

CABINET

WEDNESDAY, 6TH SEPTEMBER, 2017, 5.00 PM

SHIELD ROOM, CIVIC CENTRE, WEST PADDOCK, LEYLAND, PR25
1DH

AGENDA

1 Apologies for Absence

2 Minutes of the Last Meeting

(Pages 3 - 6)

Minutes of the last meeting held on 27 July 2017 attached to be signed as a correct record.

3 Declarations of Interest

Members are requested to indicate at this stage in the proceedings any items on the agenda in which they intend to declare an interest. Members are reminded that if the interest is a Disclosable Pecuniary Interest (as defined in the Members' Code of Conduct) they must leave the room for the whole of that item. If the interest is not a Disclosable Pecuniary Interest, but is such that a member of the public could reasonably regard it as being so significant that it is likely that it would prejudice their judgment of the public interest (as explained in the Code of Conduct) then they may make representations, but then must leave the meeting for the remainder of the item.

4 Management Structure for Consultation

(Pages 7 - 18)

Report of the Chief Executive attached.

5 Communicating with Residents and Businesses

(Pages 19 - 26)

Report of the Interim Corporate Improvement Manager attached.

6 Statement of intent for Energy Company Obligation (ECO) Flexible Eligibility

(Pages 27 - 96)

Report of the Director of Development, Enterprise and Communities attached.

7 Cabinet Forward Plan

(Pages 97 - 104)

To approve the latest version of the Cabinet's Forward Plan as at 29 August 2017.

8 Worden Park Toilet Provision

(Pages 105 - 112)

Report of the Director of Neighbourhoods, Environmental Health and Assets attached.

9 Exclusion of Press and Public

To consider the exclusion of the press and public for the following items of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

By Virtue of Paragraph 3: Information relating to the financial or business affairs of any particular person (including the authority holding that information).

10 Worden Park Toilet Provision

(Pages 113 - 120)

Confidential report of the Director of Neighbourhoods, Environmental Health and Assets attached.

Heather McManus
CHIEF EXECUTIVE

Electronic agendas sent to Members of the Cabinet Councillors Peter Mullineaux (Chair), Colin Clark (Vice-Chair), Cliff Hughes, Jacqui Mort, Phil Smith, Susan Snape and Graham Walton

The minutes of this meeting will be available on the internet at www.southribble.gov.uk

Forthcoming Meetings

5.00 pm Wednesday, 25 October 2017 - Shield Room, Civic Centre, West Paddock, Leyland, PR25 1DH

SOUTH RIBBLE BOROUGH COUNCIL**Cabinet**

Meeting held at 5.00pm on Thursday 27 July 2017 in the Shield Room, Civic Centre, West Paddock, Leyland PR25 1DH

Present:-

Councillor Peter Mullineaux (Leader of the Council) (in the chair)

Councillors Cliff Hughes (Strategic Planning & Housing), Jacqui Mort (Public Health, Safety and Wellbeing), Phil Smith (Regeneration & Leisure), Susan Snape (Finance) and Graham Walton (Neighbourhoods and Street Scene)

In Attendance:-

Mark Gaffney (Director of Neighbourhoods, Environmental Health & Assets), David Whelan (Legal Services Manager/Interim Monitoring Officer) and Andy Houliker (Senior Democratic Services Officer)

Also in Attendance:-

Peter Haywood (Revenues Manager), Denise Johnson (Director of Development, Enterprise & Communities) and Joanne Platt (Interim Corporate Improvement Manager)

Public Attendance: - 0

Other Members and Officers: - Councillors Jane Bell, David Bird, Bill Evans, Derek Forrest, Paul Foster, Mary Green, Michael Green, Jon Hesketh, Sue Jones, Keith Martin, Barbara Nathan, Mike Nathan, Mick Titherington, Matthew Tomlinson and Karen Walton and 3 officers

17. Apologies for Absence

None.

18. Minutes

RESOLVED (UNANIMOUSLY): That subject to the amendment of min. no.13 resolution (4) to replace the words 'Delegated authority granted' ... with 'Council be recommended to grant authority' ..., the minutes of the Cabinet meeting held on 21 June 2017 be approved as a correct record.

19. Declarations of Interest

None.

20. Business Rates Re-Valuation Discretionary Relief Policy

The Director of Development, Enterprise & Communities and the Revenues Manager addressed the Cabinet with a report that sought approval to implement three business rate relief schemes for rate payers following revaluation of rateable values in April 2017.

Two were central government schemes and the third was discretionary. In respect of the latter Discretionary Local Relief Scheme there was sufficient grant funding for 2017/18. However, this funding would reduce annually and the council would review this scheme after the initial year.

It was confirmed that this item came within the Corporate Support and Assets portfolio. Although following the appointment of the new Chief Executive the Leader may review the portfolios.

RESOLVED (UNANIMOUSLY):

1. Approve the Discretionary Local Relief Scheme for 2017-18;
2. Approve delegation to the Director of Development, Enterprise & Communities to design a scheme for subsequent years to 2020-21 in consultation with the Cabinet member for Corporate Support and Assets and the Chief Finance Officer; and
3. Approve delegation to the Revenues Manager following consultation with the Cabinet member for Corporate Support and Assets and the Chief Finance Officer to consider individual applications for relief from ratepayers who are suffering hardship caused by the re-valuation.

21. Proposal for a Borough Wide Leisure Health and Wellbeing Campus Approach

The Director of Development, Enterprise & Communities remained and present the report. The council's Corporate Plan 2017/18 included actions to complete a review of leisure by March 2018. This report proposed the ambitious way forward with the development of borough-wide leisure campuses (focused around leisure centres). Discussions were being held with partners and included health and wellbeing.

There were comments from members not on Cabinet on the apparent change in direction of the review from the vision around Heatherleigh and the associated processes followed and costs incurred.

In respect of the attached plan, it was confirmed that this was a diagrammatic conceptual view of what it could look like.

It was accepted that this was an important decision needing cross party involvement and the sooner the working group was set up the better. It was envisaged the working group would be chaired by the portfolio holder and work to clear terms of reference reporting back to Cabinet.

RESOLVED (UNANIMOUSLY):

1. That a Member Cross Party Working Group is established; and
2. That a further report be presented to Cabinet in December 2017 detailing the findings with recommendations and a resource plan.

22. Transformation Strategy 2017/18

The Interim Corporate Improvement Manager addressed Cabinet explaining that the council faced significant financial challenges and the Strategy aimed to enable it to be financially self-sufficient by 2019/2020. In addition to efficiencies and adapting services there would also be developing staff to enable them to serve communities and customers the best they could. The report included a proposal to create a Transformation Fund which subject to meeting the criteria transformation projects could apply to.

The strategy had earlier in the week been considered by the Scrutiny Committee and its recommendations had been circulated before tonight's meeting. These were acknowledged as positive and constructive and would be taken into account (particularly regarding the use of plain English) when finalising the strategy.

RESOLVED (UNANIMOUSLY):

1. Approval of the council's Transformation Strategy for 2017-18; and
2. Recommends to council the use of council financial reserves to establish a Transformation Fund of £500,000.

23. Improvement of West Side of Withy Grove Park, Bamber Bridge – Part 1 (Open Report)

The Leader explained that there were two versions of this report, the first (this one) was open to the public. The second (Part 2) report later on the agenda contained more information for councillors such as the names of the tenderers and was exempt from press and public. If any councillor had wanted to discuss any exempt information contained in the second report then the Cabinet would have resolved to exclude press and public.

The Director of Neighbourhoods, Environmental Health & Assets presented the report on proposed substantial improvement works to this park. This would significantly enhance the facility for the benefit of residents and raise the standard of the park to the Green Flag Award. Cabinet was asked to approve the capital expenditure and accept the most economically advantageous tender.

The park was very well used by both residents and public from outside the borough and the works would greatly improve its facilities. It was hoped that next year this park would become the fourth park in the borough to have Green Flag status.

It was appreciated that the Cabinet had brought this proposal forward. In respect of the additional works (£66,103) it was confirmed that this would be in line with the council's procedure rules.

RESOLVED (UNANIMOUSLY):

1. That Tender 4 in Table A, Part 2 of the report at a cost of £183,897 be accepted for the improvement of Withy Grove Park;
2. That the remaining budget of £66,103 be utilised for the remainder of the works as detailed in the financial implications of the report; and
3. Grant authority under section 3.4 of the Financial Regulations to incur capital expenditure of up to £250,000 for the above works.

24. CABINET FORWARD PLAN

RESOLVED (UNANIMOUSLY): That the Forward Plan submitted under Section 22 of the Local Government Act 2000 be noted.

25. EXCLUSION OF PRESS AND PUBLIC

Not required as the consideration of the **Improvement of West Side of Withy Grove Park, Bamber Bridge** was contained to the Part 1 (Open Report), min. no.23 above refers.

26. Improvement of West Side of Withy Grove Park, Bamber Bridge – Part 2 (Exempt Report)

This report was not considered as the discussion was contained to the Part 1 (Open Report), min. no.23 above refers.

..... Chair

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REPORT TO	ON
SCRUTINY CABINET	30 th August 2017 6 th September 2017

Jan 2017



TITLE	PORTFOLIO	AUTHOR
Management Structure	Leader	Heather McManus – Chief Executive

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Is this report a KEY DECISION (i.e. more than £75,000 or impacting on more than 2 Borough wards?)	Yes
Is this report on the Cabinet Forward Plan ?	Yes
Is the request outside the policy and budgetary framework and therefore subject to confirmation at full Council?	Yes

1. PURPOSE OF THE REPORT

The purpose of the report is to ask members for clarification of the assumptions made for growth within the borough, detailed within this report, along with the approach for improving staff morale:

2. MEMBER RECOMMENDATIONS

That members confirm support for the key themes and actions captured here:

1. To create a culture of continual improvement, a place where staff feel supported and proud to work
2. To broaden and deepen the shared service relationship with Chorley Borough Council that serve two independent and sovereign councils
3. To work in the spirit of the featured operating principles
4. To present views on the append proposals in writing to the Head of Paid Services by 7th September 2017
5. To recommend that the Head of Paid Services presents a Chief Officer (Leadership and Management) structure to Full Council for decision on 27th September 2017. (via Shared Service Committee as appropriate)

3. CORPORATE PRIORITIES

The report relates to the following corporate priorities

Clean, green and safe	x	Strong and healthy communities	x
Strong South Ribble in the heart of prosperous Lancashire	x	Efficient, effective and exceptional council	x

Efficient, effective and exceptional council, with a focus in 2017 – 18 on financial sustainability, business transformation and organisational development.

3. BACKGROUND TO THE REPORT

New CEO appointment made with a mutual commitment towards exciting plans for growth and cultural change.

We recognise the need to change the way we are organised and do business to achieve this and to become a Council that is fit for the future. This means playing a full and active role in place shaping, becoming a more agile organisation and taking an entrepreneurial approach to everything we do.

In 2016, we experienced a period of instability which impacted on staff morale and our ability to govern.

We have agreed in the Transformational Strategy to start this journey in 2017-18, by putting in place the building blocks necessary to achieve this shift in focus. This will include transforming services, finding ways to generate income to replace Government Grant, maintaining a skilled, healthy and motivated workforce and Council and having a robust and effective decision-making framework to support new ways of working.

Operating principles

As Head of paid Service the council requires me to put in place a management structure that will deliver to the corporate agenda set by Council. This agenda is detailed in the councils Corporate Plan and Medium Term Financial Strategy. To do this the following principles are required;

- Come together (Members with the Head of Paid Services) to work in a timely way, at a pace to ensure that informed decisions are taken in relation to the Chief Officer (Leadership and Management) structure
- Work within a sound and robust governance framework
- Come together as one council, one team to support staff, through this period transition and transformation.
- Shape our council to delivery against the aspirations of our residents, improve quality and to become sustainable
- Create opportunities to reinvest in core services
- Create career pathways for all leaders and managers at every level of the Council

Informal Consultation

At the recent staff workshops held in July and August hosted by the Leader and the CEO, staff said that they want us to:

1. restructure SMT & Core Managers
2. to improve leadership capability
3. review pay
4. develop their careers
5. focus on growth
6. increase organisational resilience
7. work across the organisation
8. end silo working and thinking
9. invest and grow services
10. improve decision making
11. improve communication
12. improve staff moral
13. be excellent
14. have integrity

Formal Consultation

It is essential that we listen to staff, and put what we have heard into action. It is equally important that I have the right leadership team, who are accountable for the right things, and receive the appropriate recognition and reward.

The Head of Paid Services is now sharing thinking as illustrated in the append formal consultation document, for the wider views of Members and Officers.

The proposals aim to:

- address the staff feedback (headlines above)
- reposition the Regeneration and Growth agenda
- broaden and deepen the shared service arrangements with Chorley BC
- deliver a sustainable leadership model
- strengthen the Statutory Officers contribution

The consultation will close on 7th September 2017.

Many opportunities have been created for Members and Officers to share their thoughts and views throughout this period.

Redundancy

Applications for Voluntary Redundancy have been offered but will only be considered where there is a justifiable business case and comparable saving to the Council to be made in relation to the costs of voluntary redundancy. Any decisions in relation to voluntary redundancy is entirely at the discretion of the council. Compulsory redundancy cases are likely.

Decision Making

Approval will be sought from Full council on 27th September 2017.

Implementation

The transition will start in October 2017 and the new Chief Officer structure will take effect in 2018.

HR Implications

The Council does not have a Managing Change policy in place, nevertheless meaningful consultation is taking place and the principles of HR best practice and ACAS guidance is being applied.

Finance Implications

The financial implications of the proposed restructure are to make a significant contribution against the MTFS with a view to make a reinvestment into core services including staffing.

Background Documents

Transformation Strategy

MTFS

Report Author:	Telephone:	Date:
Heather McManus- Chief Executive		

Consultation document

1. Strategic Ambitions

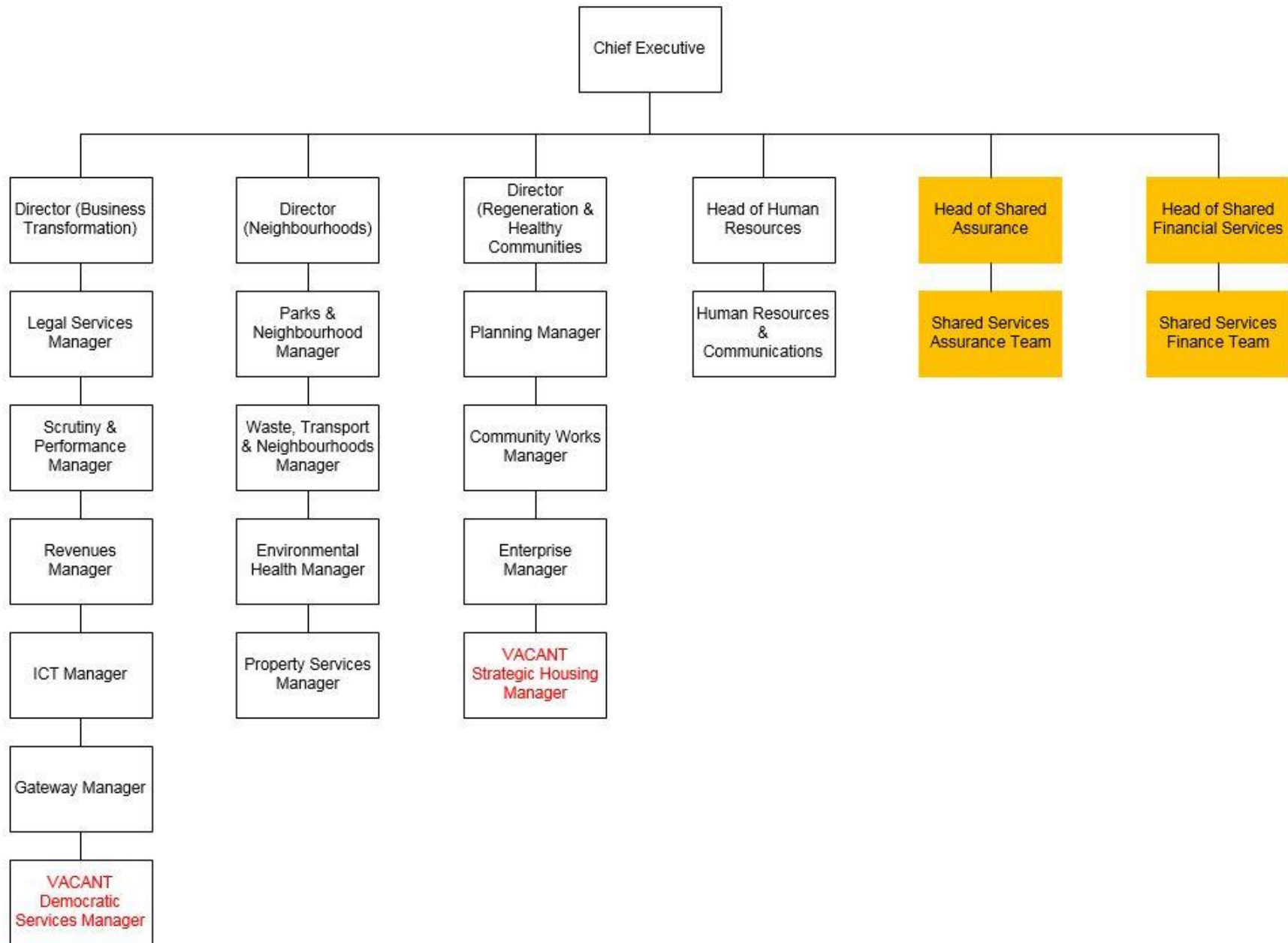
- To create a culture of continual improvement, a place where staff feel supported and are proud to work.
- We will work together to develop a close working relationship with Chorley Borough Council with an ultimate aim to develop full shared services serving two independent and sovereign councils, where appropriate.

2. Operating principles

We are committed to:

- Meaningful consultation with officers, their representatives and members
- Work in a timely way, at a pace to ensure that informed decisions are taken, all within a sound and robust governance framework
- Supporting staff and residents through the transition and beyond
- Represent the needs, priorities and ambitions of there local residents and communities
- Working in partnership to provide better and efficient service's to there local residents and communities to become more sustainable and effective moving forward
- Creating opportunities to reinvest in core services
- Creating great places to work, live and visit

Current Structure



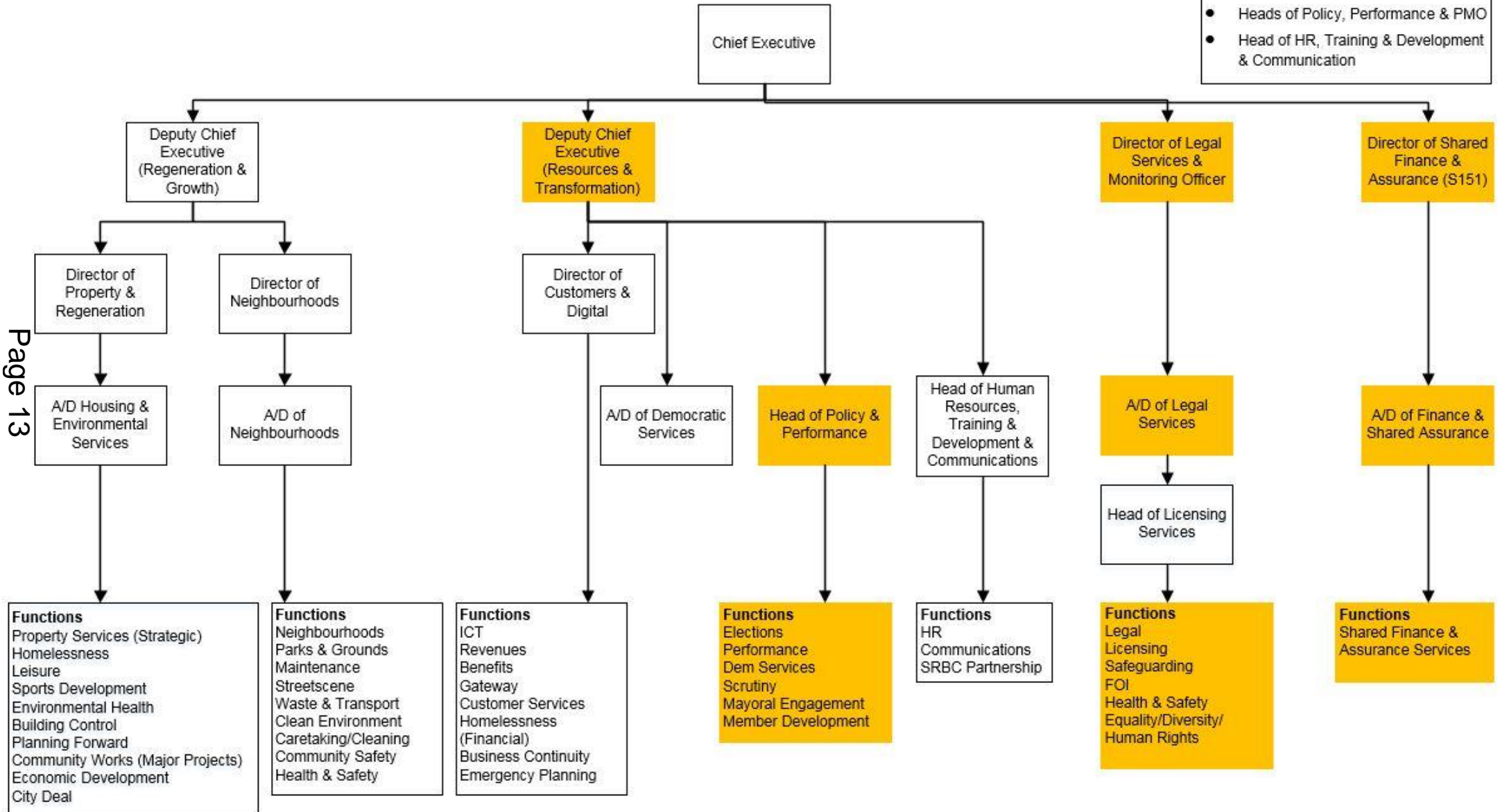
Current Thinking (as of 1st August 2017)

