supply of sandbags for its own use in the event of emergencies and will continue to do so.

5.0 Officer Preferred Option (and comments)

- 5.1 The Officer preferred option is that in the event of severe weather occurrences out of office hours the operational response should continue to be in accordance with that which is statutorily required under the Civil Contingencies act.
- 5.2 With regards to sandbag provision currently by providing free sandbags for collection the Council is acting beyond what is statutorily required, and at a direct cost to the Council. The options Cabinet have in this regard are outlined in the table above.

6.0 Conclusion

- 6.1 It is in the Council's interests to ensure that there is clarity as to the Council's position on these issues.

<p>RELATIONSHIP TO POLICY FRAMEWORK</p> <p>As outlined in the report.</p>
<p>CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, HR, Sustainability and Rural Proofing)</p> <p>The Environment Agency provides clear and easily accessible information to all as to the risk of flooding in specific areas.</p> <p>The Met Office provides clear and easily accessible information to all as to the risk of severe weather events.</p>
<p>LEGAL IMPLICATIONS</p> <p>Legal Services have been consulted and have no further comments.</p>
<p>FINANCIAL IMPLICATIONS</p> <p>Option 1b- Should Members choose to provide an out of office hours response in the event of severe weather then there would be a corresponding financial cost. As detailed in the report, a team of two would be required to be on permanent standby plus also any additional call out and associated vehicle costs. Whilst the call out costs are unquantifiable, the cost of standby is approximately £110 per week per employee, therefore the annual cost equates to a minimum of £11,400. There is currently no budgetary provision for this amount.</p>

Option 1c-The option of putting a team on standby when a severe weather warning is received would be cheaper. In order to ensure that the service could be staffed it would be necessary to leave staff on standby for a minimum of 3 days whenever a severe weather warning was received. If there were 10 severe weather occurrences during the year this would equate to a minimum cost of £1,000. Again, there is no budgetary provision for this amount.

The 2012/13 general fund budget for Regeneration & Planning includes £173,700 for R&M in respect of sea and river plus promenade flood defences. This amount includes the cost of sandbags taken by members of public which is estimated at £8,100 per annum. Should Members choose to discontinue offering the public free sandbag provision or introduce a charge to cover the cost of sandbags, then this amount will be built into the savings proposals within the current budget setting process.

OTHER RESOURCE IMPLICATIONS

Human Resources:

NA

Information Services:

NA

Property:

NA

Open Spaces:

NA

SECTION 151 OFFICER'S COMMENTS

Cabinet is advised to consider the proposals in context of affordable priorities and the Council's financial prospects - in particular the need to make major budget savings in future years.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

None

Contact Officer: Mark Davies

Telephone: 01524 582401

E-mail: mdavies@lancaster.gov.uk

Ref:

CABINET

Storey Creative Industries Centre: Progress Update 22 January 2013

Report of the Head of Resources

PURPOSE OF REPORT			
To provide Cabinet with an update on the position regarding the Storey Creative Industries Centre (CIC).			
Key Decision	<input type="checkbox"/>	Non-Key Decision	<input type="checkbox"/>
			Referral from Officer
			X
Date Included in Forward Plan	N/A		
This report is public, but it is expected that an update on tenant accounts will be provided at the meeting and this would be exempt from publication by virtue of paragraph 3 of Schedule 12a of the Local Government Act 1972.			

RECOMMENDATION OF THE HEAD OF RESOURCES:

- (1) That Cabinet notes the report and makes any further recommendations as it considers appropriate.

1 INTRODUCTION

- 1.1 At its meeting in October Cabinet requested a regular update on the position regarding the Storey. This report briefly outlines progress and matters arising between the December Cabinet meeting up to 07 January; any later events will be reported at the meeting.

2 GENERAL PROGRESS

- 2.1 Work continues on developing the brief for the future of the Storey, and a general invitation went out to tenants for them to have the opportunity to contribute their views and ideas. Sessions will have been held by the time of the Cabinet meeting. The aim is to develop a draft business plan for the Storey, for consideration by Cabinet.
- 2.2 One new tenant moved into the Storey in December and other new tenants are being sought. An up to date position statement on the tenants' rent accounts will be provided at the meeting; this will be exempt from publication, and the press and public may be excluded from this part of the meeting.
- 2.3 A report elsewhere on the agenda covers the outcome of the building conditions survey, including the Storey. In broad terms the estimated value of all works identified are around £500K but this does not allow for bringing the

top floor back into use. The draft business plan will take account of the outcome of the survey and the phasing of works.

- 2.4 A premises licence has been gained to cover regulated entertainment for the public space, and for the sale of alcohol.
- 2.5 Whilst Property Service resources have been increased slightly in the interim to help with the increased workload, it is reiterated that Storey operations are taking up considerable Officer time, not just in Property Services, and it is inevitable that other work and tasks will be adversely affected.
- 2.6 Finally, the Facing North art exhibition will take place in the Storey Gallery from 08 February to 09 March. This exciting exhibition illustrates the talent and diversity of 50 Northern artists living and working in the North of England, who provide an exceptional standard of talent in the visual arts.

3 CONCLUSION

- 3.1 Even given the short space of time elapsed and the many other work demands, progress is still being made. Establishing a sound, viable operation for the longer term is not a quick job, however.

RELATIONSHIP TO POLICY FRAMEWORK	
The Storey operation will need to support Council's priorities and be sustainable, to fit with the Council's theme of managing the Council's resources to deliver value for money.	
CONCLUSION OF IMPACT ASSESSMENT	
Not applicable at this stage – this report is for information only.	
LEGAL IMPLICATIONS	
None arising directly as a result of this report.	
FINANCIAL IMPLICATIONS	
As referred to in the report. The draft operating budget will continue to be updated and reported through to Members.	
OTHER RESOURCE IMPLICATIONS	
Human Resources / Information Services / Property / Open Spaces:	
As reflected in the report. Again, one of the biggest concerns to appreciate is the amount of Officer time being spent on the Storey and that this has an adverse impact on other workloads.	
SECTION 151 OFFICER'S COMMENTS	
The s151 Officer has produced this report, in her capacity as Head of Resources.	
MONITORING OFFICER'S COMMENTS	
The Monitoring Officer has been consulted and has no further comments to add.	
BACKGROUND PAPERS	Contact Officer: Nadine Muschamp
None.	Telephone: 01524 (58)2140
	E-mail: nmuschamp@lancaster.gov.uk
	Ref: NM/ES/Cttees/Cabinet/09.10.12

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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