

CABINET

WEDNESDAY, 25TH OCTOBER, 2017, 5.00 PM

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

AGENDA

- | | |
|---|------------------|
| 1 Apologies for Absence | |
| 2 Declarations of Interest | |
| 3 Minutes of the Last Meeting | (Pages 3 - 6) |
| Minutes of the last meeting held on 6 September 2017 attached to be signed as a correct record. | |
| 4 Approval of a Customer Feedback Policy | (Pages 7 - 26) |
| Report of the Director of Development, Enterprise and Communities attached | |
| 5 Dog Control Orders/Public Space Protection Orders | (Pages 27 - 72) |
| Report of the Director of Neighbourhoods, Environmental Health and Assets attached | |
| 6 Statement of Intent for Energy Company Obligation (ECO) Flexible Eligibility | (Pages 73 - 80) |
| Report of the Director of Development, Enterprise and Communities attached | |
| 7 2017/18 Budget Management Statement - Quarter 1 | (Pages 81 - 98) |
| Report of the Head of Shared Financial Services attached | |
| 8 Final Report from the Scrutiny Review of Staff Morale | (Pages 99 - 120) |
| Report of the Interim Corporate Governance Manager 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 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

By Virtue of Paragraph 1: Information relating to any individual.

10 Standing Order 35 Decision - Management Restructure - interim arrangements and support for SMT & Core Managers

(Pages 121 - 132)

Report of the Chief Executive 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, 6 December 2017 - Shield Room, Civic Centre, West Paddock, Leyland, PR25 1DH

MINUTES OF CABINET

MEETING DATE Wednesday, 6 September 2017

MEMBERS PRESENT: Councillors Peter Mullineaux (Chair), Colin Clark (Vice-Chair), Cliff Hughes, Jacqui Mort, Phil Smith and Graham Walton

OFFICERS: Heather McManus (Chief Executive), Mark Gaffney (Director of Neighbourhoods, Environmental Health and Assets), Denise Johnson (Director of Development, Enterprise and Communities), Susan Guinness (Head Of Shared Financial Services), Dave Whelan (Legal Services Manager/Monitoring Officer) and Dave Lee (Democratic Services Officer)

OTHER MEMBERS: Councillor Warren Bennett, Councillor Colin Coulton, Councillor William Evans, Councillor Derek Forrest, Councillor Paul Foster (Leader of the Opposition), Councillor Mary Green, Councillor Keith Martin, Councillor Caroline Moon, Councillor Barbara Nathan, Councillor Michael Nathan, Councillor Alan Ogilvie, Councillor Matthew Tomlinson, Councillor Karen Walton and Councillor Linda Woollard

PUBLIC: 3

27 Apologies for Absence

An apology for absence was submitted from Councillor Susan Snape (Finance).

28 Minutes of the Last Meeting

RESOLVED (UNANIMOUSLY): that the minutes of the meeting held on 27 July 2017 be approved as a correct record.

29 Declarations of Interest

The Director of Neighbourhoods, Asset Management and Environmental Health, the Director of Development, Enterprise and Communities, the Head of Shared Financial Services and the Legal Services Manager declared prejudicial interests in the Management Structure for Consultation item and indicated that they would leave the meeting during the discussion and voting thereon.

30 Management Structure for Consultation

(The Director of Neighbourhoods, Asset Management and Environmental Health, the Director of Development, Enterprise and Communities, the Head of Shared Financial Services and the Legal Services Manager declared prejudicial interests in this item as they were directly affected by the Senior Management Restructure, and left the meeting during the consideration thereof. Another Senior Officer (in the audience) that was directly affected by this also withdrew from the meeting.)

The Chief Executive addressed Cabinet explaining that as Head of Paid Service the council required her to put in place a management structure that would deliver to the corporate agenda set by Council. This agenda was detailed in the Council's Corporate Plan and Medium Term Financial Strategy.

The Council experienced a period of instability which impacted on staff morale and the Council's ability to govern. As agreed in the Transformational Strategy this journey started in 2017-18, by putting in place the building blocks necessary to achieve this shift in focus. This would 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.

The Chief Executive (Head of Paid Services) was now sharing thinking as illustrated in the appendices (formal consultation document) to the report for the wider views of members/officers and to allow her the opportunity to address any concerns. The consultation would close on 7 September 2017.