Proposal A

KEY
 White Box – SRBC
 Orange Box – Shared

- SMT Proposal A**
- CEO
 - Deputy CEO – x2
 - Monitoring Officer (Deputy)
 - Section 151 Officer (Director)
 - Heads of Policy, Performance & PMO
 - Head of HR, Training & Development & Communication

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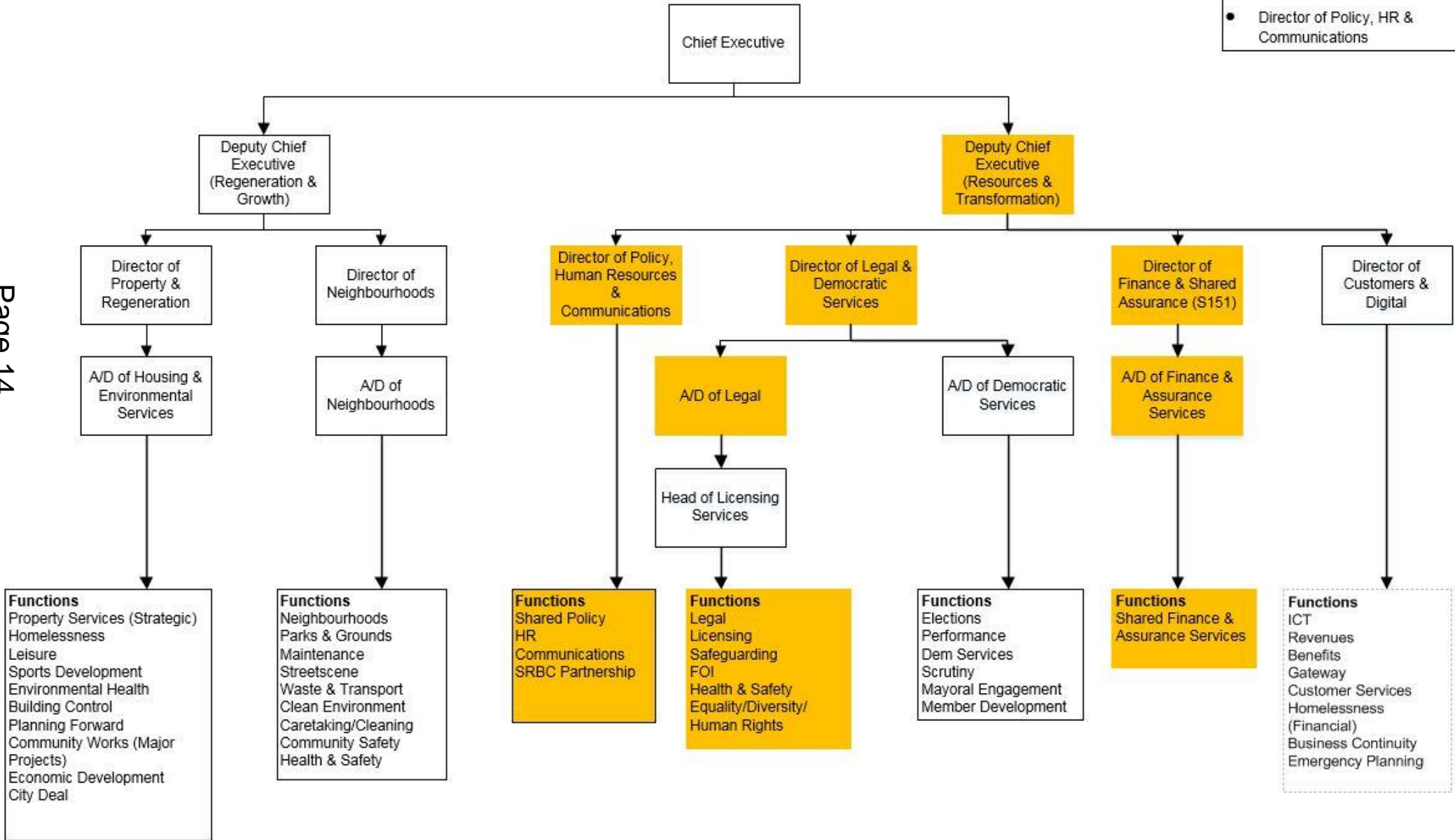


Proposal B

Key
 White Box – SRBC
 Orange Box - Shared

- SMT Proposal B
- CEO
 - Deputy CEO – x2
 - Monitoring Officer
 - Section 151
 - Director of Policy, HR & Communications

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Both proposals aim to:

- Bring into focus the strategically important Regeneration and Growth Agenda here at South Ribble.
- Broaden and deepen the shared service arrangement with Chorley BC.

3. Interdependencies

- Review of Democratic Services
- Review of current shared service provision i.e. Finance and Assurance Services

4. Consultation Questions

- What are the strengths and weaknesses of the two options from your perspective?
- Do the proposals offer a management and leadership career pathway to support those interested in developing their careers in this way? If so, how? If not, why not?
- Are there other areas of the business you feel we should be positioning as a shared service?
- Are there areas that you feel are not ready or will not benefit from adopting a shared service approach?
- Do you feel that the 10-15% savings target for the functions to be shared is ambitious enough?
- What potential operational challenges (of each option) do you see? Can you suggest any solutions to these?
- Where should the core administration function sit?
- Have we enough administration and PA support?
- Have we captured all the Council's functions?
- Have you additional thoughts on how the management infrastructure could be moving forward to drive customer quality improvements, efficiency savings and improve the employment experience for you here at South Ribble?
- Do you think that the current thinking on how we propose to recruit to the new structure is fair? (see appointment process below)
- Do you feel that the proposals for SMT membership will place the Council in the strongest position moving forward?
- Which posts do you feel should be members of the new Core Manager arrangements?

5. Appointment process

- All staff 'at risk' will be presented with the opportunity to apply for any of the new South Ribble posts (white boxes), including those posts that are shared with Chorley (orange boxes)
- Interviews for the new posts will be offered for internal recruitment in the first instance for those staff 'at risk'
- Staff that do not apply for any suitable posts may forfeit their access to a compulsory redundancy package
- Staff directly affected by these proposals i.e. members of SMT or Core Managers may however request voluntary redundancy during this consultation period. A decision will be taken by the Heads of Paid Services before any staff are formally placed 'at risk' and after the decision of Full Council in late September 2017.
- Staff will be appointed to the new structure with no change to their current employment relationship
- Chief Officer (Tier 2) appointments coupled with Statutory Officer appointments will be subject to the Member Appointment Panel process (e.g. Deputy CEO, MO & Sc151) and in partnership with Chorley for any shared posts
- Tier 3 and 4 appointments will be made by the Heads of Paid Services, and in partnership with Chorley for any shared posts
- Any posts not filled internally will progress to external recruitment campaigns

6. Job Descriptions

Job Description development will be informed by the formal consultation feedback. Nonetheless salaries have been tentatively benchmarked as follows:

- Deputy CEO - £80-85k
- Director - £60-65k
- Assistant Director/Head of Service - £40–55k

The current thinking on essential qualification is that the following posts will have the appropriate professional qualification for example:

- Section 151 Officer and deputy will hold a CCAB,
- Deputy CEO (Regeneration and Growth) will hold a RICS or RTPI
- Monitoring Officer and deputy will be Qualified Solicitors
- Head of HR will hold a CIPD Level 7

7. Formal Consultation

Formal consultation will open on 1st August 2017 and will close on 7th September 2017

8. Shared Service Recommendation

Shared Service Committee 14th September 2017

9. Decisions will be taken at Full Council on 27th September 2017

10. Implementation will begin in October 2017 with the new management structure taking effect in 2018

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REPORT TO	ON
CABINET	6 th September 2017

Jan 2017



TITLE	PORTFOLIO	AUTHOR
Communicating with residents and businesses	Leader	Joanne Platt Interim Corporate Improvement Manager

Is this report a KEY DECISION	No
Is this report on the Forward Plan ?	No
Is the request outside the policy and budgetary framework and therefore subject to confirmation at full Council?	No

1. PURPOSE OF THE REPORT

To propose the establishment of a cross party member working group to review the way the Council should communicate with residents and businesses in the Borough in the future.

2. MEMBER RECOMMENDATIONS

- (i) That a cross party member working group is established to review the way the Council should communicate with residents and businesses in the Borough in the future as outlined in Appendix 1 of this report.

3. CORPORATE PRIORITIES

The report relates to the following corporate priorities:

Clean, green and safe		Strong and healthy communities	
Strong South Ribble in the heart of prosperous Lancashire		Efficient, effective and exceptional council	✓

4. BACKGROUND TO THE REPORT

In March, 2017 a Communications' Strategy was approved by the Cabinet. One of the objectives in the medium-term action plan was to undertake a rigorous and evidence-based review of the Forward newspaper, to review its effectiveness, cost, demand on resources and ways to simplify the process.

To this end, a review has been undertaken by staff, the key elements of which are set out below.

5. SUMMARY

5.1 Cost of production

The cost of producing two editions of Forward Newspaper is just under £30,000 per annum. In addition to Forward, the Council also produces an Investment newsletter for prospective investors to the Borough at a cost of approximately £3,500 per edition.

In the March 2017 Residents' Survey, only 12% of residents said that they preferred to find out about the Council and the services it provides from Forward newspaper, compared to 28% who preferred the council website and 36% who preferred leaflets, flyers and public notices.

Forward previously featured advertising to help pay for production. The advertising was sold by an external company who would sell the advertising space, design the artwork and collect the revenue and then pay the Council a proportion of the advertising revenue raised to offset the costs of production.

Unfortunately this became no longer economically viable for the small sums we were drawing in as the advertising wasn't covering the cost of the space they were being printed on, so the company withdrew and it wasn't possible to find anyone who would offer a similar service (due to a general decline in newspaper advertising in favour of social media advertising).

Consultation with staff who are also residents in the Borough showed that 62% (based on 77 responses) did not read Forward, and many who do, only do so to see who they know.

5.2 Other councils

Blackburn with Darwen Borough Council has recently re-introduced its Shuttle newspaper, working in partnership with local newspaper The Lancashire Telegraph and Ribble Valley Borough Council continues to produce a council newspaper. Chorley has an events-led publication called 'What's Happening in Chorley', but the news element is minimal.

When we consulted members of the Lancashire Communications Group, none of the other authorities who responded currently produces a Council newspaper.

South Ribble's Communications team is very small when compared to similar-sized district councils in the county with just 2 FTE posts. For example, Chorley Council has 5 posts (including events management and some tourism). Blackburn with Darwen Council (including Rossendale) has a total of 12 posts.

5.3 Other options

The advantages and disadvantages of the different forms of communication are set out in the table below.

Media	Advantages	Disadvantages
<p>Printed (Forward, Invest, leaflets, posters etc.)</p>	<ul style="list-style-type: none"> • Can reach everyone (although no evidence that it is read once received) 	<ul style="list-style-type: none"> • Expensive to produce • News is out of date by the time it is received by residents / businesses • Evidence suggests it is not valued by the majority of residents (based on survey of staff living in the Borough)
<p>Electronic (Social media, e-mail marketing)</p>	<ul style="list-style-type: none"> • Can issue news very quickly • Can respond to questions / concerns • No cost (for social media) 	<ul style="list-style-type: none"> • May disadvantage some elderly and disadvantaged residents with no access to e-mail / internet • Subscription required for e-mail marketing tool (estimated to be £12k per annum if you use market leader GovDelivery, but other providers are available)

Options for the future include:

- Continuing to produce Invest (for business) and Forward for residents, supplemented by existing social media channels (no change)
- Merging the two publications as a new product aimed at both businesses and residents, supplemented by existing social media channels
- Continuing to produce the Invest newsletter, but to distribute Forward as an e-newsletter with the option for residents to select areas / services they are most interested in hearing news about, supplemented by existing social media channels
- Cease all production of paper newsletters in favour of electronic means

6. Next steps

Whilst some members are keen to retain the use of Forward as the main means of communicating with residents, it appears that it may not provide value for money in terms of the people it reaches.

With the next edition of Forward being due in the early autumn, it is suggested that a cross party member working group is established to review all the options and to make recommendations to Cabinet on the best way to communicate with residents and businesses in the future.

7. CONSULTATION CARRIED OUT AND THE OUTCOME OF CONSULTATION

Consultation with residents and staff has taken place. Members' views were expressed on the use of Forward when the Communications' Strategy was considered by both Scrutiny Committee and the Cabinet in March 2017.

8. OTHER OPTIONS CONSIDERED

Members need to consider all options and to make their own recommendations on the way forward to the Cabinet.

9. IMPLICATIONS OF RECOMMENDATIONS

FINANCIAL IMPLICATIONS	There are no financial implications associated with the recommendations in this report.
PEOPLE AND CULTURAL IMPLICATIONS	There are no people and cultural implications associated with the recommendations in this report.
ICT	There are no ICT implications associated with the recommendations in this report.
PROPERTY AND ASSET MANAGEMENT IMPLICATIONS	There are no property and asset management implications associated with the recommendations in this report.

10. RISK MANAGEMENT

There are no risks associated with the recommendations in this report.

11. EQUALITY AND DIVERSITY IMPACT

The recommendations in this report have no impact on equality and diversity.

12. RELEVANT DIRECTORS' RECOMMENDATIONS

- (i) That a cross party member working group is established to review the way the Council should communicate with residents and businesses in the Borough in the future.

13. COMMENTS OF THE STATUTORY FINANCE OFFICER

There are no financial implications as a result of accepting the recommendation presently within this report.

14. COMMENTS OF THE MONITORING OFFICER

There are no direct legal implications arising from this report. Generally speaking it is a matter for the discretion of the Council to decide on how best to communicate with its residents and businesses.

15. BACKGROUND DOCUMENTS AND APPENDICES

Background documents

Communications' Strategy 2017-18

Joanne Platt
Interim Corporate Improvement Manager

Report author:	Telephone:	Date:
Joanne Platt	01772 625309	10 th August 2017

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COMMUNICATING WITH RESIDENTS AND BUSINESSES IN SOUTH RIBBLE

MEMBER WORKING GROUP

Terms of Reference

Purpose of the Group

The Group has been established to undertake an evidence based review of the use of the Forward Newspaper as a means of communicating with residents in the Borough and the Investment Newsletter for communicating with business and potential investors.

It will look at other options for communicating with residents and businesses with a view to making a recommendation to Cabinet on the most effective and the most cost effective way to communicate with residents and businesses in the future.

This work is a key action in the Council's Communications Strategy for 2017-18.

Membership of the Group

The Group will be cross party and will consist of 7 members of the Council.

Membership will be politically proportionate to the makeup of the Council. There will be 4 members from the Conservative Group, 2 members from the Labour Group and 1 member from the Liberal Democratic Group.

Members of the Group will be decided by the respective political group leaders.

Meetings

The Group will meet once during September 2017 to review evidence provided to them by officers and to develop its recommendations.

Objectives of the Group

1. To review the evidence provided to the Group by officers on the current methods and costs of communicating with residents and businesses
2. To consider alternative methods of communicating with residents and businesses presented to the Group including the costs of alternative methods.
3. To work with officers to develop a proposal for how to communicate with residents and businesses in the future, for recommending to the Cabinet in October 2017 for approval.

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REPORT TO	ON
CABINET	6 th September 2017

Jan 2017



TITLE	PORTFOLIO	AUTHOR
Statement of Intent for Energy Company Obligation (ECO) Flexible Eligibility	Strategic Planning and Housing	Pradip Patel Senior Strategic Housing Officer

Is this report a KEY DECISION (i.e. more than £75,000 or impacting on more than 2 Borough wards?)	Yes
Is this report on the Cabinet Forward Plan ?	Yes
Is the request outside the policy and budgetary framework and therefore subject to confirmation at full Council?	No

1. PURPOSE OF THE REPORT

To inform Members of a scheme to assist some of the most vulnerable households in the Borough in energy efficiency and reducing energy bills.

The Cabinet are asked to approve the Council's Statement of Intent (SOI) and authorise its publication on the Council's website and BEIS (Department for Business, Energy & Industrial Strategy).

2. PORTFOLIO HOLDER RECOMMENDATIONS

2.1 - Agree Option Two be endorsed.

2.2 - Agree for South Ribble Borough Council to take part in the ECO flexible eligibility scheme;

2.3 - Agree the Statement of Intent for South Ribble Borough Council

2.4 - Authorise the Director of Development, Communities and Enterprise in consultation with the Portfolio Holder for Strategic Planning and Housing, to put all necessary steps in place to implement the Statement of Intent.

3. CORPORATE PRIORITIES

The report relates to the following corporate priorities

Clean, green and safe	x	Strong and healthy communities	x
Strong South Ribble in the heart of prosperous Lancashire		Efficient, effective and exceptional council	

4. BACKGROUND TO THE REPORT

Over the last 14 years the Council has run winter warmth schemes. These have been targeted at some of our most vulnerable residents. The schemes have had a large take up but fuel poverty remains an issue for several reasons. The ageing demographics, more people on a pension, falling household incomes and fuel price all contribute to fuel poverty levels.

The Strategic Housing Framework 2017 - 2020 has one of its three priorities “Maintaining, and where possible improving, the quality of existing homes. “ This initiative supports this priority.

5. PROPOSALS

The Energy Company Obligation (ECO) is an obligation on energy suppliers aimed at helping households cut their energy bills and reduce carbon emissions by installing energy saving measures.

As of January 2017, it has delivered energy efficiency measures to over 1.6 million households in Great Britain, of which over 900,000 are low income and vulnerable households, or households in specified areas of low income.

The report brings forward options and makes recommendations on how we will assist some of our most vulnerable people in the Borough to be more energy efficient and reduce energy bills.

The new ‘Flexible Eligibility Criteria’ sets out opportunities for local authorities to engage with energy suppliers on how suppliers meet their obligations to install energy efficiency measures in homes under the Energy Company Obligation. Local Authorities can refer households to suppliers for support, in particular households in fuel poverty or with occupants on low incomes and vulnerable to the effects of cold homes. The final decision on whether residents will receive assistance will be made by the energy suppliers. The aim is to allow this new approach to work in a straightforward way, with a main focus on two documents from Local Authorities: a Statement of Intent that they are going to identify households as eligible, and the criteria they are going to use; and a declaration that the Local Authority has been consulted on the installation of measures in a home.

There are two main categories of private tenure household that Government intends to be eligible through flexible eligibility:

(i) Fuel poor households, especially those that are not in receipt of ECO eligible benefits, and the estimated 20% of fuel poor households that are not in receipt of any benefits; and

(ii) Low income households that are vulnerable to the effects of living in a cold home

Government intends to test this new mechanism for targeting these households during the 18 month extension to ECO, with the possibility of expanding it in future if it is successful.

Statement of Intent

Local Authorities will have to publish on Statement of Intent (SOI) before they can issue declarations of eligibility under flexible eligibility. The Statement of Intent should be signed by the Chief Executive Officer, or other senior officer nominated on their behalf that is at least at Director Level.

The Statement of Intent has one mandatory section which is where the Local Authority will state how it intend to target eligible households.

Local Authority Declaration

This is a statement in writing that a household is eligible for support. Only Local Authorities can issue declarations of eligibility.

As the flexible eligibility criteria requires that Local Authorities must be consulted on the installation of a measure by suppliers the declaration can be made before or after the installation of measures.

6. IMPLICATIONS AND RECOMMENDATIONS

6.1 Procurement

No issues as no procurement is to take place

6.2 Financial

No Financial issues

7. CONSULTATION CARRIED OUT AND OUTCOME OF CONSULTATION

Consultation has been carried out with all 14 Lancashire authorities through the Lancashire Energy officers group.

All have or in the process of accessing funding to deliver measures to their residents through the ECO Flex funding.

8. OTHER OPTIONS CONSIDERED

3 options which have been considered –

Option 1

Join the Cosy Homes in Lancashire (CHIL) scheme and deliver as a Lancashire wide scheme using a managing agent, this has been ruled out due to concerns over how the managing agent had been procured, little or no control over funding streams for measures, any potential income received through measures installed would be to the managing agent which would finance the business

Option 2

The Council to deliver the scheme itself, this will provide greater control of the level of service provided to customers and any potential income received can then be used to install measures for customers where there are contributions required by customers to be made, customers would not be disadvantaged as the criteria proposed is the same as CHIL which is being used across Lancashire.

Option 3

The Council could opt not to publish a SOI. However, this would provide residents of the borough no funding towards any measures under ECO and no investment would be made in the borough through the Energy Company Obligation. Other residents in Lancashire will benefit from measures which will not be available to residents of South Ribble., The 2017 national fuel poverty figures showed that the borough had a fuel poverty figure of 9.9%, this has increased from the previous figure of 7.9% therefore this option is not recommended.

9. RELEVANT DIRECTORS RECOMMENDATIONS

The recommendations are to
Agree Option Two be endorsed.
Agree for South Ribble Borough Council to take part in the ECO flexible eligibility scheme;
Agree the Statement of Intent for South Ribble Borough Council
Authorise the Director of Development, Communities and Enterprise in consultation with the Portfolio Holder for Strategic Planning and Housing, to put all necessary steps in place to implement the Statement of Intent.

10. IMPLICATIONS OF RECOMMENDATIONS

Financial implications	x	People and Cultural implications	x
ICT implications	x	Property and Asset Management Implications	

Financial implications

There is no financial implications for the Council.

ICT implications

There would be implications for ICT as the existing Firmstep system would be utilised.

People and Cultural Implications

This scheme will provide support to some of the most vulnerable households in the borough which will help reduce their fuel bills and make their homes warmer.

11. RISK MANAGEMENT

The risk would be that the borough will not be able to attract any ECO Flex funding from any source to help households in fuel poverty with the Statement of Intent (SOI) being published.

12. EQUALITY AND DIVERSITY IMPACT

This would have direct and significant contribution to all households in fuel poverty in the borough and will help towards improving health and wellbeing across all communities.

13. COMMENTS OF THE STATUTORY FINANCE OFFICER

There are no budgetary implications arising from accepting the recommendations above as the scheme can be delivered in-house within existing staffing resources.

14. COMMENTS OF THE MONITORING OFFICER

The Electricity and Gas (Energy Company Obligation) (Amendment) Order 2017 inserted Article 16A to the 2014 Order. This has meant that energy suppliers can install energy saving measures as part of their ECO targets, where a local authority has published a SOI and has been consulted on the installation of a heating qualifying action at the premises; and on or publication of its SOI, the local authority has made a statement in writing that, in the opinion of the local authority the premises are occupied by a household living on a low income and vulnerable to the effects of living in a cold home or that; the premises are occupied by a household living in fuel poverty;

The Council does not have a statutory duty to operate an ECO flexible eligibility scheme. However, the council may choose to use its discretionary power in doing so and if it chooses to use this power, then it must publish a SOI. Once a SOI is published, this provides the eligibility criteria that the council will use, which completes the compulsory requirements to allow it to issue a written declaration to energy suppliers that a household would benefit from an energy saving measure.

As the declaration will be shared with energy suppliers consent of the household must be obtained before any personal information is shared in accordance with the Data Protection Act 1998.

15. BACKGROUND DOCUMENTS (or there are no background papers to this report)

Appendix A - Energy Company Obligation Flexibility Eligibility - Guidance (attached)

Appendix B - South Ribble Borough Council's Statement of Intent (attached)

Appendix C - Lancashire Statement of Intent (attached)

Appendix D - South Ribble Borough Council Declaration (attached)

Denise Johnson, Director of Development, Enterprise & Communities

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ENERGY COMPANY OBLIGATION - FLEXIBLE ELIGIBILITY

Guidance for local authorities on engaging with energy suppliers to identify households that would benefit from energy efficiency improvements

April 2017

This document is available in large print, audio and braille on request. Please email enquiries@beis.gov.uk with the version you require.

ENERGY COMPANY OBLIGATION - FLEXIBLE ELIGIBILITY

Guidance for local authorities on engaging with energy suppliers to identify households that would benefit from energy efficiency improvements

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1. Introduction

- 1.1. This guidance note sets out opportunities for local authorities (hereinafter “LAs”) to engage with energy suppliers on how suppliers meet their obligations to install energy efficiency measures in homes under the Energy Company Obligation. It is intended to introduce a new flexible approach through which LAs can refer households to suppliers for support, in particular households in fuel poverty or with occupants on low incomes and vulnerable to the effects of cold homes. The aim is to allow this new approach to work in a straightforward way, with a main focus on two documents from LAs: a Statement of Intent from an LA (or group of LAs) that they are going to identify households as eligible, and the criteria they are going to use; and a declaration that the LA has been consulted on the installation of measures in a home.
- 1.2. The Energy Company Obligation (ECO) is an obligation on energy suppliers aimed at helping households cut their energy bills and reduce carbon emissions by installing energy saving measures. As of January 2017, it has delivered energy efficiency measures to over 1.6 million households in Great Britain, of which over 900,000 are low income and vulnerable households, or households in specified areas of low income.
- 1.3. The Government’s Spending Review 2015 announced plans for a supplier obligation to run for five years from April 2017 at an estimated level of £640m per year, rising with inflation.
- 1.4. With the ECO 2 Amendment Order (“ECO Order”)¹, the ECO scheme was extended to run until 30 September 2018² and the Government expects to consult on the future of the scheme post-October 2018 later in 2017. The scheme will be the primary vehicle through which the Government meets its manifesto commitment to insulate a million more homes over this Parliament, supporting its commitment to tackle fuel poverty.
- 1.5. Under the ECO scheme extension, energy suppliers will be able to achieve up to 10% of their Affordable Warmth³ obligation for the extension period (estimated to have a value of nearly £70m over the 18 months of the scheme) by installing energy saving measures in households declared eligible by LAs. This new mechanism, also known as “flexible eligibility”, allows LAs to make declarations determining that certain households meet the eligibility criteria for a measure under the Affordable Warmth element of ECO. The eligibility requirements under

¹ Any further references to the ECO Order are references to the ECO2 Amendment Order, available at: <http://www.legislation.gov.uk/ukxi/2017/490/made>

² See the Government response to the consultation on ECO: Help to Heat scheme - from April 2017 to September 2018: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/586260/ECO_Help_to_Heat_Government_response_FINAL_26_Jan_17.pdf

³ Affordable Warmth is also known as the Home Heating Cost Reduction Obligation (HHCRO).

Affordable Warmth are illustrated in Annex 1. Flexible eligibility is optional, and neither energy suppliers nor LAs are mandated to participate.

- 1.6. There are two main categories of private tenure household that Government intends to be eligible through flexible eligibility:
 - (i) Fuel poor households, especially those that are not in receipt of ECO eligible benefits, and the estimated 20% of fuel poor households that are not in receipt of any benefits; and
 - (ii) Low income households that are vulnerable to the effects of living in a cold home
- 1.7. Government intends to test this new mechanism for targeting these households during the 18 month extension to ECO, with the possibility of expanding it in future if it is successful. Government will review the criteria that LAs will be using for identifying eligible households and the extent to which the criteria set out in this document have been followed by LAs. Please do study this guidance carefully and if you have queries relating to it then they can be raised with the ECO Team in BEIS at: beisecoteam@beis.gov.uk.
- 1.8. This guidance is aimed at supporting LAs who wish to participate in the scheme.

2. Key requirements

- 2.1. The key requirements on flexible eligibility are set out in the ECO Order (Art. 16(A)). The table below summarises the key requirements for LAs under flexible eligibility.
- 2.2. To aid LAs in the use of flexible eligibility, Government has developed a ‘process map’ providing an overview of the key steps involved in the new flexible eligibility policy (see Annex 2).
- 2.3. Ofgem, the administrator of the ECO scheme, has published separate [guidance](#)⁴ for energy suppliers on the evidence they will need to provide when notifying flexible eligibility measures.

	Flexible eligibility - key requirements
Statement of intent	<ul style="list-style-type: none"> • LAs participating in flexible eligibility have to publish a Statement of Intent (Sol) in which they set out the criteria they intend to use to identify households meeting the eligibility criteria for flexible eligibility. This is a mandatory requirement. • LAs will have to publish an Sol before they can issue declarations of eligibility under flexible eligibility (Art 16(A)3(b)). • The Sol has one mandatory section which is where the LA states how they intend to target eligible households (Art.16(A)(7)).
LA declaration	<ul style="list-style-type: none"> • This is a statement in writing (‘declaration’) that a household is eligible for support. • The ECO Order states that LAs must be consulted on the installation of a measure under flexible eligibility by suppliers, or their intermediaries. Ofgem’s guidance states that LAs must be consulted prior to the installation however LA declarations can be made before or after the installation of measures. • LAs can evidence that they have been consulted through a declaration. We strongly recommend that LAs use the template provided in Annex 4 and 5.
Local authority definition	<ul style="list-style-type: none"> • Only LAs can issue declarations of eligibility, identifying households as meeting the eligibility criteria under flexible eligibility. • The definition of LAs for the purposes of flexible eligibility can be found in art. 16A(7) of the ECO Order. • LAs can delegate their functions to other LAs under flexible eligibility.

⁴ Ofgem guidance is available here: <https://www.ofgem.gov.uk/environmental-programmes/eco/contacts-guidance-and-resources/eco-guidance>

<p>Household eligibility criteria</p>	<ul style="list-style-type: none"> ● LAs must specify how they intend to identify households (ie what criteria they will use) that may benefit from an energy saving measure under flexible eligibility in a Statement of Intent, as set out in (Art.16(A)(7)). ● As set out in Art 16A(3) to (5) of the Order, under flexible eligibility, LAs have to target private tenure households that are either: <ul style="list-style-type: none"> ○ Living in fuel poverty, ○ Living on a low income and vulnerable to the effects of living in a cold home, or ○ Are in-fill properties for the purposes of solid wall insulation (see chapter 6 for definition of “in-fill”) ● LAs have flexibility on the criteria they use to identify these households.
<p>Fuel poverty</p>	<ul style="list-style-type: none"> ● LAs have flexibility on the criteria they use to identify households living in fuel poverty. ● Government intends for flexible eligibility to identify those in fuel poverty who are harder to reach, who are not in receipt of benefits eligible under Affordable Warmth, or not on the benefit system. ● Non-statutory guidance on how to identify households in fuel poverty is included in chapter 6.
<p>Low income and vulnerable</p>	<ul style="list-style-type: none"> ● LAs have flexibility on the criteria they use to identify households living on a low income and who are vulnerable to the effects of living in a cold home. ● Government intends for flexible eligibility to identify those living on a low income and who are vulnerable to cold, for example those with a health condition, or the very old or the very young. ● Non-statutory guidance on how to identify households on a low income and vulnerable to cold is included in chapter 6.
<p>In-fill</p>	<ul style="list-style-type: none"> ● LAs can make declarations of eligibility for non-fuel poor households to facilitate solid wall insulation within the limits and proportions set out in Art 16A(4) and (5) of the Order and as explained in chapter 6.
<p>Private tenure</p>	<ul style="list-style-type: none"> ● As set out in Art 16(A)3(a), flexible eligibility only covers private tenure households (ie private rented sector and owner occupier sector). Social housing is excluded from flexible eligibility.
<p>Annual reports</p>	<ul style="list-style-type: none"> ● BEIS would also find it helpful if LAs participating in the scheme could provide BEIS with annual reports. LAs may also be asked to become part of a Flexible Eligibility User Group to help BEIS to learn lessons from the delivery of the scheme during the 18 months of the scheme help shape the design of future policy.

3. Key roles and responsibilities

3.1. The role and responsibilities of different organisations involved in flexible eligibility are as follows:

Organisation	Summary of roles & responsibilities
BEIS	<ul style="list-style-type: none"> Production and maintenance of flexible eligibility guidance for LAs & associated templates.
Local Authority	<ul style="list-style-type: none"> Production and publication of Statement of Intent (Sol), including a section on the methodology for identifying households meeting the eligibility criteria under flexible eligibility. Determining that a household meets the eligibility criteria through either being fuel poor, low income and vulnerable to the effects of living in a cold home, or as in-fill. Production, authorisation and making the declaration, declaring a household as meeting the eligibility criteria under flexible eligibility. Retaining evidence that a household meets the criteria outlined in the Sol for future reporting or evaluation.
Supplier	<ul style="list-style-type: none"> Providing copies of LA declarations to Ofgem on request. Checking that the LA has published an Sol, dated on the same day or prior to the date of the declaration, including a section on the methodology for identifying households meeting the eligibility criteria. Note that the supplier is not responsible for assessing the content of the Sol– only that it exists and contains the required information. Ensuring that measures installed under flexible eligibility meet all the other criteria and requirements of the ECO Order.
Ofgem	<ul style="list-style-type: none"> Request that suppliers provide copies of LA declarations, during audit, to ensure that all required information is present and accurate, and that it corresponds with the data notified to Ofgem by suppliers. Request that suppliers provide evidence, during audit, that a Statement of Intent was published before the declaration was made, including a section on the methodology for identifying households meeting the eligibility criteria. Note that Ofgem is not responsible for assessing the content of the Sol, except for checking that it includes the above methodology. Reviewing notification data submitted by suppliers relating to measures installed under the flexible eligibility provision (ie including the eligibility criteria used by the LA in the declaration and the URN).

3.2. The LA is responsible for issuing declarations of eligibility, identifying households as meeting the eligibility criteria through either being fuel poor, low income and vulnerable to the effects of living in a cold home, or eligible as in-fill. Suppliers are

not required to undertake a supplementary assessment to determine whether a household is in fuel poverty or on a low income and vulnerable to the effects of living in a cold home.

- 3.3. However, it is the responsibility of suppliers to provide evidence supporting the notification to Ofgem, on request (ie the LA declarations and the Statement of Intent). If information is missing or incomplete Ofgem will approach the supplier to obtain this, not the LA. It is important that LAs are aware of the requirements on suppliers, which are included in [Ofgem's guidance](#).

4. Statement of Intent

Purpose

- 4.1. A Statement of Intent (Sol), as set out in the ECO Order, is intended to state publicly the criteria that an LA, or a group of LAs, intends to use to identify households that meet the eligibility criteria under flexible eligibility.
- 4.2. The Sol is intended to create transparency and public accountability on the criteria used to target eligibility, and will be a good way of advertising the LA's approach to their residents, energy suppliers, charities and community groups, for example, who may be able to work with them.
- 4.3. An LA must produce an Sol before it can make declarations that households meet the eligibility criteria.

What should it cover?

- 4.4. As set out in the ECO Order (Art 16A(7)), an Sol must include a description of how an LA intends to identify households in its area that may benefit from the installation of energy efficiency measures and that are living (a) in fuel poverty; or (b) on a low income and are vulnerable to the effects of living in a cold home. It can also include any details of how the LA intends to identify "in-fill" (see chapter 6) properties in Solid Wall Insulation (SWI) projects.
- 4.5. The Sol should be signed by the CEO, or other senior officer nominated on their behalf that is at least at Director level.
- 4.6. The LA may wish to include details on their referral routes and partners, any additional support or service provided, which may be valuable information to their residents. We also encourage LAs to outline their governance, monitoring and reporting arrangements, as a way of demonstrating that internal assurance processes are in place to monitor how flexible eligibility is being used.

When and where to publish it?

- 4.7. The Sol must be published before an LA can make declarations (declarations may be made on the same date as Sol publication). LAs should be aware that suppliers have a duty to provide evidence to Ofgem on request that an Sol was published prior to any LA declaration being made.
- 4.8. We recommend that the Sol is published on the LA's website, and that LAs share a link with suppliers, and other intermediaries, for ease of access. The Sol should be easily accessible by interested stakeholders (eg BEIS, Ofgem, consumers, energy suppliers, installers, residents, community groups and charities). For ease of access by BEIS, for monitoring purposes, we would also request that a copy is

sent to: beisecoteam@beis.gov.uk. In addition, an Sol can be included in the LA's Home Energy Conservation Act report.

- 4.9. Where an LA has delegated another LA to deliver declarations on their behalf, we suggest the delegating LA publishes the relevant Sol on their website as well, so residents are aware.

Delegation between LAs and joint Sol

- 4.10. An LA can delegate another LA to provide declarations for households in its administrative area. This needs to be stated in the Sol of the delegated LA.
- 4.11. In some cases, LAs may wish to issue a joint Sol, if they intend to use common criteria across their areas. In this case all the LAs must be signatories to the Sol.

Version control

- 4.12. An LA can make changes to an Sol at any time. However, LAs that wish to make amendments, or withdraw an Sol, should ensure that relevant parties, including suppliers or installers the LA is working with, are informed of any changes and when they take effect. LAs must include a date of publication and a link to the Sol on each declaration, and they should ensure that energy suppliers can access this version of the document at future dates for auditing purposes. This includes previous or withdrawn versions (a declaration will be valid as long as there was an active Sol published at the time of the declaration). To avoid version control issues, any previous or withdrawn Sols should remain publicly available but clearly marked "superseded"/"withdrawn" and include the date in which the document was withdrawn. The LA should also advise on their website the date the Sol was withdrawn.
- 4.13. LAs are responsible for ensuring the Sol is accurately numbered, dated and publicly available at all times. Any subsequent versions of the Sol should be clearly numbered and dated to allow for clear distinction from previous versions. The dates between which the Sol was active should also be clearly recorded.
- 4.14. An LA may choose to have different Sols to cover where they are working with different suppliers and installers. In such circumstances LAs are required to pay particularly close attention to version control.
- 4.15. With reference to the above, "amending" an Sol means to continue to participate in LA flex but on changed terms (e.g. altered eligibility criteria). To "withdraw" an Sol means the LA no longer wishes to participate in LA flex. When withdrawing an Sol the LA should endeavour to inform suppliers & installers they have been working with, to ensure they understand the LA will no longer be participating. Declarations made by that LA dated up to and including the date the Sol is withdrawn will remain valid.

Templates

- 4.16. Templates for the Sol and LA declarations are attached as annexes to this document to ensure consistency across LAs. Annex 3 (Sol) may be adapted into another style as long as it contains the minimum mandatory information.

5. LA declaration

Purpose

- 5.1. A declaration is a statement in writing by an LA which is required to demonstrate that the LA has been consulted on the installation of a measure at the domestic premises, and it considers the households to meet the eligibility criteria for the measure. In line with the ECO Order the consultation with the LA must take place prior to the installation of measures.
- 5.2. In the declaration, the LA declares that, in its opinion, the premises are occupied by a household living in fuel poverty (FP), or living on a low income and vulnerable to the effects of living in a cold home (LIVC). Where solid wall insulation projects include “in-fill”, the LA must declare the proportion of the FP or LIVC households in the project.
- 5.3. Whilst we acknowledge there may be changes in occupancy after a declaration was made, a household declared as eligible on a declaration, will remain eligible for the entire ECO2 extension scheme. As such LAs will not be required to reassess properties if there was a change of tenancy between the date of declaration and the commencement of a project.
- 5.4. Energy suppliers are required to maintain records of all the declarations received from LAs to demonstrate the eligibility of premises notified to Ofgem under the flexible eligibility provision of Affordable Warmth.

What should it cover?

- 5.5. A property will not be considered eligible under the flexible eligibility provision until the LA has fully completed and signed a declaration. The declaration should be signed by an official designated by the CEO, or its equivalent, as indicated in the LA’s Sol.
- 5.6. The LA must declare that in the opinion of the LA, the premises listed in the declaration are occupied by a household(s) living in fuel poverty (FP) or by a household(s) living on a low income and vulnerable to the effects of living in a cold home (LIVC).
- 5.7. An LA can also declare households as eligible for Solid Wall Insulation that do not meet the criteria for FP or LIVC where they are private households i) in the same terrace as, ii) in an immediately adjacent building to or, iii) are in the same building as a household that meets the FP/LIVC criteria. These properties are known as “in-fill”.
- 5.8. Depending on the property type, a minimum percentage of households in a SWI project must be declared as FP or LIVC by an LA to allow delivery to “in-fill”

households. Ofgem will check a sample of declarations to ensure that the required percentages are met for any associated in-fill measures to be eligible.

- 5.9. A declaration can specify the name of the installer or supplier, and the duration the declaration is valid, if previously agreed with the supplier or its intermediaries.

When a declaration should be made and how?

- 5.10. An LA can only make a declaration on the same date or after an Sol detailing the methodology for targeting households under flexible eligibility is published. An LA should not make a declaration until it has made a determination that every property included in a declaration is considered to meet the eligibility criteria.
- 5.11. It is up to LAs and suppliers to agree how they wish to interact with one another and when declarations will need to be produced. However, as described above, the requirement in the ECO Order to consult an LA on the installation of measures must take place before measures are installed. More details on this are included in [Ofgem guidance](#).
- 5.12. We encourage LAs to give declarations directly to energy suppliers or their intermediaries to minimise the risk of fraud. An LA can also name the supplier or their intermediary on the declaration, if previously agreed with these parties, as a way to avoid declarations being transferred beyond the LA's control. LAs can choose to give declarations to more than one energy supplier. Where these declarations list the same households, LAs should be mindful that this does not lead to the detriment of households in fuel poverty or vulnerable, including cold calling.

Delegation between local authorities

- 5.13. An LA can provide declarations for households not within its administrative area under certain circumstances. For example, this includes where an LA delegates some functions to another LA, where the LA providing the service is best placed to make a determination on whether a household meets the eligibility criteria. All LAs who are either delegating powers, or in receipt of delegated powers, must sign the Sol to confirm agreement. In addition, the declaration template requires an LA to record that it is making a declaration on behalf of another LA.

Template

- 5.14. We have produced template declarations (see Annex 4 and 5 to this document). LAs may adapt templates but are required to include all of the data requirements outlined in the template documents. Multiple properties can be included in one declaration.
- 5.15. There are two types of declaration:
- a) a declaration for individual premises occupied by eligible households, and
 - b) a declaration for solid wall projects including "in-fill"

- 5.16. Included in the template are some notes for completion. These include the use of standard terminology in declaring the eligibility type and (in the case of “in-fill”) the property type. It is important that this terminology is consistently used, as suppliers will require this information when notifying measures to Ofgem.
- 5.17. It is important that a URN is included, as suppliers will require this information when notifying measures to Ofgem.

Unique Reference Number (URN)

- 5.18. Each declaration must include a unique reference number (URN). This is to allow Ofgem to audit and track declarations more effectively.
- 5.19. The URN must follow the format below:

XXXXXXXXXX-YYYYY

- 5.20. The ‘X’ should identify the LA making the declaration. Each LA has a 9 digit ONS code. This code should make up the first section of the URN. For example, the ONS code for Liverpool is E08000012. These ONS codes are available online and an amalgamated list of area codes can be found in BEIS’ Household Energy Efficiency National Statistics tables⁵. If your LA meets the definition of an LA as defined in the Order but does not contain an ONS code, you can contact the ECO team in Ofgem directly who will provide you with a unique code.
- 5.21. The second section of the URN should represent the number of the declaration in the order it has been made. For example, the first declaration can be 00001.
- 5.22. Where an LA has delegated to another LA the ability to issue declarations on their behalf in their administrative area, the ONS code should represent the LA making the declaration, not the original delegating LA.

⁵ See “Headlines Release Tables” <https://www.gov.uk/government/statistics/household-energy-efficiency-national-statistics-headline-release-december-2016>. Tab 2.2.1. includes area codes (e.g district and county councils) for England, Scotland and Wales.

6. Targeting flexible eligibility

- 6.1. The purpose of flexible eligibility is to identify private households that may benefit from energy saving measures and are:
 - i) Fuel poor households, especially those that are not in receipt of Affordable Warmth eligible benefits, and the estimated 20% of fuel poor households that are not in receipt of any benefits; and
 - ii) Low income households that are vulnerable to the effects of living in a cold home (LIVC)
- 6.2. In addition, LAs can declare some non-fuel poor homes as eligible to facilitate solid wall insulation projects, as long as a proportion of the households in the project are in fuel poverty or LIVC (in-fill, see par. 6.21).
- 6.3. It will be the LA's responsibility to make sure the criteria chosen allow them to identify eligible households. The criteria used by an LA will not be audited however Ofgem will audit whether the Sol includes a section describing the methodology to be used in identifying eligible households. BEIS will review Sols to evaluate the success of the scheme in targeting households in need.
- 6.4. This guidance is not mandatory but it aims to help LAs make informed decisions on the criteria to use when identifying eligible households under flexible eligibility. LAs may decide to follow this guidance, or to seek to develop their own methodology to identify eligible households based on local data and tools.

Fuel poor households

- 6.5. Fuel poverty is a devolved matter, with separate indicators, targets and strategies adopted by each nation. Although fuel poverty is measured differently in each nation, the characteristics of households considered to be in fuel poverty across Great Britain are very similar. They all have a focus on low income households with high energy costs.
- 6.6. This guidance focuses on fuel poverty as measured under the 'Low Income High Costs' indicator as used in England, although there is expected to be considerable overlap between households identified through these approaches and the Scottish and Welsh definitions.
- 6.7. Identifying households on low incomes for Government schemes is often undertaken by determining whether a household receives a means-tested benefit. However, not all fuel poor households are recipients of means-tested benefits, and not all households are willing to share information about their benefit status.
- 6.8. Through flexible eligibility, Government is keen that LAs may be able to identify those people living in fuel poverty who are harder to reach, for example those who are not on the benefits system, and hence would not be captured under the main eligibility criteria under Affordable Warmth. Therefore the approach suggested

includes income thresholds that can be applied to any household and not just those on the benefits system.

- 6.9. Identifying households with high energy costs will now be easier as the Department for Communities and Local Government (DCLG) has made a significant proportion of the EPC register data openly accessible⁶. Where an EPC is unavailable, an alternative approach is to obtain data on the dwelling characteristics. This can be done either using data held by an LA, or approaching households to get information. BEIS has developed a set of simple questions that aim to achieve a balance between simplicity and effective targeting of high cost homes. These have been tested in previous BEIS research, which found that typically householders are able to understand and answer these questions reliably.
- 6.10. Annex 7 provides guidance on low income and high cost example criteria.

Households living on a low income and vulnerable to the effects of living in a cold home

- 6.11. Flexible eligibility is intended to help in tackling one of the root causes of ill-health – namely cold, damp housing. These are homes that do not have adequate insulation or heating. Government intends for flexible eligibility to be focussed on those in greatest need. **Therefore, in targeting vulnerability to cold, LAs should prioritise those who live on a lower income.**
- 6.12. There are two main criteria that we expect an LA to use when developing its criteria for identifying households that are vulnerable to cold, and could benefit from an energy saving measure under ECO. These are:
- a) Health conditions; and
 - b) Household income
- 6.13. Annex 8 provides a list of conditions which increase vulnerability to cold, based on the National Institute for Health and Care Excellence (NICE) guidelines.⁷ This list is intended to be a useful reference, though under flexible eligibility an LA has the opportunity to identify additional health conditions, or provide more detail on what exactly must be met with those conditions, based on the needs of its local population and as identified in its local Joint Strategic Needs Assessment (JSNA)⁸.
- 6.14. LAs may decide to use income thresholds to identify low income households which are different to those suggested in Annex 7 for targeting fuel poor households. This would be in recognition that people with a health condition are more likely

⁶ EPC database open access: <https://epc.opendatacommunities.org/>

⁷ NICE provides guidance, advice, quality standards and information services for health, public health and social care. The NICE guidelines are available here: <https://www.nice.org.uk/guidance/ng6/chapter/1-Recommendations>. Further information on guidelines in relation to Scotland may be found: <http://www.healthcareimprovementscotland.org/>

⁸ <http://content.digital.nhs.uk/jsna>. In Wales, there are requirements under the Social Services and Well-Being (Wales) Act and the Well-Being of Future Generations Act for Population Assessments and Local Well-Being Plans.

than other people to spend a longer time in their homes and therefore have higher energy costs as their houses need to be heated for longer. Also, given the different needs of households that are vulnerable to cold, LAs may decide to allow flexibility around the relevant income thresholds that can apply in their area.

- 6.15. In prioritising households to be referred to energy suppliers, LAs may wish to prioritise homes with an EPC rating of F or G, which are more likely to be cold, expensive to heat and may be a health hazard. Introducing even basic measures to these homes for the first time – such as a central heating system – can cut heating requirements significantly and provide a major uplift in comfort.
- 6.16. In Annex 7 we provide guidance on identifying “high-cost” homes, which are more likely to be in fuel poverty. However, in developing criteria, LAs may decide to use other indicators to identify households that are cold, and damp, and may benefit from energy efficiency improvements.

Prioritising households on the basis of their health conditions

- 6.17. While there could be many different ways in which LAs and suppliers agree to deal with referrals. LAs and energy suppliers may agree on a number of referrals and on the installation of certain types or number of measures, customer contribution requirements (if any), or a funding limit. This clarity should help LAs to manage the expectations of their residents.⁹
- 6.18. It is important to remember that inclusion in an LA declaration does not guarantee a measure will be installed in that property. Therefore LAs should seek, in advance with energy suppliers, or their intermediaries, to agree a way of minimising instances in which a vulnerable household identified in a declaration does not receive a measure, or a service as a result of the referral. Parties may want to agree timeframes for the installation of a measure, which take into account that a household may not pursue other avenues to improve their warmth if they think they will be getting an ECO measure.
- 6.19. A weighted scoring approach can be useful to prioritise households for support, particularly if there are more residents in need than LAs can make referrals for. For example, some LAs participating in the Health Booster Fund¹⁰, have chosen to give different weightings to health conditions based on their local priorities, local communities’ needs and the demographics of the area.
- 6.20. Scores can be cumulative, so customers with more than one condition or characteristic (eg age, health conditions, housing characteristics and income level) are then prioritised over others. LAs may wish to have thresholds for these scores set according to the number of households that an LA intends to include in

⁹ See also considerations on ‘Working with energy suppliers’ included in the BEIS’ Guidance for Local Authorities on Statement of Intent and LA Declaration.

¹⁰ In 2015 Government provided £1m funding to 9 LAs to run innovative projects on health and fuel poverty (the Health Booster Fund). A list of the participating LA is available here:

<https://www.gov.uk/government/publications/the-fuel-poverty-and-health-booster-fund>.

declarations, and as such it can operate as a triage method, rather than a hard threshold.

Identifying “In-fill” properties for solid wall insulation

- 6.21. In order to encourage multi-property solid wall insulation projects in private tenure, LAs will be able to provide declarations for households that are not living in fuel poverty (FP) or living on a low income and are vulnerable to the effects of living in a cold home (LIVC), in certain limited circumstances. These properties are known as “in-fill”.
- 6.22. This extra flexibility is allowed only for the purposes of solid wall insulation.
- 6.23. Note “in-fill” is only available for private domestic premises and as such does not include social housing.
- 6.24. Where a household does not meet the criteria for FP or LIVC, an LA can declare a household as “in-fill” where they are:
- a) in the same terrace as; or
 - b) in an immediately adjacent building to; or
 - c) are in the same building as a household that does meet those criteria.
- 6.25. In-fill is only allowed for solid wall insulation (SWI) projects where a minimum percentage of households for which the LA is providing declarations are FP or LIVC. These requirements are set out in the ECO Order¹¹ and can be summarised as follows:

Table 1 - Summary of the requirements for property types under in-fill

Property Type	LA declaration requirements	In-fill available
Project consisting of a pair of semi-detached houses or bungalows , or a building containing no more than two domestic premises .	At least one of the two-properties must be declared by the LA as FP or LIVC (i.e. 50% of the properties are FP or LIVC).	The other private property to which it is directly adjoined is eligible for solid wall insulation.
Project consisting of any premises that are contained in the same building (eg flats),	At least two in three properties on the list must be declared by the LA as FP or LIVC (i.e. at least	The other (i.e. up to one third) of private properties in the project are eligible for solid wall insulation, provided they

¹¹ Article 16A(4) & 16A(5) of the ECO2 Amendment Order 2017.

<p>immediately adjacent buildings (eg neighbouring properties) or in the same terrace.</p>	<p>66% of the properties are FP or LIVC).</p>	<p>are either in the same building, an immediately adjacent building or in the same terrace as the ones identified as FP or LIVC.</p>
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- 6.26. In-fill households must be listed in an LA declaration for SWI projects, alongside the FP or LIVC households in the project that meet the relevant criteria.
- 6.27. The LA must ensure that, for each project on a declaration, the minimum proportions are met for the relevant property types. The percentage requirement only relates to the portion of the properties covered by an LA declaration. So for example, if the LA declaration only covers 80% of a block of flats, then the 66% requirement applies to that 80% only, rather than to the whole block of flats. Annex 8 provides some further illustrative examples of “in-fill”.
- 6.28. If an LA declaration is valid and the appropriate percentage of FP or LIVC properties are met then:
- Irrespective of whether the FP or LIVC properties receive any measures, the private in-fill properties listed on that declaration will be eligible to receive an SWI measure.
 - If any of the FP or LIVC properties named on the declaration are removed from a project for any reason, this will not invalidate the eligibility of any of the private properties identified as in-fill on the same declaration.
- 6.29. It is important to remember that properties in a block that are not eligible under flexible eligibility can be considered for a CERO measure or Affordable Warmth where relevant.
- 6.30. If a FP or LIVC property identified in an LA declaration is notified as eligible under Affordable Warmth this will not affect the validity of a declaration in relation to in-fill as long as the FP & LIVC percentage requirements are met in the initial declaration.
- 6.31. [Ofgem guidance](#) provides detail on its administrative requirements for “in-fill”.

7. Annual reports and keeping evidence

Annual Reports

- 7.1. To support BEIS in determining overall achievements under LA flex and to assist in the evaluation of the success of LA flex, we will request that LAs submit information to us in the form of an annual report. The format of this reporting will be left to LAs to decide, though the following information would be most beneficial to enable BEIS to review the scheme:
- Number of households included on declarations (breakdown by FP, LIVC & in-fill)
 - Number of households who received LA flex measures (breakdown by FP, LIVC & in-fill), if such information is collected from suppliers
 - Eligibility criteria applied
 - Referral routes utilised
 - Suppliers and installers who the LA worked with
 - Other LAs who the LA worked with
 - Tools, maps or data used to identify eligible households
 - Any evaluation that you have done of the scheme (eg fuel poverty alleviation, health impacts, health cost savings)
 - Any additional funding provided, or additional services provided to residents in conjunction with flexible eligibility
 - Any particular issues with data sharing
 - Barriers
 - Future plans on flexible eligibility
- 7.2. We request that reports are submitted to BEIS by 30 April 2018, 6 months before the end of the scheme. This will help BEIS gain a greater understanding of the scheme and help to potentially amend future guidance. Reports should be submitted to BEIS at the following email address: beisecoteam@beis.gov.uk.
- 7.3. We strongly encourage suppliers to keep the relevant LA informed of all measures installed on the basis of LA declarations made. This would allow LAs to be aware of measures installed in their administrative area and keep records of overall delivery. We do not intend to stipulate the format or regularity of this reporting. However it is recommended that parties agree this in advance to ensure it meets respective organisational needs.

Evaluation

- 7.4. BEIS is keen to review how well flexible eligibility is working and whether it is achieving its objectives of targeting households living in fuel poverty, or who are living on a low income and are vulnerable to the effects of living in a cold home.

- 7.5. In order to inform the future scheme, participating LAs may be asked to be part of a Flexible Eligibility “User group”. This group may be asked to participate in one or more workshops organised by BEIS to share lessons learned on the scheme and collect any early evidence of its working. These workshops may focus in particular on lessons learned on targeting fuel poverty and vulnerability and on the processes involved in flexible eligibility.
- 7.6. In addition, participating LAs may be asked to participate in a more formal evaluation of the scheme by BEIS. As part of this, we may ask to access evidence of your targeting approaches.

Evidence Retention by LAs

- 7.7. BEIS will not prescribe what evidence must be kept by LAs. However, to facilitate internal monitoring of the scheme by LAs, and in order to inform annual reports that should be submitted to BEIS, we recommend that the following evidence should be retained by LAs:
- Statement of Intent
 - Copies of declarations
 - Underlying records used to support household eligibility assessment and evidence of adhering to targeting criteria outlined in an Sol
 - Reporting received from suppliers or installers on measures installed
 - Any internal assurance reporting, if undertaken (e.g. Internal Audit report)
 - Any additional information that may support annual reports
- 7.8. We recommend this evidence is retained for 3 years.

8. Working with energy suppliers and intermediaries

Working with energy suppliers

- 8.1. There are a number of potential delivery models that could be followed under flexible eligibility, and it will be up to suppliers, or their intermediaries, and LAs to agree them for each area.
- 8.2. LAs should be aware that suppliers must provide information to Ofgem on request and as such will require information from the LA to support this (ie the LA declaration and the Sol).
- 8.3. Suppliers, installers and LAs are free to establish their own working relationships and processes with each other, as long as in doing so, no regulatory breach occurs.
- 8.4. LAs should make clear to their residents that the inclusion of a household in an LA declaration does not guarantee a measure will be installed by an energy supplier. Decisions by energy suppliers on whether to install a measure may depend on: i) survey carried out by suppliers or their agents/contractors and installation costs calculated, ii) the energy savings that can be achieved for a property¹², and iii) whether suppliers have achieved, or are close to achieving, their targets.
- 8.5. The Government encourages LAs and suppliers to establish robust partnerships with a strong understanding of mutual roles and responsibilities that provide a positive customer journey for fuel poor and vulnerable households. As a result of this, situations where customers expect a measure that is then not delivered should be avoided.

Working with intermediaries

- 8.6. LAs have a key role to play in bringing together parties and coordinating activities of health and social care services. They can promote and encourage partnerships and referrals between parties working with fuel poverty and vulnerability, including those working in housing, energy efficiency, environmental health, the NHS, social care, public health, community groups and others engaged in home visits, including those outside the health sphere such as the fire service, or advice agencies. Citizens Advice Bureau agencies, for example, given their established referral systems for low income consumers and outreach activities, can play a key

¹² Guidance on “deemed scores” which determine the savings of measures under the ECO: Help to Heat scheme is available here: <https://www.ofgem.gov.uk/publications-and-updates/response-eco-deemed-scores-consultation>

role in referring households to LAs. LAs may also work with managing agents, who operate on behalf of energy suppliers.

- 8.7. LAs can also coordinate funding, or other services, from different sources to provide maximum benefits to their residents. For example, LAs should seek to work with Clinical Commissioning Groups (CCGs), as they have an important role to play to support the work of local health services and raising awareness of the impact of cold homes on health. Several CCGs have recognised that there are significant health benefits to be had from tackling fuel poverty, not only in terms of health outcomes for individuals, but also of health and social care cost savings and wider public benefits. There are several examples of funding being made available by CCGs to help address the issue of vulnerability to cold.
- 8.8. Whilst intermediary organisations may assist LAs in identifying eligible households, the LA declaration must be made by an LA, and LAs will be expected to have oversight and responsibility for how flexible eligibility is utilised in their areas.
- 8.9. In developing their targeting approaches to flexible eligibility, LAs should set out in the Sol how they intend to make the most of referrals from trusted third parties in the health and social care service. They should also consider how they can refer people on to other services, for example benefit entitlement checks, care and repair services, or wider social support services.

Working with private rented sector landlords

- 8.10. Under the Private Rented Sector (PRS) Regulations¹³, LAs in England and Wales have enforcement duties and powers in relation to the domestic minimum standard. As part of their minimum standard enforcement work, therefore, LAs have an opportunity to identify PRS properties, and refer them onto energy suppliers for potential energy improvements. This may allow landlords of sub-standard properties to access support to meet their minimum standard obligations to the benefit of their tenants.

¹³ The Energy Efficiency (Private Rented Property)(England and Wales) Regulations 2015 set a minimum energy efficiency standard for the private rented sector (PRS) in England and Wales from April 2018 for both domestic and non-domestic property. The minimum standard is set at EPC energy efficiency band E, and domestic properties whose EPC rating is below E are defined as 'sub-standard'.

9. Data protection

- 9.1. LAs will need to comply with the Data Protection Act 1998 ('DPA')¹⁴ for any personal information they pass on to suppliers, for example, by obtaining the consent of the householder before matching them with a supplier and sharing relevant information such as an address and the reason for the eligibility.
- 9.2. It is the responsibility of the LA to determine how best to record and retain records of consent. To assist LAs should consider guidance given by the Information Commissioner's Office¹⁵ and Ofgem's guidance¹⁶ for ECO2 with regards to privacy notices.
- 9.3. In all cases we encourage LAs to establish clear lines of communication and accurate data flows with suppliers and installers in order that decisions, and evidence, is clearly recorded and maintained.

¹⁴ The Information Commissioner's Office (ICO) statutory code of practice on data sharing ('the ICO Code') provides guidance on how to ensure personal data is shared in a way that is lawful, proportionate and compatible with the DPA and other relevant legislation such as the Human Rights Act 1998:

https://ico.org.uk/media/for-organisations/documents/1068/data_sharing_code_of_practice.pdf

Another key source of information and advice on data sharing and usage is the Centre of Excellence for Information Sharing. There are a number of useful resources on their website which can help when planning processes or projects that involve sharing data and information. They can also be contacted for specific advice.

¹⁵ Further information can be found at the Information Commissioner's Office website at [ICO privacy-notice-transparency and control](#).

¹⁶ See paragraphs 8.35-8.40 of:

https://www.ofgem.gov.uk/sites/default/files/docs/volume_1.1_guidance_update_delivery_-_final.pdf

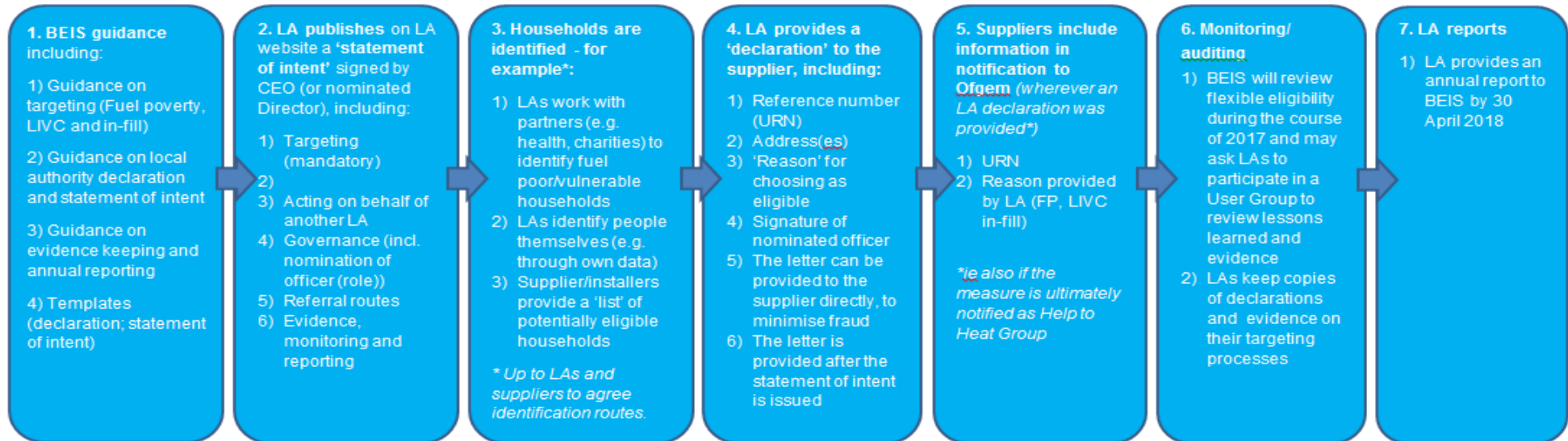
Annex 1: Affordable Warmth household eligibility

Private tenure	Private tenure	Social housing
<p>Flexible eligibility (up to 10% of the Affordable Warmth obligation for the extension period):</p> <ul style="list-style-type: none"> • A local authority can declare private tenure households as eligible if they consider them to be : <ul style="list-style-type: none"> • living in fuel poverty; or • living on a low income and vulnerable to cold; or • not in fuel poverty for solid wall insulation (subject to the limits of “in-fill”) 	<p>The following means-tested benefit recipients are eligible:</p> <ul style="list-style-type: none"> • Income-based Jobseeker’s Allowance (JSA) • Income-related Employment and Support Allowance (ESA) • Income support (IS) • Pension Guarantee Credit • Working Tax Credit (below certain income thresholds) • Child Tax Credit (below certain income thresholds) • Universal Credit (below certain income thresholds) 	<ul style="list-style-type: none"> • Only the most inefficient social tenure properties are eligible (ie EPC bands E,F,G)

Affordable Warmth represents 70% of the ECO obligation. The Carbon Emissions Reduction Obligation (CERO), makes up the remaining 30% of the ECO obligation. Under CERO energy improvements can be carried out in any household, without eligibility restrictions. For more details refer to the [ECO 2 Amendment Order](#) and [Ofgem’s Guidance](#).

Annex 2: Flexible eligibility process map

Description: Under flexible eligibility, local authorities (LAs) provide a 'declaration' to suppliers which can be used to demonstrate that a household (or a number of households) is eligible for Affordable Warmth (AW). Energy suppliers can count measures installed in those households towards their AW obligation, subject to the limits imposed by the scheme. LAs will have to ensure that they target households in private domestic premises living: 1) in fuel poverty or 2) on a low income and vulnerable to the effects of living in a cold home (LIVC). In addition some non-fuel poor homes will be allowed for solid wall insulation (SWI) projects, as long as a proportion of the households in the project are in fuel poverty or LIVC (i.e. 66% in blocks of flats, terraces, adjacent properties) or 50% (in semi-detached houses or bungalows and buildings with two premises). This 'flexibility' only covers eligibility - all other rules of the scheme will apply normally to ECO: Help to Heat measures. The key steps in the process are illustrated below.



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Requirements on energy suppliers for flexible eligibility (see [Ofgem's guidance](#) for suppliers on flexible eligibility)

1) Statement of intent

- a) [Ofgem](#) may audit suppliers to check that a statement of intent was published by an LA on or before it issued any declarations.
- b) [Ofgem](#) may audit a statement of intent to ensure that it includes a section relating to how an LA intends to identify relevant households.
- c) Should [Ofgem](#) receive/find evidence that a statement of intent does not meet either of the two criteria above, it may reject measures identified as eligible by that LA in its declarations.

2) Declarations

- a) [Ofgem](#) may audit suppliers to check that a declaration exists and contains the relevant addresses of the measures notified.
- b) [Ofgem](#) may also check that the declaration is dated on or after the [SoI](#) was published
- c) [Ofgem](#) may also audit declarations to ensure that the percentage requirements for SWI in-fill are met on the declaration.
- d) Should [Ofgem](#) find or receive any evidence that an LA is targeting households that do not meet the policy intent they will pass this information to BEIS for action as appropriate.

Annex 3: Statement of Intent template

- 1) Name of the local authority (*or local authorities if this is a joint Sol*)
- 2) Local authority you are acting on behalf of (*if relevant*)
- 3) Date of publication [DD/MM/YY]
- 4) Version number
- 5) Publication on website [provide specific URL to the website where it is published]

1) Intro [this section is optional but best practice]

Outline the LA's ambitions for Flexible Eligibility, how this fits with local policies and priorities and any additional services or support that are available.

You can also include a statement to make clear to members of the public that the final decision on whether a household receives an ECO measures is made by the energy suppliers or their agents/contractors. For example you may note that inclusion in a Declaration made by the LA to a supplier will not guarantee installation of measures, as the final decision will depend on i) survey carried out by suppliers agents/contractors and installation costs calculated, ii) the energy savings that can be achieved for a property, and iii) whether suppliers have achieved their targets or require further measures to meet their ECO targets

2) How the LA intends to identify eligible households [this section is mandatory]

Outline how the LA intends to identify households that may benefit from the installation of measures under "flexible eligibility", ie households that are living in fuel poverty (FP) or living on a low income and vulnerable to the effects of living in a cold home (LIVC) ("relevant households"). In doing this, you should have regard to BEIS guidance on targeting.

In the Sol, you should include:

(a) Criteria for identifying households in fuel poverty

Please specify your targeting criteria, including as minimum information on the the following:

- Households not in receipt of benefits
- Households in receipt of benefits, if so which benefits?
- Low income threshold/s, or other indicators
- Indicators of high energy cost

(b) Criteria for identifying low income and vulnerability to cold

Please specify your targeting criteria, including as a minimum information on the following:

- Low income threshold/s, or other indicators
- Health and vulnerability conditions

(c) Any details of scheme requirements for SWI “in-fill” projects

- Including whether the LA intends to facilitate solid wall insulation schemes under flexible eligibility including households that are not in fuel poverty or vulnerable (‘in-fill’) and any details of scheme requirements and eligibility criteria

3) Acting on behalf of another local authority [this section is mandatory]

In some cases, an LA might make declarations on behalf of another LA. In this case you must include the name(s) of the LA on behalf of which you are making declarations.

4) Joint statement of intent [this section is mandatory]

In some cases, LAs may wish to issue a joint Sol, if they intend to use common criteria across their areas. In this case you must list the names of the LAs who are signatories to the Sol.

5) Governance [this section is optional but best practice]

While this is optional, we strongly encourage LAs to include details of the person responsible for signing “local authority declarations” on behalf of the LA, including role and address. If this is a joint Sol, this should be done for all the LAs issuing declarations under the joint Sol.

In addition, an LA should provide any details of governance structures in place to oversee the process of identifying eligible households under “flexible eligibility”. This section should include details of the decision making organogram.

6) Referrals [this section is optional but best practice]

While some LAs may not know the following information at the stage of developing an Sol, this is information that is valuable to residents to know if available. Alternatively, it could be included in (annual) reports.

- a) Details of any referrals route from fuel poverty/vulnerability/social care or health organisations, or any partnership with a selected obligated supplier and/or agents/contractors
- b) Expected information flows with obligated suppliers and their agents/contractors

7) Evidence, monitoring and reporting [this section optional but best practice]

This section should cover, if available at the stage of developing the Sol:

- a) What data will be collected and the mechanisms in place for monitoring the effective targeting of relevant households;
- b) What reporting mechanism will be in place to monitor which households of those targeted have subsequently received a measure;
- c) The method and frequency with which information is reported to those with governance and decision-making responsibilities;
- d) What internal auditing will be carried out on the above data collection and monitoring mechanism; and
- e) What controls are place to deter, prevent and detect fraud.

8) Signature [this section is mandatory]

The Sol should be signed by the Chief Executive Officer for the LA or other senior officer nominated on their behalf who is at least at Director level.

In case of a joint Sol, signatures by all the LAs involved should be included.

Annex 4: LA Declaration template

This declaration must be used to demonstrate eligibility of premises under the flexible eligibility provision of Affordable Warmth. Only LAs can make a declaration. This declaration can be used for all Affordable Warmth measure types except for projects including solid wall insulation (SWI) “in-fill”.¹⁷ More than one premise can be listed on this form.

We recommend that each page includes a date, signature and page number:

Page number:...../..... Signature:Date:

Name of local authority making the declaration	
Name of local authority you are acting on behalf of (where applicable)	
Declaration URN ¹⁸	
Statement of Intent publication date and version number	
Statement of Intent internet link	
<i>Optional: Name of the installer or supplier to which you have provided the declaration</i>	
<i>Optional: time validity of your declaration</i>	
Address of premises (Add rows where necessary) Please insert: Building number/name, Street name, Town, City, County, Postcode	The premises are occupied by (one of the following): 1. A household living in fuel poverty 2. A household living on a Low income and vulnerable to the effects of living in a cold home (LIVC) (Please insert “Fuel Poor” or “low income and vulnerable” into the box below)

¹⁷ A separate declaration is available for SWI projects that include “in-fill” properties in Annex 3.

¹⁸ URNs will be based on a local authority’s ONS code – guidance is provided in Chapter 5.

Local authority declaration	
I declare that:	
<input type="checkbox"/>	the Statement of Intent (Sol) for this local authority was published on or before the date this declaration was made and is currently available to view at the above location.
<input type="checkbox"/>	the local authority has been consulted on the installation of a measure (“heating qualifying action”) at the premises listed above. We confirm this consultation took place prior to the installation of measures.
<input type="checkbox"/>	in the opinion of the local authority, the premises listed above are occupied by a household(s) either: <ul style="list-style-type: none"> a) living in fuel poverty, OR b) are occupied by a household(s) living on a low income and vulnerable to the effects of living in a cold home.
Local authority officer name	
Local authority officer signature	Date: __/__/____
Job title	
Local authority address	
Local authority telephone number	

Page number:...../..... Signature:Date:

Annex 5: LA Declaration template for “in-fill”

This declaration must be used to demonstrate eligibility of premises under the flexible eligibility provision of Affordable Warmth. Only LAs can make a declaration. **This declaration can only be used for solid wall insulation (SWI) projects including “in-fill”.**

We recommend that each page includes a date, signature and page number.

Page number:...../.....Signature:Date:

Name of local authority making the declaration		
Name of local authority you are acting on behalf of (where applicable)		
Declaration URN ¹⁹		
Statement of Intent publication date		
Statement of Intent internet link		
<i>Optional: Name of the installer or supplier to which you have provided the declaration</i>		
<i>Optional: time validity of your declaration</i>		
Address of premises (Add rows where necessary) Please insert: Building number/name, Street name, Town, City, County, Postcode	Relevant eligibility criteria (please see the Notes section on how to fill this section)	Premises type (please see the Notes section on how to fill this section)
Project 1		
Percentage of households listed in project that are either living in fuel poverty or are low income and vulnerable to the effects of living in a cold home _____% ²⁰		
Project 2		

¹⁹ Guidance for LAs on how to produce a URN is set out in chapter 5.

²⁰ Ofgem will check the percentages in the declaration are correct – if not, the declaration will be invalid. Ofgem will not check that the percentages are correct based on measures installed and notified to them.

Percentage of households listed above that are either living in fuel poverty or low income and vulnerable to the effect of living in a cold home _%	
<i>(You can include more projects if needed)</i>	
Local authority declaration	
I declare that:	
<input type="checkbox"/>	the Statement of Intent (SoI) for this local authority was published on or before the date this declaration was made and is currently available to view at the above location.
<input type="checkbox"/>	the local authority has been consulted on the installation of the solid wall insulation at the premises listed above prior to the installation of a measure. We confirm this consultation took place prior to the installation of measures.
<input type="checkbox"/>	<ul style="list-style-type: none"> • (tick box only if relevant) the premises listed in the project list [insert project number(s)] above are situated in a semi-detached house, a semi-detached bungalow or a building containing no more than two domestic premises; and • to the best of the local authority’s knowledge and belief, both houses or bungalows in the pair of semi-detached properties or both premises in the building in that list are private domestic premises; and • in the opinion of the local authority, at least one of the premises in the pair of semi-detached properties or in the building is occupied by a household living in fuel poverty; or • in the opinion of the local authority, at least one of the premises in the pair of semi-detached properties or in the building referred to in the list is occupied by a household living on a low income and vulnerable to the effects of living in a cold home.
<input type="checkbox"/>	<ul style="list-style-type: none"> • (tick box only if relevant) all of the premises included in the project list(s) [insert project number(s)] above are situated in the same building, in immediately adjacent buildings or in the same terrace; and • to the best of the local authority’s knowledge and belief, all of the premises included in the project list(s) above are private domestic premises; and • in the opinion of the local authority, at least 66% of the premises included in that list are occupied by households living in fuel poverty or by households living on a low income and vulnerable to the effects of living in a cold home.
Local authority officer name	
Local authority officer signature	Date: __ / __ / ____
Job title	
Local authority address	
Local authority telephone number	

Notes

For each premise, one of the following must be selected for relevant eligibility criteria:

1. “Fuel poor” (if the premise is occupied by a household living in fuel poverty)
2. “Low income and vulnerable” (if the premise is occupied by a household living on a low income and are vulnerable to the effects of living in a cold home)
3. “SWI In-fill 50”%” (if the premise is not occupied by a household in fuel poverty or low income and vulnerable. The percentage is dependent on the property type (see table below)).
4. SWI In-fill 66%” (if the premise is not occupied by a household in fuel poverty or low income and vulnerable. The percentage is dependent on the property type (see table below)).

For each premise, one of below property types must be selected for each address:

SWI in-fill property types	in-fill %
<ul style="list-style-type: none"> • Semi-detached house; or • semi-detached bungalow; • building that contains no more than 2 domestic premises 	No less than 50%
<ul style="list-style-type: none"> • All properties listed are in the same building; or • in immediately adjacent buildings; or • same terrace 	No less than 66%

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Annex 6: Identifying fuel poor households

1. In this section we suggest approaches to identifying households that live in fuel poverty.
2. The approaches are suggested in two steps:
 - a) Identifying whether a household is on a low income; and
 - b) Determining whether they face high energy costs

Identifying low income households

3. Identifying households on low incomes for Government schemes is often undertaken by determining whether a household receives a means-tested benefit. However, not all fuel poor households are recipients of benefits, and not all households are willing to share information about their benefit status.
4. Through flexible eligibility, Government is keen that LAs may be able to identify those people living in fuel poverty, who are harder to reach, for example those who are not on the benefits system, and hence would not be captured under the main eligibility criteria under Affordable Warmth.
5. An alternative approach to means-tested benefits is to use an income threshold to determine whether a household has a low income – where households would be eligible if their income was equal to or below the relevant income threshold.
6. In general, the lower an income threshold the greater the likelihood of households below that threshold being in fuel poverty.
7. As a guideline, or benchmark, Table 1 outlines the income thresholds broadly equivalent to those used when measuring fuel poverty using the Low Income High Costs indicator, based on the 2014 Fuel Poverty National Statistics.²¹ These income thresholds have been adjusted for inflation to be broadly representative of 2017/18 equivalent thresholds. This will be referred to as the Low Income threshold.
8. Income here is defined as a household's disposable income after they have paid for their rent or mortgage. This comprises income from all sources, such as net earnings (after tax), income from savings and investments, pensions, all benefits (including housing benefit), and net council tax payments.
9. A different threshold is provided for different types of household composition, reflecting that larger households require larger incomes in order to achieve the same standard of living as smaller ones.²²

²¹ Available at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/557400/Annual_Fuel_Poverty_Statistics_Report_2016_-_revised_30.09.2016.pdf

²² This is a process referred to as “equivalisation”. To illustrate, a single person household with an income of £20,000 will have more disposable income and be able to enjoy a higher standard of living than a

10. In practice participating LAs will be able to exercise their discretion on where to set thresholds they consider appropriate, and how to define income. This must be set out in the Sol.

Table 1 – Income thresholds broadly consistent with those used under the Low Income High Costs indicator (2014)²³ inflated to represent 2017/18 prices

Household composition	Annual household income	Monthly household income Equivalent
1 adult (18 years and over)	£8,900	£740
and 1 child	£11,700	£980
and 2 children	£14,400	£1,200
and three children	£17,300	£1,440
and four or more children	£20,100	£1,680
2 adults (18 years and over)	£14,600	£1,220
and 1 child	£17,400	£1,450
and 2 children	£20,200	£1,680
and three children	£23,100	£1,930
and four or more children	£25,700	£2,140

11. BEIS research²⁴ has tested how questions could be asked of householders in a way that could elicit reliable answers about whether their household income was above or below a threshold. Box 1 outlines the questions based on that research which can be used to determine whether their income is above or below a particular threshold.

Box 1: Questions that could be used to determine whether a household’s income is above or below a particular threshold level

Question 1: How many people over the age of 18 normally live in your property, including yourself?

This establishes how many adults are part of the household.

Question 2: How many people under the age of 18 normally live in your property?

This establishes how many children are part of the household.

Question 3: After paying the rent or mortgage (if you have one), how much income does your household usually have left each month?

a) More than [e.g. the threshold amount from Table 1 given the number of adults and children stated under questions 1 and 2]; or

family of four on the same level of income. Therefore higher thresholds are applied to larger households.

²³ These thresholds have been calculated from the 2014 fuel poverty dataset for England – the latest available at present. This has been inflated to be broadly representative of 2017/18 equivalent thresholds.

²⁴ The Department expects to publish this in due course

- b) Less than [e.g. the threshold amount from Table 1 given the number of adults and children stated under questions 1 and 2].

This establishes whether the household's income, after housing costs, is above or below the low income threshold. If the answer to Question 3 is (b), then they should be considered as low income.

Example: A household has 2 adults 18 years of age or over, and 3 children under 18 years. Using Table 1 as an example, the appropriate threshold is £21,600 annually (or £1,800 per month). Their answer to Question 3 reveals that they have less than £1,930 per month after they have paid their rent or mortgage (if they have one). In this example, they can therefore be considered as low income.

Identifying high cost households

12. Due to the nature of the fuel poverty definition used for England, gathering information that relates to the energy costs in a given property and combining it with information on that household's income is more effective in targeting the fuel poor than using income information alone.
13. We have considered different approaches that reflect potential access to data by LAs on how costly a home is to heat. We have shortlisted two approaches in this guidance, which try to strike a balance between simplicity and targeting accuracy. As discussed above, LAs have discretion over how to target fuel poor households. As such they may wish to develop different approaches or use different data or tools to identify fuel poverty in their area. The approach followed must be set out in the Sol.
- a) **Approach 1:** Use Energy Performance Certificate (EPC) bands E, F or G in order to determine a household as very likely to have high energy costs
 - b) **Approach 2:** Use the responses to a set of questions which describe the characteristics of a given household to determine the likelihood of having high energy costs
14. Internal BEIS analysis shows that there is a correlation between properties with high energy costs and households which have potential for a cost-effective ECO measure. This is an important factor for energy suppliers in deciding whether to install a measure.
- 1) *Approach 1: EPC bands E, F or G*
15. Energy Performance Certificate (EPC) bands can be used to identify how costly a household is to heat.
16. In March 2017 DCLG made a significant proportion of the EPC register data openly accessible²⁵, which should allow for bulk access to this data free of charge.
17. This simple approach would involve obtaining EPC bands for properties and defining as eligible only those properties which have an EPC band of E, F, or G. BEIS analysis

²⁵ Available at <https://epc.opendatacommunities.org/>

shows that E, F, and G rated homes have a high probability of being defined as ‘High Cost’ under the Fuel Poverty definition.

2) Approach 2: High Cost questions

18. Whilst Approach 1 is the simplest route to take, we present another option for finding high cost homes where an EPC is not available.
19. This option would involve obtaining data on dwelling characteristics, either done using data held by an LA, visiting the property, or approaching households to get the relevant information.
20. BEIS has developed a set of simple questions that aim to achieve a balance between simplicity and effective identification of high cost homes. These have been tested in previous BEIS research, which found that typically householders are able to understand and answer these questions reliably.
21. Using English Housing Survey data BEIS has analysed how responses to these questions tend to affect the probability of a given home having high heating costs. Based on this analysis, we developed scores which reflect the likelihood that a dwelling characteristic (e.g. number of bedrooms = 4) results in the given household having high energy costs. A higher score indicates a greater likelihood that a household has high energy costs.
22. Participating LAs may decide to set a score threshold, whereby properties that generate a score above a certain level are deemed to be sufficiently likely to be High Cost. An alternative method would be to simply score all the properties in the area and prioritise those properties with the highest scores.
23. Table 2 below shows how different score thresholds are likely to impact the fuel poverty targeting accuracy when used in conjunction with the Low Income threshold. It also shows that as the score threshold increases, the eligible “pool” – that is, the number of households that would be deemed eligible – decreases. Increasing the score threshold, or applying stricter eligibility criteria, will therefore make it more challenging to find eligible households.
24. As a reminder, LAs that follow this approach have discretion over the score thresholds.

Table 2 – Illustrative score thresholds with corresponding change in fuel poverty targeting accuracy

Score threshold	Fuel poverty targeting accuracy	Eligible ‘pool’ size in England
-5	66%	2,300,000
0	72%	1,800,000
5	81%	1,200,000
10	87%	800,000
15	92%	500,000

25. Table 3 below provides a list of recommended questions and corresponding scores based on our statistical analysis. If no response is available for a question, there is a “No response” option. This uses the most common response as a default response – for example, if it is unknown how the energy payments are made then given payment

by Direct Debit is the most common option, the score for Direct Debit is used. We do recommend answering all questions where possible, as some default scores – for example when the home was built, and the main fuel type – will have a large impact on the overall score. The more “No response” answers used, the less accurate the score will be.

Table 3 – Illustrative scores applied to high cost question responses under Approach 2

Question	Response	Score
How many bedrooms are there in the home?	1	0
	2	10
	3	17
	4	27
	5 or more	36
	No response	17
Are energy payments made by Direct Debit?	Yes	-7
	No	0
	No response	-7
What type of house is it?	Semi detached	-4
	Detached	6
	Mid terrace	-10
	End terrace	-4
	Converted flat	-9
	Purpose built flat, high rise	-20
	Purpose built flat, low rise	-34
	Bungalow	0
	No response	-4
Was the home built before 1964?	Yes	17
	No	0
	No response	17
What is the main heating fuel?	Gas	-14
	Electricity	0
	Oil	12
	Other	-10
	No response	-14
Does at least one member of the household spend most of the day in the home?	Yes	1
	No	0
	No response	0

26. **Example:** Household B has met the income criteria as specified by the LA and therefore information has been gathered on the questions above, as follows:

Question	Response	Score
How many bedrooms are there in the home?	3	17
Are energy payments made by Direct Debit?	Yes	-7
What type of house is it?	Detached	6

Was the home built before 1964?	Yes	17
What is the main fuel type?	Gas	-14
Does at least one member of the household spend most of the day in the home?	Yes	1

27. The score for household B is: $17 + (-7) + 6 + 17 + (-14) + 1 = 20$. If the LA has set a score threshold at 5 points then this household would be considered a high cost home.

28. Table 4 shows the fuel poverty targeting accuracy rate (i.e. what proportion of households targeted would be fuel poor) of the two approaches, combined with the low income definition provided above. To illustrate the importance of applying an income threshold we also show an option of not using an income threshold. The table assumed that only properties deemed to be highly likely to have high energy costs are selected.²⁶

Table 4 – Fuel poverty targeting accuracy across alternative approaches for identifying high energy cost homes

		Approaches for identifying high cost homes	
		Approach 1 (Households with E, F, or G EPC ratings)	Approach 2 (data on housing characteristics)
Low Income Thresholds Applied	No income threshold	19%	15%
	Low Income threshold	87%	81%

29. Note also that another benefit of applying an income threshold – beyond improving fuel poverty targeting accuracy more generally – is that it ensures all eligible households identified will have low incomes even if some aren't strictly in fuel poverty.

²⁶ The actual targeting accuracy will depend on the score threshold chosen by the LA.

Annex 7: Identifying vulnerability to cold

1. In developing criteria, LAs should refer to the NICE guideline NG6 on “Excess winter deaths and illness and the health risks associated with cold homes”, which identifies people with the following health conditions as being particularly vulnerable to cold:

- a) *people with cardiovascular conditions*
- b) *people with respiratory conditions (in particular, chronic obstructive pulmonary disease and childhood asthma)*
- c) *people with mental health conditions, and*
- d) *people with disabilities*

2. Of the list provided above, cardiovascular and respiratory diseases are the key health conditions associated with excess winter deaths and illnesses.

3. It is important to note that whilst people with these conditions are particularly vulnerable to cold, many conditions may be exacerbated by living in a cold home.

4. While the health of people of all ages is affected by cold homes, older people (over 65 years) are more likely to suffer health problems (such as heart attacks, strokes and chest infections), especially those living on their own who are socially isolated. The risk increases with older age, and those over 85 are the most vulnerable. Cold homes may also pose a risk to the health of children under 5, as well as to pregnant women and their babies. LAs should have particular regard for these groups.²⁷

5. Some groups are particularly vulnerable to cold homes, for example, those who are likely to spend a larger part of their time at home because of a long-term illness or a disability. Feedback received from LAs involved in the Booster Fund projects²⁸ suggested adding to the following conditions to the list above:

- e) *people who are terminally ill*
- f) *people with suppressed immune systems (e.g. from cancer treatment or HIV)*

6. In addition to the above, the NICE Quality Standard on *Preventing excess winter deaths and illness associated with cold homes*²⁹ include further groups of people who are vulnerable to the health problems associated with a cold home, and which LAs may want to consider adding to their lists, specifically:

- g) *people who move in and out of homelessness*
-

²⁷ A useful reference on these issues is: ‘Hajat et al, Heat-related and cold-related deaths in England and Wales: who is at risk?’, *BMJ journals, Occupational and Environmental Medicine*, Volume 64, Issue 2. <http://oem.bmj.com/content/64/2/93>

²⁸ Health Booster Fund projects: <https://www.gov.uk/government/publications/the-fuel-poverty-and-health-booster-fund>

²⁹ The NICE quality standard is available here: <https://www.nice.org.uk/guidance/qs117/chapter/Quality-statement-2-Identifying-people-vulnerable-to-health-problems-associated-with-a-cold-home>

- h) people with addictions*
- i) people who have attended hospital due to a fall*
- j) recent immigrants, asylum seekers and refugees (if living in private tenure)*

7. Other indicators of vulnerability to cold could be less immediate to identify, for example, living in a cold home can cause or exacerbate mental and physical health problems. A household that cannot afford to heat its home is likely to be under stress, for example if they are forced to live in the only heated room.
8. Cold homes and health problems can spiral into further problems, for example low income households may need to choose between heating and food or other commodities. Others risk falling into debt, or have fallen into debt as a result of their health issues and high energy costs. Debt is therefore an additional factor that LAs may wish to take into consideration when identifying vulnerability to cold.

Annex 8: In-fill – examples

1. This Annex covers examples, which are only illustrative and non-exhaustive, of projects where in-fill requirements have been met.
2. It is important to bear in mind that where, in the examples given below, a property or properties are stated as not meeting the relevant eligibility criteria, LAs can consider whether they could be eligible for funding under CERO, or Affordable Warmth (eg if they are social housing EPC band E,F,G).
3. Flexible eligibility only applies to private tenure, therefore all the properties on a declaration, including in-fill, must be private tenure, and it only applies for the purposes of solid wall insulation (SWI).
4. As set out in Chapter 6, in-fill households must be listed in an LA declaration alongside the FP or LIVC households in the SWI project that meet the relevant criteria. The LA must ensure that, for each project on a declaration, the *minimum* proportions are met for the relevant property types.

1) 50% requirement – examples

5. This scenario will typically refer to houses that directly adjoin onto one other property. “**Directly adjoined**” refers to two individual properties that join onto one another. This includes two semi-detached houses, two semi-detached bungalows, or a detached building containing two properties (e.g. one above the other).
6. The 50% minimum requirement means that at least one of the two-properties must be declared by the LA as FP or LIVC).
7. Examples below include boxes representing whole households:

Key	Colour
FP or LIVC (eligible)	
In-fill	
Not-FP or LIVC ³⁰	

8. **Example 1 – Semi-detached.** The in-fill property **directly adjoins** the eligible property by a party wall. Other properties in red are not eligible as they are not FP or LIVC. Where an in-fill property identified by the LA **is on the same street but does not**

³⁰ Such properties can be considered for CERO measures, or, if they are social housing EPC bands E, F or G they can be eligible under Affordable Warmth (not flexible eligibility).

adjoin the eligible property by a side wall, this would not meet the requirements for in-fill eligibility.



9. **Example 2 - Detached building containing two properties.** The in-fill properties **directly adjoin** an eligible property by being directly above or below an eligible property and there being no more than 2 properties in the building. Other properties in red are not eligible as they are not FP or LVC and do not **directly adjoin** FP or LVC properties.



10. **Example 3 – Semi-detached, one containing two flats.** The flats on the right are not eligible as although they directly adjoin, they are not in a building containing no more than two domestic premises. As such 50% eligibility does not apply.



2) 66% requirement – examples

11. It is anticipated that this will refer to more complex circumstances and therefore we do not illustrate all possible circumstances. The following is intended to provide guidance, but should not be considered exhaustive of all circumstances.

12. The 66% minimum requirement means that at least two in three properties on the LA declaration must be declared by the LA as FP or LVC. It applies to the following types of buildings:

- **“Same building”** under 66% eligibility will typically refer to multiple properties in the same structure (e.g. block of flats).
- **“Immediately adjacent buildings”** are buildings that do not physically join but are separated by an alleyway, footpath, side garden or fence, for example. Buildings separated by a road on which motorised vehicles travel are not considered adjacent, although if the alleyway is used by motorised vehicles for parking purposes only, then this would be allowed.
- **“Same terrace”** will typically refer to a row of houses (including straight or “L” shaped) that are part of a continuous structure without a gap between them. Where houses have an access alleyway between them, but the top sections of the properties join, these are “same terrace”.

13. Where houses are in immediately adjacent buildings to a terrace (eg separated from the terrace by an alleyway), they can be considered part of the terrace for the purposes of being counted towards in-fill, as long as the immediately adjacent end-terrace property is included in the declaration and the required proportions of FP and LIVC are met.
14. Houses at the end of a terrace are considered “same terrace”, not semi-detached and as such can only qualify for in-fill under the 66% eligibility requirement.
15. Not all the properties in one terrace need to be included in the SWI project in order for the project to be eligible under flexible eligibility, nor do they need to be immediately adjacent, as long as they are in the same terrace and the required proportions of FP and LIVC within the SWI project are met. See example 5.
16. Similarly, not all the properties in a same block of flats need to be immediately adjacent to each other in order to be eligible under flexible eligibility, as long as the required proportion of FP and LIVC properties is achieved and the properties are in the same or immediately adjacent block of flats. This could be useful where some flats in the block of flats are in social housing, and therefore could not be counted towards flexible eligibility. See example 7.
17. **Example 4 - Same terrace.** In this example, all the 9 properties in the same terrace have been included in an LA declaration. As 66% of the properties for which an LA declaration has been provided are FP or LIVC (6 out of 9), the remaining 3 that are not FP, or LIVC, are eligible for solid wall insulation.



18. **Example 5 - Same terrace.** In this example, 10 of the 12 properties in the terrace have been included in the LA declaration. 8 of 10 properties for which an LA declaration has been provided are FP or LIVC – therefore the minimum 66% threshold has been met. The two properties in red are not eligible under flexible eligibility rules (otherwise the 66% eligibility criteria would not be met).



19. **Example 6 – Same terrace separated by a road.** All of the properties in the top terrace are eligible under flexible eligibility on the basis of 6 being either FP or LIVC and the remaining 3 being part of the **same terrace**. The bottom terrace act independently from the top and are not considered the **same terrace** or an **immediately adjacent building** to the top terrace as they are separated by a road. As 4 properties in the bottom row are FP or LIVC, an additional 2 properties in the row can be counted as in-fill. An additional 3 properties cannot be counted as in-fill otherwise the proportions would not be met.



20. **Example 7 – Block of flats.** This represents a block of flats which requires SWI. 18 flats are declared FP or LIVC. As such, up to 9 other flats which are not FP or LIVC can be declared as in-fill, and as such the 66% minimum threshold has been met.

Green	Blue	Green
Blue	Green	Green
Green	Blue	Green
Red	Red	Red
Green	Green	Green
Blue	Green	Green
Green	Green	Blue
Blue	Blue	Blue
Green	Blue	Green
Green	Green	Green
Red	Red	Red
Red	Red	Red

21. **Example 8 – Blocks of flats.** All the properties in Block A are eligible for SWI as 21 of 27 (78%) are FP or LIVC. The other 6 can be classed as in-fill as they are part of the **same building**. In Block B, 15 of the 27 properties (55%) are FP or LIVC. This would mean that not all of the remaining 12 can be classed as in-fill if Block B was considered in isolation. However, as Block A & B are **immediately adjacent buildings**, then they may be amalgamated for the purposes of calculating in-fill. As 36 of 54 properties (67%) in Block A and B are eligible then the other 18 can be classed as in-fill.

BLOCK A				BLOCK B		
Green	Green	Green	ALLEY/ GARDEN	Green	Green	Green
Green	Green	Green		Blue	Green	Blue
Green	Green	Green		Green	Blue	Green
Green	Blue	Blue		Green	Green	Green
Blue	Green	Green		Blue	Green	Blue
Green	Green	Green		Blue	Green	Blue
Green	Green	Blue		Blue	Blue	Blue
Green	Blue	Blue		Green	Blue	Green
Green	Green	Green		Green	Green	Blue
Green	Green	Green			Green	Blue

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South Ribble Borough Council's Statement of Intent for ECO Flexible Eligibility

Overview

South Ribble is committed to improving the energy efficiency of Homes, addressing health inequalities exacerbated by living in cold damp homes, reduce fuel poverty, tackle seasonal excess deaths and reduce carbon emissions from the domestic sector.

This Statement of Intent has been developed with the intention of supporting South Ribble Borough Council to participate in ECO2 transition and specifically flexible eligibility. It responds to the statutory requirements for [ECO Help to Heat](#) as set out in the [ECO2 Amendment Order](#) and the [guidance](#) to local authorities issued by the Department for Energy & Industrial Strategy (BEIS) on Flexible Eligibility. It sets out the criteria South Ribble Borough Council will use in making declarations under ECO Flexible Eligibility and the delivery arrangements in place.

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1. Introduction

In 2017 (latest figures available) South Ribble had 4672 households in fuel poverty (9.9%). This is lower than the national average (11.0%).

An interactive map of fuel poverty in Lancashire is available here:
<http://dashboards.instantatlas.com/viewer/report?appid=76dd5dc8c5b041458608752ffd11b67a&authid=EeUdmTVM2tQfwwHh>

The council maximises the number of energy efficiency measures that its residents can access particularly those that are vulnerable to the effects of living in a cold home and/or are in fuel poverty or on a low income, by utilising local data to target initiatives successfully. This has been carried out with great success in the past as in 2010 the Council was named by the Department of Energy and Climate Change in the top 5 authorities in the country to lag its housing stock.

The link below identify the priorities for council as identified in the Home Energy Conservation Act (HECA) report.

[HECA Link for South Ribble Borough Council](http://southribble.gov.uk/sites/default/files/HECA%20Report%202017.pdf)
<http://southribble.gov.uk/sites/default/files/HECA%20Report%202017.pdf>

Flexible Eligibility is a means for the local authority to make an application for a range of energy efficiency measures for qualifying residents through a declaration to an energy company on behalf of the resident. **All ECO Flexible Eligibility declarations in the Borough will be managed by South Ribble Borough Council.**

The Council anticipates that flexible Eligibility will bring energy efficiency measures to residents that have traditionally not qualified for help in the past because they were not on an appropriate benefit. **When the local Authority makes a declaration on behalf of a resident this is not a guarantee that a measure will be installed.** The final decision will

rest with the supplier who will take into account a number of factors including the savings that can be achieved by the resident as well as whether they have already reached their target.

2. How the council intends to identify eligible households

A) Criteria for identifying households living in fuel poverty

The [CSE fuel poverty](#) (Centre for Sustainable Energy) fuel poverty calculator will be used to identify households living with a low income and high fuel costs and, therefore deemed to be fuel poor.

¹ In considering a household's savings the first £6,000 of savings will be disregarded.¹

For people under 60 every £250 of savings over £6,000 will be regarded as £1 per week of income.

For people over 60 every £500 of savings over £10,000 will be regarded as £1 per week of income.

Anyone with savings over £16,000 will **not** qualify for help

B) Criteria for identifying households living on a low income and vulnerable to the effects of living in a cold home

Households will be eligible for funding if they meet at least one of the following vulnerabilities and have a *low income.

Vulnerabilities

- people with a diagnosed cardiovascular conditions
- people with a diagnosed respiratory conditions (in particular, chronic obstructive pulmonary disease and childhood asthma)
- people with diagnosed mental health conditions
- people with diagnosed disabilities
- older people (65 and older)
- households with young children (up to the age of 5)
- pregnant women
- people who are terminally ill
- people with suppressed immune systems (e.g. from cancer treatment or HIV)
- people who have mobility issues and have attended hospital due to a fall

The following vulnerable groups will be considered on referral from a professional organisation:

- people who move in and out of homelessness
- people with addictions
- Recent immigrants and refugees.

¹ This approach is consistent with other grant schemes such as Disabled Facilities Grant

***Low income**

Low income will be determined by completion of the CSE Fuel Poverty calculator. £1,000 will be deducted from annual household income to take account of additional costs experienced by vulnerable households (e.g. medical treatments / equipment, higher energy use, transport to appointments etc.)

C) Criteria for identifying “In-fill” properties for solid wall insulation

The local authority intends to facilitate solid wall insulation schemes including households that are not in fuel poverty or vulnerable (‘in-fill’).

Where a household does not meet the criteria for fuel poverty (outlined at A) or living on a low income and vulnerable to the cold (outlined at B), the local authority can declare a household as “in-fill” where they are:

- a) in the same terrace as
- b) in an immediately adjacent building to, or
- c) are in the same building as a household that does meet those criteria

In-fill is only allowed where a minimum percentage of households for which the LA is providing declarations are fuel poor (FP) or on a low income and vulnerable to the cold (LIVC), as set out in Table 1.

Table 1 - Summary of the requirements for property types under in-fill

Property Type	LA declaration requirements	In-fill available
Project consisting of a pair of semi-detached houses or bungalows, or a building containing no more than two domestic premises	At least one of the two-properties must be declared by the LA as FP or LIVC (ie 50% of the properties are FP or LIVC).	The other property to which it is directly adjoined is eligible for solid wall insulation.
Project consisting of any premises that are contained in the same building (eg flats), immediately adjacent buildings (eg neighbouring detached properties) or in the same terrace	At least two in three properties on the list must be declared by the LA as Fuel Poor or LIVC (ie at least 66% of the properties are FP or LIVC)	The other (i.e. up to one third) of properties in the project are eligible for solid wall insulation, provided they are either in the same building, an immediately adjacent building or in the same terrace as the ones identified as FP or LIVC

3. Acting on Behalf of the nominated officer

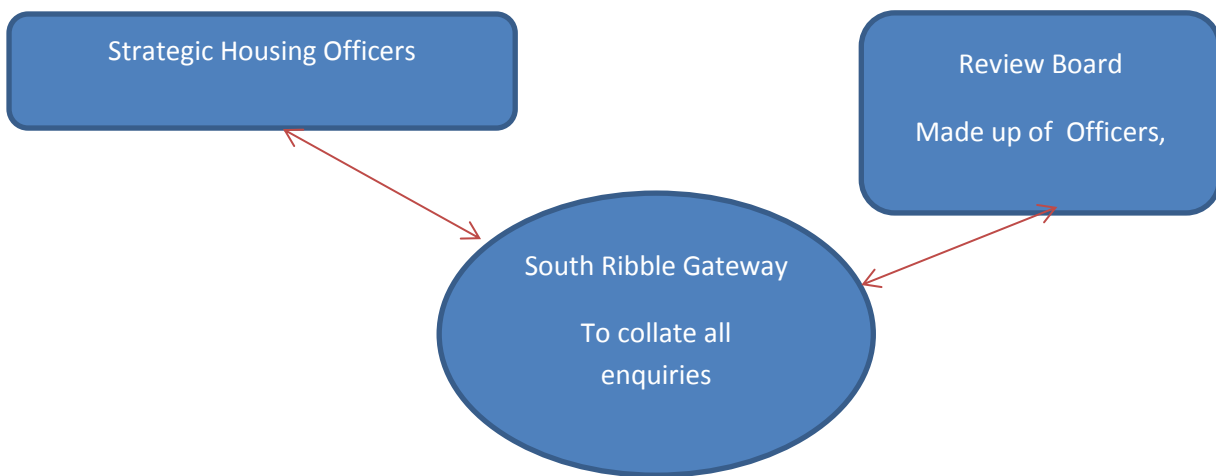
In most circumstance the designated South Ribble Borough Council’s officer signing the declaration, however where that officer is unavailable nominated officers from the Council will be granted permission to sign a declaration.

4. Governance

The nominated Officer from South Ribble Borough Council will be responsible for signing declarations. In the event that the nominated officer is unavailable then only any South Ribble Borough Council's nominated officer/s can sign the declaration on their behalf.

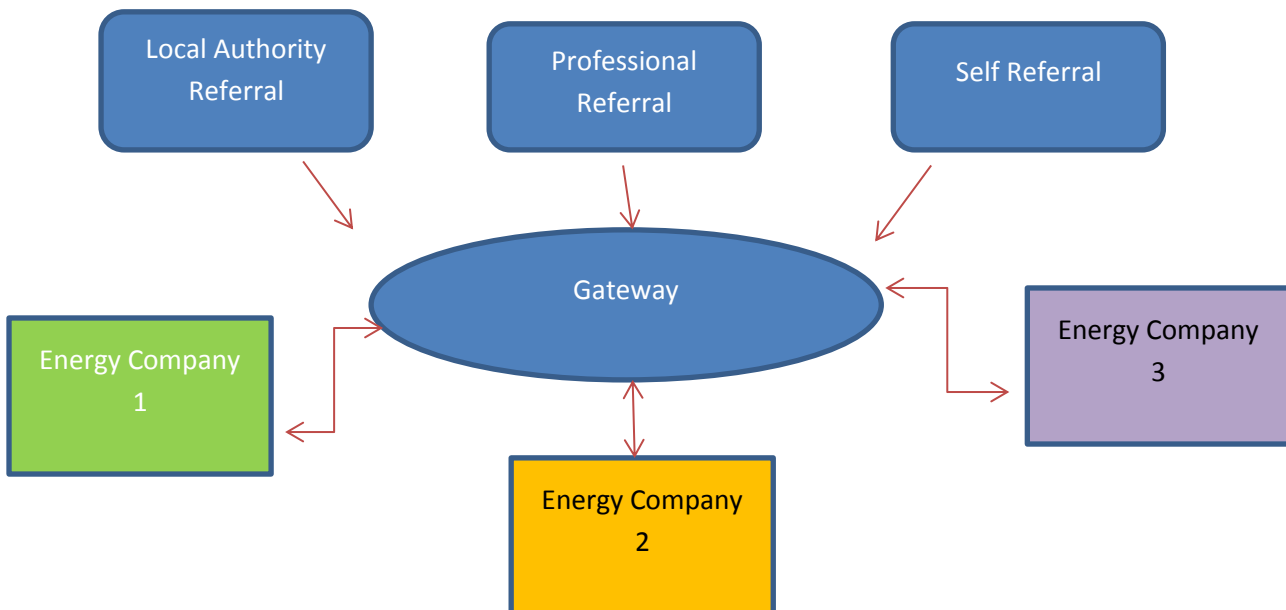
Where the Council does not want to endorse a certain measure in a particular area it will be their responsibility to inform the customer.

In addition to the above a review board will be established consisting of South Ribble Borough Council officers when required so that they will be able to assess individual cases where the applicant either falls just outside the qualifying criteria but there is still a clear need or where the applicant disputes the decision of the local authority in respect of them not qualifying under Flexible Eligibility. This board's decision will be final



Referrals

All referrals will be coordinated through the council's Gateway. The council can take referral directly or via an agent / representative.



5. Evidence, Monitoring and Reporting

- All applications will be recorded on a secure CRM system by Gateway
- South Ribble Borough Council will have a Service Level Agreement in place with each Energy Supplier it enters into an arrangement with that will detail acceptable time scales and processes
- Gateway will hold electronic copies of all documents relating to each application including any evidence supplied by the applicant
- Every applicant will be required to sign a declaration stating that the information they have supplied is truthful and accurate.

6. Signatures

South Ribble Borough Council

Name: _____ Role: Senior Strategic Housing Officer

Signature:

Name: _____ Role: Strategic Housing Manager

Signature:

Name: _____ Role: Director Of Development, Enterprise & Communities

Signature:

Chief Executive: Name:

Signature:

Date:

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Cosy Homes in Lancashire (CHiL) Statement of Intent for ECO Flexible Eligibility

Overview

Cosy Homes in Lancashire (CHiL) is a brand established by the County in 2014 to improve the energy efficiency of Lancashire Homes, address health inequalities exacerbated by living in cold damp homes, reduce fuel poverty, tackle seasonal excess deaths and reduce carbon emissions from the domestic sector. It is supported by the 12 district and 2 unitary councils in Lancashire and the County Council. The CHiL Steering Group is led by Blackpool Public Health and reports to the three Directors of Public Health in Lancashire and the Public Health Consultant's Collaborative. There is a CHiL Operational Group made up of Energy Officers from the councils that oversee day to day activity and report to the Steering Group quarterly. Central to CHiL's success has been an administration hub that provides a single point of contact for residents providing the reassurance and certainty to apply for measures from a trustworthy source. The Hub processes all applications for CHiL initiatives whether they are via Government ECO (Energy Company Obligation) funding or other sources including coordinating local authority affordable warmth funding contributions to facilitate measures where ECO does not fully cover the entire cost. The Hub also works alongside the Operational Group to access new funding opportunities and negotiate contracts with utilities for Lancashire residents.

This Statement of Intent has been developed with the intention of supporting CHiL to participate in ECO2 transition and specifically flexible eligibility. It responds to the statutory requirements for [ECO Help to Heat](#) as set out in the [ECO2 Amendment Order](#) and the [guidance](#) to local authorities issued by the Department for Energy & Industrial strategy (BEIS) on Flexible Eligibility. It sets out the criteria Lancashire authorities will use in making declarations under ECO Flexible Eligibility and the delivery arrangements in place.

Participating Local Authorities

Blackpool Council	Pendle Borough Council
Blackburn with Darwen Borough Council	Preston City Council
Burnley Borough Council	Ribble Valley Borough Council
Chorley Borough Council	Rosendale Borough Council
Fylde Borough Council	South Ribble Borough Council
Hyndburn Borough Council	West Lancs Borough Council
Lancashire County Council	Wyre Borough Council
Lancaster Borough Council	

Date of Publication	xx/xx/2017
Version Number	V1/CS
Published Link	www.xxxxxxxxxx

1. Introduction

Cosy Homes in Lancashire (CHiL) endeavours to deliver all the energy efficiency work by Local Authorities across the County. In 2015 Blackburn with Darwen Borough Council on behalf of CHiL secured £50,000 of funding from the DECC Health & Fuel Poverty Booster Fund as well as £2.24m from the DECC Central Heating Fund, both schemes were delivered successfully and in 2016 CHiL won a prestigious National [Ashden Award](#) in the sustainable homes category. From September 2014 to December 2016 CHiL has received 2,584 referrals from which it has installed 2,887 measures (not including advice) representing £5.1 m worth of investment in Lancashire housing stock. There is also a hospital in-reach scheme at Preston and Blackburn Hospitals as well as a 'Take Home and Settle' / in-reach scheme at the Blackpool Victoria Hospital making referrals to the scheme for vulnerable residents.

CHiL has developed a comprehensive website www.chil.uk.com that allows both professionals and residents to refer in for measures as well as a proactive social media campaign that generates referrals and important information.

CHiL maximises the number of energy efficiency measures that Lancashire residents access particularly those that are vulnerable to the effects of living in a cold home and / or are in fuel poverty or on a low income, by utilising local authority intelligence to target initiatives successfully. This includes proactive engagement in the lowest 25% Lower Super Output Areas for deprivation and those areas with high fuel poverty levels, particularly rural areas.

In 2014 (latest figures available) the Lancashire-14 area had 71,075 households in fuel poverty (11.3%). This is above the national average although the gap has narrowed with fuel poverty increasing slightly in England but decreasing slightly in the Lancashire-14 area between 2013 and 2014. In particular, those districts in Lancashire with the worst fuel poverty in 2013 have improved their position in 2014 but still have pockets of fuel poverty above 30% in some areas. An interactive map of fuel poverty in Lancashire is available here:

<http://dashboards.instantatlas.com/viewer/report?appid=76dd5dc8c5b041458608752ffd11b67a&authid=EeUdmTVM2tQfwwHh>

The links below identify the priorities for each council area as identified in their recent Home Energy Conservation Act (HECA) reports, all LAs will, however, be working under the CHiL brand to bring measures to residents who qualify under flexible eligibility.

HECA Link for Blackburn with Darwen Borough Council :

<http://www.blackburn.gov.uk/Lists/DownloadableDocuments/Blackburn%20wih%20Darwen%20HECA%202017.pdf>

HECA Link for Blackpool Council:

<https://www.blackpool.gov.uk/Residents/Housing/Documents/HECA-RETURN-2017-BLACKPOOL-PDF.pdf>

Insert HECA links for Lancashire

Flexible Eligibility is a means for each local authority to make an application for a range of energy efficiency measures for qualifying residents through a declaration to an energy company on behalf of the resident. Lancashire will be utilising the CHiL brand for the purposes of this scheme. **All ECO Flexible Eligibility declarations in Lancashire will be managed through the CHiL admin hub.**

Each Local Authority anticipates that Flexible Eligibility will bring energy efficiency measures to residents that have traditionally not qualified for help in the past because they were not on an appropriate benefit. **When the local Authority makes a declaration on behalf of a resident this is not a guarantee that a measure will be installed.** The final decision will rest with the supplier who will take into account a number of factors including the savings that can be achieved by the resident as well as whether they have already reached their target. The CHiL hub will manage these declarations and approach individual local authorities for support if necessary.

2. How CHiL intends to identify eligible households

A) Criteria for identifying households living in fuel poverty

The [CSE fuel poverty](#) calculator will be used to identify households living with a low income and high fuel costs and, therefore deemed to be fuel poor.

In considering a household's savings the first £6,000 of savings will be disregarded.¹

For people under 60 every £250 of savings over £6,000 will be regarded as £1 per week of income.

For people over 60 every £500 of savings over £10,000 will be regarded as £1 per week of income.

Anyone with savings over £16,000 will **not** qualify for help

B) Criteria for identifying households living on a low income and vulnerable to the effects of living in a cold home

Households will be eligible for funding if they meet at least one of the following vulnerabilities and have a *low income.

Vulnerabilities:

- people with a diagnosed cardiovascular conditions
- people with a diagnosed respiratory conditions (in particular, chronic obstructive pulmonary disease and childhood asthma)
- people with diagnosed mental health conditions
- people with diagnosed disabilities

¹ This approach is consistent with other grant schemes such as Disabled Facilities Grant

- older people (65 and older)
- households with young children (up to the age of 5)
- pregnant women
- people who are terminally ill
- people with suppressed immune systems (e.g. from cancer treatment or HIV)
- people who have mobility issues and have attended hospital due to a fall

The following vulnerable groups will be considered on referral from a professional organisation:

- people who move in and out of homelessness
- people with addictions
- Recent immigrants and refugees.

*Low income

Low income will be determined by completion of the CSE Fuel Poverty calculator. £1,000 will be deducted from annual household income to take account of additional costs experienced by vulnerable households (e.g. medical treatments / equipment, higher energy use, transport to appointments etc.)

C) Criteria for identifying “In-fill” properties for solid wall insulation

The local authority intends to facilitate solid wall insulation schemes including households that are not in fuel poverty or vulnerable (‘in-fill’).

Where a household does not meet the criteria for fuel poverty (outlined at A) or living on a low income and vulnerable to the cold (outlined at B), the local authority can declare a household as “in-fill” where they are:

- in the same terrace as
- in an immediately adjacent building to, or
- are in the same building as a household that does meet those criteria

In-fill is only allowed where a minimum percentage of households for which the LA is providing declarations are fuel poor (FP) or on a low income and vulnerable to the cold (LIVC), as set out in Table 1.

Table 1 - Summary of the requirements for property types under in-fill

Property Type	LA declaration requirements	In-fill available
Project consisting of a pair of semi-detached houses or bungalows, or a building containing no more than two domestic premises	At least one of the two-properties must be declared by the LA as FP or LIVC (i.e. 50% of the properties are FP or LIVC).	The other property to which it is directly adjoined is eligible for solid wall insulation.
Project consisting of any premises that are contained in the same building (e.g. flats), immediately adjacent buildings (e.g. neighbouring detached properties) or in the same terrace	At least two in three properties on the list must be declared by the LA as Fuel Poor or LIVC (ie at least 66% of the properties are FP or LIVC)	The other (i.e. up to one third) of properties in the project are eligible for solid wall insulation, provided they are either in the same building, an immediately adjacent building or in the same terrace as the ones identified as FP or LIVC

3. Acting on behalf of another local authority

In most circumstance the designated officer signing the declaration will be from the local authority of the resident applying. However where that officer is unavailable all nominated officers from each of the local authorities that are signatory under this declaration will be granted permission to sign a declaration on behalf of any of the other authorities unless a local authority opts out of this process. If a local authority decides that all declarations from their area must be signed by an officer from that Council then they will nominate at least two.

4. Joint Statement of Intent

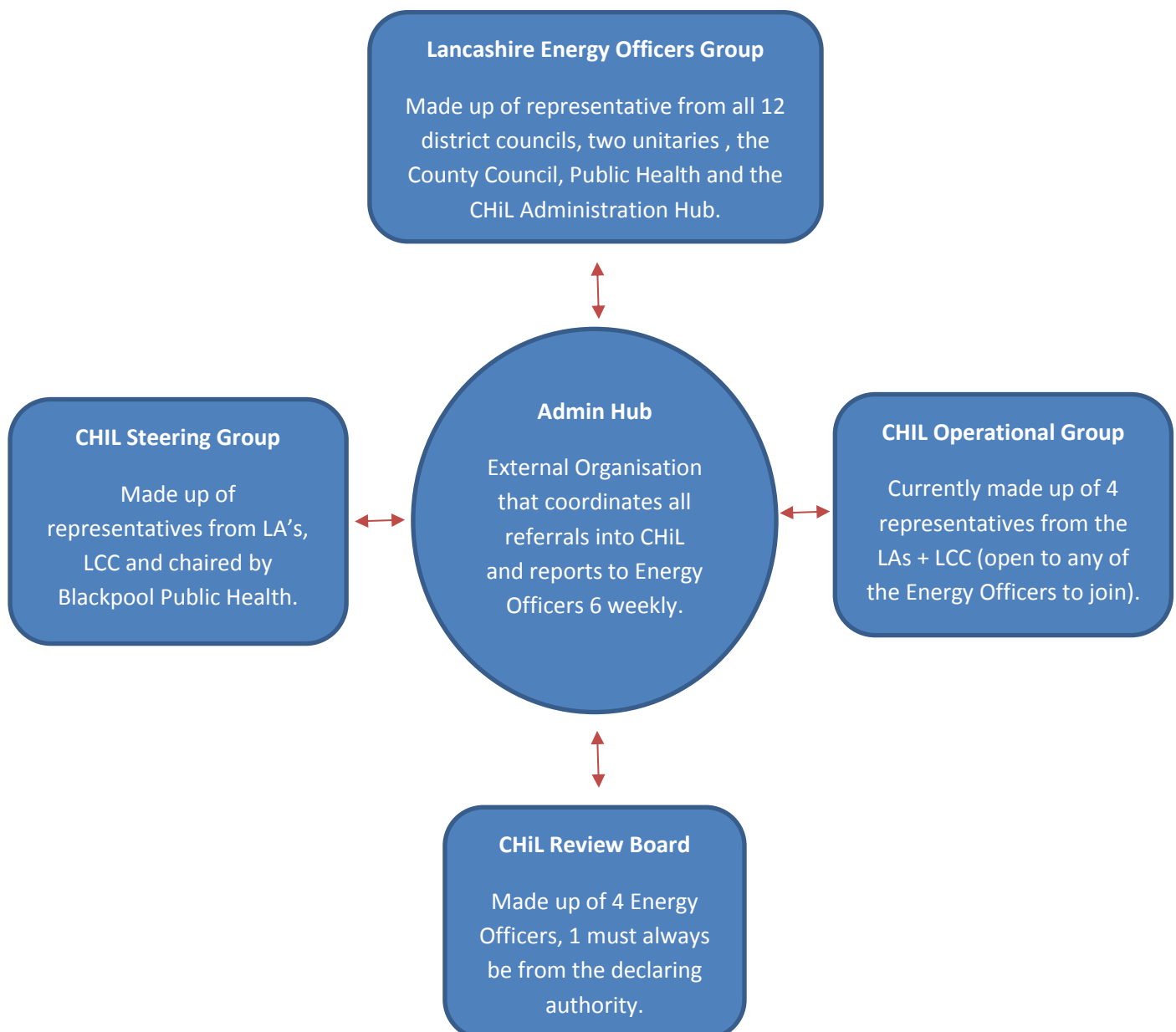
The local authorities listed below will be using common criteria and will be signatories to this SOI

Blackpool Council	Pendle Borough Council
Blackburn with Darwen Borough Council	Preston City Council
Burnley Borough Council	Ribble Valley Borough Council
Chorley Borough Council	Rosendale Borough Council
Fylde Borough Council	South Ribble Borough Council
Hyndburn Borough Council	West Lancs Borough Council
Lancashire County Council	Wyre Borough Council
Lancaster Borough Council	

5. Governance

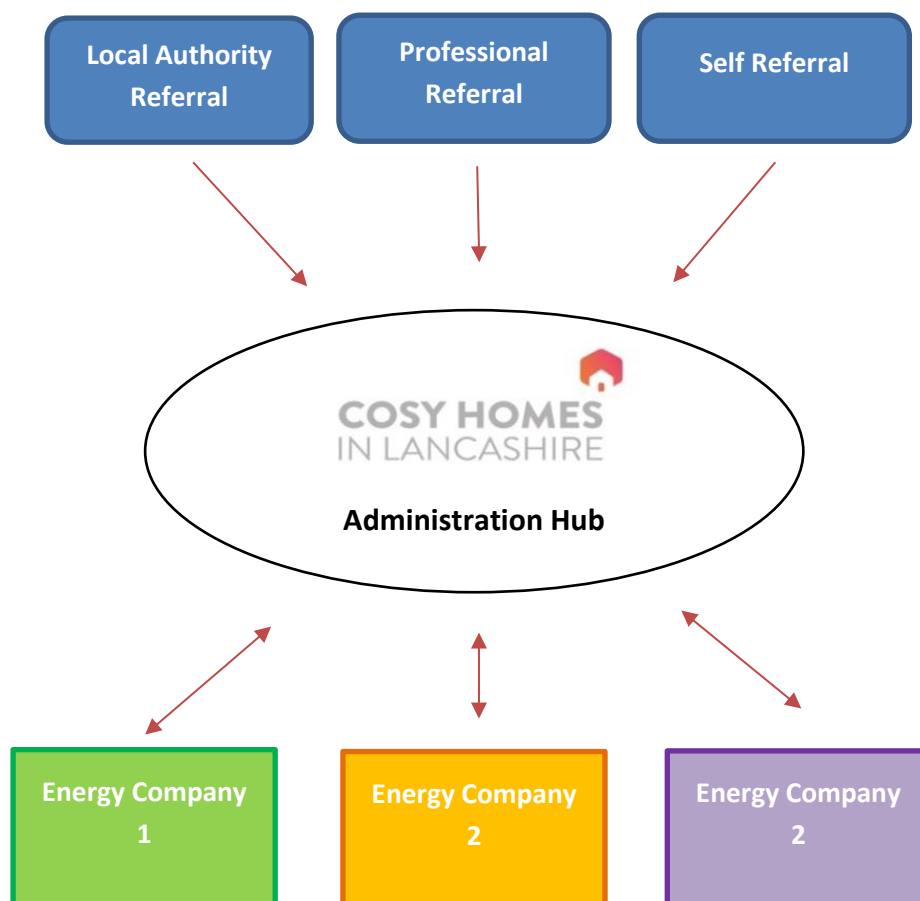
The Energy Officer from each participating local authority will be responsible for signing declarations on behalf of their authority or will delegate to another participating authority. In the event that the nominated officer is unavailable then any one of the other energy officers can sign the declaration on their behalf providing that local authority has agreed to that process, if not then the local authority will identify at least two officer posts within the local authority that can sign the declaration. Where an individual local authority does not want to endorse a certain measure in their area it will be their responsibility to inform the CHiL Steering Group and Administration Hub so that no declaration is signed for that measure.

In addition to the above a review board will be established that can be made up of any 4 members of the Lancashire Energy Officers Group. Their role will be to assess individual cases where the applicant either falls just outside the qualifying criteria but there is still a clear need or where the applicant disputes the decision of the local authority in respect of them not qualifying under Flexible Eligibility. This board's decision will be final.



6. Referrals

All referrals will be coordinated through the CHiL Administration Hub. A local authority can take referral directly, however they will then pass them to the Hub.



7. Evidence, Monitoring and Reporting

- The information to be collected can be seen on the application form (Annex 1).
- All applications will be recorded on a secure CRM system by the Administration hub.
- All LAs will have access to the data relating to their area.
- The CHiL Operational Group will review 10% of applications for accuracy and compliance with the qualifying criteria.
- CHiL will have a Service Level Agreement in place with each energy supplier it enters into an arrangement with that will detail acceptable time scales and processes
- The Admin Hub will hold paper and electronic copies of all documents relating to each application including any evidence supplied by the applicant.
- Every applicant will be required to sign a declaration stating that the information they have supplied is truthful and accurate.

8. Signatures

Blackpool Council

Name: Role: Signature:

Blackburn with Darwen Borough Council

Name: Role: Signature:

Burnley Borough Council

Name: Role: Signature:

Chorley Borough Council

Name: Role: Signature:

Fylde Borough Council

Name: Role: Signature:

Hyndburn Borough Council

Name: Role: Signature:

Lancashire County Council

Name: Role: Signature:

Lancaster Borough Council

Name: Role: Signature:

Pendle Borough Council

Name: Role: Signature:

Preston City Council

Name: Role: Signature:

Ribble Valley Borough Council

Name: Role: Signature:

Rossendale Borough Council

Name: Role: Signature:

South Ribble Borough Council

Name: Role: Signature:

West Lancs Borough Council

Name: Role: Signature:

Wyre Borough Council

Name: Role: Signature:

South Ribble Borough Council Declaration

Name of local authority making the declaration	
Name of local authority you are acting on behalf of (where applicable)	
Declaration URN18	
Statement of Intent publication date and version number	
Statement of Intent internet link	
<i>Optional: Name of the installer or supplier to which you have provided the declaration</i>	
<i>Optional: time validity of your declaration</i>	
Address of premises (Add rows where necessary) Please insert: Building number/name, Street name, Town, City, County, Postcode	The premises are occupied by (one of the following): 1. A household living in fuel poverty 2. A household living on a Low income and vulnerable to the effects of living in a cold home (LIVC) (Please insert "Fuel Poor" or "low income and vulnerable" into the box below)

Local authority declaration	
I declare that:	
<input type="checkbox"/>	The Statement of Intent (Sol) for South Ribble Borough Council was published on or before the date this declaration was made and is currently available to view at the above location. Insert website
<input type="checkbox"/>	The local authority has been consulted on the installation of a measure ("heating qualifying action") at the premises listed above. We confirm this consultation took place prior to the installation of measures.
<input type="checkbox"/>	in the opinion of the local authority, the premises listed above are occupied by a household(s) either: a) living in fuel poverty, OR b) are occupied by a household(s) living on a low income and vulnerable to the effects of living in a cold home.
Local authority officer name	
Local authority officer signature	Date: __ / __ / ____
Job title	
Local authority address	
Local authority telephone number	

Page number:...../..... Customer Signature:Date:

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DATED: 29 August 2017

SOUTH RIBBLE BOROUGH COUNCIL

SECTION 22, LOCAL GOVERNMENT ACT 2000 -REVISED PROGRAMME OF THE CABINET'S WORK

Section 22 of the Local Government Act 2000 requires the Cabinet to set out its programme of work and key decisions in the coming months, as far as it is known, in a forward plan.

Matter under Consideration	Communicating with Residents and Businesses	Background Papers	tbd
Key Decision Nature of Decision	No To consider the options	Consultation being Undertaken	tbd
Lead Member Lead Officer	Leader of the Council J Platt	Committee Date(s) Cabinet Date	06-Sep-17

Matter under Consideration	Exempt Item (para 3 financial / business information) - Worden Park Toilet Provision	Background Papers	tbd
Key Decision Nature of Decision	Yes to approve	Consultation being Undertaken	tbd
Lead Member Lead Officer	Neighbourhoods & Streetscene M Gaffney	Committee Date(s) Cabinet Date	06-Sep-17

Matter under Consideration	Management Structure for consultation	Background Papers	tbd
Key Decision Nature of Decision	Yes to consider and recommend the council's management structure	Consultation being Undertaken	tbd
Lead Member Lead Officer	Leader of the Council H McManus	Committee Date(s) Cabinet Date	06-Sep-17

Matter under Consideration	Statement of Intent for Energy Company Obligation	Background Papers	Yes
Key Decision Nature of Decision	Yes To approve	Consultation being Undertaken	TBD
Lead Member Lead Officer	Strategic Planning and Housing D Johnson	Committee Date(s) Cabinet Date	06-Sep-17
Matter under Consideration	Worden Park Toilet Provision	Background Papers	tbd
Key Decision Nature of Decision	Yes Award of contract and approval of capital expenditure	Consultation being Undertaken	tbd
Lead Member Lead Officer	Neighbourhoods & Streetscene M Gaffney	Committee Date(s) Cabinet Date	06-Sep-17
Matter under Consideration	Approval of a Customer Feedback Policy	Background Papers	tbd
Key Decision Nature of Decision	Yes to approve	Consultation being Undertaken	tbd
Lead Member Lead Officer	Corporate Support and Assets P Haywood	Committee Date(s) Cabinet Date	25-Oct-17

Matter under Consideration	Dog Control Orders/Public Space Protection Orders	Background Papers	tbd
Key Decision Nature of Decision	Yes to agree	Consultation being Undertaken	tbd
Lead Member Lead Officer	Neighbourhoods & Streetscene M Gaffney	Committee Date(s) Cabinet Date	25-Oct-17
Matter under Consideration	Eastern Neighbourhood Forum Projects - Samlesbury Play Area	Background Papers	tbd
Key Decision Nature of Decision	Yes to approve projects	Consultation being Undertaken	tbd
Lead Member Lead Officer	Regeneration and Leisure R Heap	Committee Date(s) Cabinet Date	25-Oct-17
Matter under Consideration	Eastern Neighbourhood Forum Projects - Walton le Dale Community Centre Car Park	Background Papers	tbd
Key Decision Nature of Decision	Yes To consider	Consultation being Undertaken	tbd
Lead Member Lead Officer	Regeneration and Leisure R Heap	Committee Date(s) Cabinet Date	25-Oct-17

Matter under Consideration	Performance Report - Quarter 1 and 2	Background Papers	tbd
Key Decision Nature of Decision	No To consider and comment	Consultation being Undertaken	tbd
Lead Member Lead Officer	Leader of the Council D Cranshaw	Committee Date(s) Cabinet Date	09-Oct-17 (SCR) 25-Oct-17
Matter under Consideration	Review of South Ribble Housing Framework	Background Papers	tbd
Key Decision Nature of Decision	Yes to consider	Consultation being Undertaken	tbd
Lead Member Lead Officer	Strategic Planning and Housing K Henderson	Committee Date(s) Cabinet Date	25-Oct-17
Matter under Consideration	Review of all Fees and Charges	Background Papers	tbd
Key Decision Nature of Decision	No To consider	Consultation being Undertaken	tbd
Lead Member Lead Officer	Finance S Guinness	Committee Date(s) Cabinet Date	25-Oct-17

Matter under Consideration	Strategic Housing Market Assessment	Background Papers	tbd
Key Decision Nature of Decision	No To note the assessment	Consultation being Undertaken	tbd
Lead Member Lead Officer	Strategic Planning and Housing D Johnson	Committee Date(s) Cabinet Date	25-Oct-17

Matter under Consideration	Transformation of Services	Background Papers	tbd
Key Decision Nature of Decision	Yes to agree	Consultation being Undertaken	tbd
Lead Member Lead Officer	Leader of the Council J Platt	Committee Date(s) Cabinet Date	25-Oct-17

Matter under Consideration	Vehicle Procurement	Background Papers	tbd
Key Decision Nature of Decision	Yes to agree spend and award	Consultation being Undertaken	tbd
Lead Member Lead Officer	Neighbourhoods & Streetscene R Ashcroft	Committee Date(s) Cabinet Date	25-Oct-17

Matter under Consideration	Council Tax Support Scheme 2018-19	Background Papers	tbd
Key Decision Nature of Decision	Yes To approve	Consultation being Undertaken	Yes
Lead Member Lead Officer	Corporate Support and Assets P Haywood	Committee Date(s) Cabinet Date	06-Dec-17

Matter under Consideration	Proposal for a Borough Wide Leisure Health and Wellbeing Campus Approach	Background Papers	tbd
Key Decision Nature of Decision	Yes To consider the findings of the working group and agree the way forward	Consultation being Undertaken	tbd
Lead Member Lead Officer	Regeneration and Leisure D Johnson	Committee Date(s) Cabinet Date	06-Dec-17

Matter under Consideration	Strategic Property and Asset Review	Background Papers	tbd
Key Decision Nature of Decision	Yes to consider findings of the review	Consultation being Undertaken	tbd
Lead Member Lead Officer	Corporate Support and Assets M Gaffney	Committee Date(s) Cabinet Date	06-Dec-17

Matter under Consideration Performance Report - Quarter 3

Background Papers tbd

Key Decision No
Nature of Decision To consider and comment

Consultation being Undertaken tbd

Lead Member Leader of the Council
Lead Officer D Cranshaw

Committee Date(s) 08-Mar-18 (SCR)
Cabinet Date 11-Apr-18

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REPORT TO	ON
CABINET	6 th SEPTEMBER 2017

Jan 2017



TITLE	PORTFOLIO	AUTHOR
WORDEN PARK TOILET PROVISION – PART 1	NEIGHBOURHOODS & STREETSCENE	ANDREW RICHARDSON

Is this report a KEY DECISION (i.e. more than £75,000 or impacting on more than 2 Borough wards?)	Yes
Is this report on the Cabinet Forward Plan ?	Yes
Is the request outside the policy and budgetary framework and therefore subject to confirmation at full Council?	No

1. PURPOSE OF THE REPORT

This report requests approval to commit capital expenditure and accept the most economically advantageous tender for the proposed installation of new toilet facilities on Worden Park, Leyland.

The proposals in this report currently do not have planning permissions or listed building consent in place. Any decisions taken will therefore be subject to planning permissions and listed building consent.

2. MEMBER RECOMMENDATIONS

That Cabinet agree:

- 1 That Tender 2 in Table A, Part 2 of this report at a cost of £149,500 is accepted for the installation of the new toilet facilities on Worden Park.
- 2 That the new toilet block servicing the play area is located outside the play area as detailed in the report (subject to planning permission and listed building consent).
- 3 That Option 2 is chosen for the location of the second toilet block (subject to planning permission and listed building consent) and the crossroads toilets are demolished.
- 4 That a charge of 20p is introduced for users of the toilet facilities at Worden Park
- 5 To grant authority under section 3.4 of the Financial Regulations to incur capital expenditure of up to £225,000 for the above works.

It should be noted that Option 2 above will be at a lower cost of £33,500 compared to Option 1.

3. CORPORATE PRIORITIES

The report relates to the following corporate priorities

Clean, green and safe	X	Strong and healthy communities	X
-----------------------	----------	--------------------------------	----------

Strong South Ribble in the heart of prosperous Lancashire		Efficient, effective and exceptional council	

4. BACKGROUND TO THE REPORT

4.1 Background

Worden Park has continued to prove to be a highly popular facility and attracts visitors from all over the North West with visitor numbers in excess of 250,000 each year, including figures of between 10,000 – 15,000 for individual events such as The Leyland Festival and The Round Table Bonfire. This places a significant demand of current facilities which at present struggle to cope with demand.

4.2 Existing Facilities

Currently the park is served by two toilet facilities located in the children’s playground (one block) and at the crossroads (two blocks) near the centre of the park. They are currently open between 08.00 – 18.00 in the summer period and 08.00 – 15.00 over the winter, seven days a week and are free to use, however this does mean they are frequently subject to vandalism and misuse, leading to them being closed on a number of occasions whilst repairs are arranged. The toilet blocks were constructed in the 1960’s and have been subject to a number of partial refurbishments, the latest taking place ten years ago. Their design is such that they are dark, damp and unwelcoming and complaints are frequently received relating to their condition and cleanliness, they also struggle to cope with demand during periods of heavy use and are frequently closed due to blockages.

5. PROPOSALS

5.1 Details of New Facilities

It is proposed to install two new modern blocks. Each would comprise three modern unisex cubicles one of which will act as a disabled / baby changing facility. The blocks will be of a modular construction clad in Oak with a planted sedum roof and equipped with a ‘H2 Control System’ which allows for the use and the cleanliness of the facilities to be monitored remotely allowing an immediate response to issues. This system also allows the facilities to be opened and closed automatically which enables flexibility to meet the needs of the public and time of year.

The facilities will be fitted with a coin charging system which can either be left inactive or activated.

Both new blocks will require the installation of a concrete slab to enable the siting of the facilities, the above works are additional to the cost for supply and installation of the facilities.

5.2 Guarantees and Maintenance

Each block is guaranteed for a twelve month period from installation which covers all eventualities including vandalism. The cost for annual maintenance of the blocks’ interior fittings is £3,000 per block. Therefore the cost for two blocks is £6,000.

It is proposed that the requirements are assessed during the initial twelve month guarantee period before making a decision on any further maintenance contract for the forthcoming years.

The cost for a cleaning service with a single daily visit, 364 day of the year, is £6,000 per block. Therefore the cost for two blocks is £12,000.

It is proposed that the toilets will continue to be cleaned by SRBC staff on a daily basis as a minimum, with additional visits as required during periods of high use.

It is also proposed that a charge of 20p is made for the use of the facilities with a projected income of £4000.00 per annum. The main purpose of this proposal is to ensure that access is restricted to genuine users which will help reduce the risk of vandalism and misuse of the facilities.

5.3 Proposed Toilet Block at the Play Area

The existing toilet block adjacent to the playground is regularly subject to vandalism and misuse, especially in the evenings when the playground receives less families visiting. Its position in the north east corner of the play area means it does not receive natural surveillance from the wider park. The building's proximity to the playground sand pit also leads to filling and blocking of the toilet pans and sinks with sand and the location within the play area itself gives rise to safeguarding concerns.

It is therefore proposed that the existing block within the playground is demolished and the new replacement toilets relocated outside the play area. This will enable a greater level of natural surveillance without negatively impacting on the historic landscape of the park. The new block would still be close enough to the playground to serve visitors using the play facilities but reduces the safeguarding risks by encouraging parents to accompany younger children and reduces the proximity of the toilets to the sand pit.

The location of the proposed new block has been carefully chosen to balance the convenience of its location to the public, receiving sufficient natural surveillance and not adversely impacting on the park's historic landscape.

5.4 Option 1 - Proposed Toilet Block at the Main Car Park and Retain the Existing Crossroads Toilets

Main Car Park

A new toilet block is proposed to be sited on the main car park where most visitors arrive and depart from the park. The proposed block would be sited on the southern side of the car park at the edge of the woodland shelterbelt in a location that ensures the building will be visible and receive sufficient natural surveillance whilst not adversely impacting on the park's historic landscape.

The proposed location currently has none of the required services and the nearest main sewer is approximately ninety meters away uphill on Vicarsfield Road. It is therefore proposed to bring new electricity and water supplies into the site from Worden Lane. This will not only serve a new toilet block but will also provide a power supply for a future CCTV camera which is being planned for installation at the eastern end of the car park to monitor traffic levels and deter crime and disorder in the vicinity. The water supply will also service future events such as visiting circuses and fairgrounds as the current arrangement requires the laying of a hose pipe across the main car park.

The sewage from the proposed block would be dealt with by way of a subterranean tank sewage treatment system installed nearby to the facilities. This will discharge treated water into the land with an overflow into a pond with solids removed to a treatment works as required on an annual basis.

The location of the proposed new block has been carefully chosen to balance the convenience of its location to the public, receiving sufficient natural surveillance and not adversely impacting on the park's historic landscape. Most similar attractions locate their toilet facilities adjacent to their car park which is the main access and hub for pedestrian movement.

Crossroads

Whilst the location of these facilities is central within the park, the location of the two blocks within the mature woodland makes the facilities unwelcoming and appear a little secluded. Also the sewers are vulnerable to root damage and the drains are now in a poor condition requiring regular unblocking during busy periods.

In the future an option could be to replace these toilet blocks with a public toilet facility within the Worden Hall complex following refurbishment. This would provide a facility with an improved level of supervision, and help increase the footfall within the Hall and surrounding courtyards and assist in supporting the current and future businesses located there. The existing blocks within the woodland could then be removed allowing the areas to be reinstated as parkland and reducing the development that has taken place in this area over the years.

In the meantime, it is proposed that the existing toilets are retained but improved by installing new doors which will allow the facilities to be controlled and monitored remotely via the H2 Control System which will be included with the new blocks. This will include the proposed 20p coin charge which will help reduce the instances of vandalism and misuse. It will also allow the facilities to be opened and closed remotely.

This option will also increase toilet provision on the park to meet growing visitor numbers and the expected increase of visitors as a result of City Deal.

5.5 Option 2 – Demolish Crossroads Toilets and Locate a New Toilet Block Close to the Existing Location

This option proposes that the existing crossroads toilets are demolished and the new toilet block is located within this general vicinity.

Whilst a toilet block located in this area would be convenient to the public and receive natural surveillance, its location out in the open may be considered to have a greater impact on the listed park than other alternatives and creates an extension to the existing area of development around the crossroads. At present the combination of the mini golf hut, existing toilet blocks and football changing units are at odds with the listed status of the park and something that the park's longer term vision aims to improve.

Should this option be chosen, investment would be needed to repair the sewer and re-route it around the trees to avoid future blockages caused by tree roots as at present.

5.6 Tendering Process

Open tenders have been invited in line with the Council's Contract Procedure Rules via the Chest - the regional e-procurement portal that enables tenders and quotations to be advertised, invited and received electronically. In addition, as an openly advertised opportunity, tenders were also advertised on Contracts Finder, the national e-procurement portal.

The invitation to tender documentation included details of the evaluation criteria to be used to determine the most economically advantageous tender (MEAT). This was 70% cost and 30% quality, taking account of methodology and previous work of the bidders.

5.7 Tender Results

Tender submissions received via the Chest/Contracts Finder have been evaluated in accordance with the MEAT evaluation criteria and are listed in Table A in Part 2 of this report (exempt and provided separately). Tender 2 is the overall highest scoring compliant tender at a cost of £149,500 and is recommended for acceptance.

5.8 Cost implications

The £149,500 cost for the supply of the toilet blocks is the same for both options.

The remaining budget of £75,500 can be broken down as follows for options 1 and 2. These works will either be carried out in house or contracted out in accordance with Contract Procedure Rules.

	Option 1	Option 2
	£	£
Demolish Existing Facilities	5,000	20,000
Adaptation of existing facilities for Introduction of Charges	12,000	N/A
Connection of Services	23,000	6,500
Installation of Sewerage Treatment Plant	30,000	N/A
Installation of Foundations	5,000	5,000
Repair/Re-route Sewer	N/A	10,000
TOTAL	75,000	41,500

As the above table shows, Option 2 will be at a lower cost of £33,500 compared to Option 1.

6. CONSULTATION CARRIED OUT AND OUTCOME OF CONSULTATION

Public Consultation has been carried out at the local Neighbourhood Forum in 2017. The response was limited and supported toilets in all location options suggested.

7. OTHER OPTIONS CONSIDERED

In the planning stages of this project the following alternative options were considered:

Demolition of existing facilities - consideration was given to demolition of the existing facilities without replacement, however, as the park receives over 250,000 visits per year, predominately by families, the provision of toilet facilities in key areas of the park was considered important in meeting the council's vision for the park.

Refurbishment of existing facilities – consideration was given to a possible refurbishment of the existing facilities however given their design and construction it would be extremely difficult to improve the facilities to the required standard without demolishing a large proportion of the existing building.

The location of the current facilities also creates a number of issues and encourages vandalism and misuse, the facilities within the playground are located in a secluded area and raise issues relating to safeguarding.

8. IMPLICATIONS OF RECOMMENDATIONS

Financial implications	X	People and Cultural implications	X
ICT implications		Property and Asset Management Implications	X

Financial implications

The approved capital programme for 2017/18 includes a capital budget allocation of £225,000 for the toilet facilities within the park. All options suggested can be contained within this budget.

Property and Asset Management implications

The facilities will be under the ownership of the Council. The park's toilet facilities will be improved as a result of the proposed works. A small income would be made to help offset the cost of maintaining the new blocks should a 20p charge be introduced.

People and Cultural Implications

The proposals will impact positively on park users who will have access to enhanced and improved facilities which will support their health and wellbeing.

ICT Implications

There are no ICT implications as a result of this report.

Legal Implications

The Council will be bound by any contracts entered into with the supplier of the toilets and other contractors.

9. RISK MANAGEMENT

The proposed facilities will provide additional modern facilities which will be better able to cope with current demand. Failure to install these facilities would lead to continued issues relating to misuse and vandalism of the current facilities and customer dis-satisfaction.

10. EQUALITY AND DIVERSITY IMPACT

Equality issues have been fully considered and incorporated into the design proposals.

11. RELEVANT DIRECTORS RECOMMENDATIONS

The proposals in this report will improve the facilities on Worden Park for the benefit of the borough's residents.

Option 1 is considered to be the better option as the toilets are located in a more appropriate location in accordance with the rationale detailed in the report.

Officer recommendations are as follows:

1. That Tender 2 in Table A, Part 2 of this report at a cost of £149,500 is accepted for the installation of the new toilet facilities on Worden Park.
2. That the new toilet block servicing the play area is located outside the play area as detailed in the report (subject to planning permission and listed building consent).
3. That Option 1 is chosen for the location of the second toilet block (subject to planning permission and listed building consent) and the crossroads toilets are retained.
4. That a charge of 20p is introduced for users of the toilet facilities at Worden Park.
5. To grant authority under section 3.4 of the Financial Regulations to incur capital expenditure of up to £225,000 for the above works.

12. COMMENTS OF THE STATUTORY FINANCE OFFICER

As per the 2017/18 Budget Report, there is an approved, financed budget in the Capital Programme in the sum of £225,000 to cover this project.

13. COMMENTS OF THE MONITORING OFFICER

The tender exercise has been carried out in accordance with the council's Contract Procedure Rules.

If Cabinet chooses to award the contract then formal contract documentation will be drawn up.

Prior to the commencement of any works planning permission and listed building consent will need to be in place.

14. BACKGROUND DOCUMENTS

Applications for Planning Permission and Listed Building Consent

SMT Member's Name - Mark Gaffney

Job Title - Director of Neighbourhoods, Asset Management & Environmental Health

Report Author:	Telephone:	Date:
Andrew Richardson	5674	11/08/2017

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