The Chief Executive (Head of Paid Service) responded to questions and comments from the Cabinet, members in the audience and the public.

The Chief Executive (Head of Paid Services) explained the roles/responsibilities of Statutory Officers, the Council's vision for shared services with Chorley Borough Council and the anticipated cost savings from the senior management restructure.

The Cabinet noted that this matter had been considered by the Scrutiny Committee held on 30 August 2017 and that the committee would be formalising its response to the Management Re-structure Consultation Document at the rising of this Cabinet meeting.

The Cabinet welcomed the consultation process and commented that reference should be made to "growth and opportunity" in recommendation 1.

RESOLVED (UNANIMOUSLY): that the following key themes and actions captured be supported:

1. To create a culture of continual improvement, growth and opportunity, 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 7 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 27 September 2017 (via Shared Service Committee as appropriate).

31 Communicating with Residents and Businesses

The Chief Executive presented the report.

With the next edition of Forward being due in early autumn, it was suggested that a cross party member working group was 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.

RESOLVED (UNANIMOUSLY): that a cross party member working group be established to review the way the Council should communicate with residents and businesses in the borough in the future as outlined in Appendix 1 to the report.

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

The Cabinet considered a report on a scheme to assist some of the most vulnerable households in the borough in energy efficiency and reducing energy bills.

RESOLVED (UNANIMOUSLY): that consideration of the matter be deferred until the next scheduled meeting of Cabinet on 25 October 2017 to allow officers to provide further details and to explore other available options.

33 Cabinet Forward Plan

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

34 Worden Park Toilet Provision

The Cabinet considered a report to commit capital expenditure and accept the most economically advantageous tender for the proposed installation of new toilet facilities on Worden Park, Leyland.

RESOLVED (UNANIMOUSLY): that consideration of the matter be deferred until further options are explored within the framework of the current budget process of the Corporate Plan.

35 Exclusion of Press and Public

Not required as the consideration of the **Worden Park Toilet Provision** was contained to the Part 1 (Open Report), min. no. 34 above refers.

36 Worden Park Toilet Provision

This report was not considered as the discussion was contained to the Part 1 (Open Report), min. no. 34 above refers.

.....Chair

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REPORT TO	ON
CABINET	25th October 2017



September 2017

TITLE	PORTFOLIO	REPORT OF
Customer Feedback Policy	Corporate Support and Assets	Peter Haywood, Revenues Manager

Is this report a KEY DECISION (i.e. more than £100,000 or impacting on more than 2 Borough wards?)	Yes
Is this report on the Statutory Cabinet Forward Plan ?	Yes
Is the request outside the policy and budgetary framework and therefore subject to confirmation at full Council?	No
Is this report confidential?	No

1. PURPOSE OF THE REPORT

- 1.1 This report will request approval of a Customer Feedback Policy which details how the Council will deal with and respond to comments, compliments and complaints.

2. PORTFOLIO RECOMMENDATIONS

- 2.1 To approve the adoption of the ‘South Ribble Borough Council Customer Feedback Policy – Dealing with Customer Comments, Compliments and Complaints’.

3. CORPORATE PRIORITIES

- 3.1 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 x

4. BACKGROUND TO THE REPORT

- 4.1 The current process for dealing with complaints was introduced a number of years ago but there is no formal process in place for dealing with comments or compliments. Furthermore, the Corporate Improvement Plan includes a required outcome of the adoption and implementation of a new Customer Feedback Strategy. As such, it is appropriate for the Council to adopt a new policy and for this to be expanded to cover all feedback, as opposed to complaints only.

- 4.2 The new Customer Feedback Policy outlines how the Council will deal with all types of feedback, whether it is in the form of a comment, compliment or complaint. It also details differing processes for dealing with the differing types of feedback.

5. PROPOSALS (e.g.RATIONALE, DETAIL, FINANCIAL, PROCUREMENT)

- 5.1 The current process deals solely with complaints and is a 4 stage procedure, with the first 3 stages being internal to the Council and the final 4th stage requiring a complaint to the Local Government Ombudsman (LGO). The 3rd internal stage of the current process requires the involvement of the Chief Executive in dealing with complaints.
- 5.2 It is felt that the 3 internal stages may be viewed as cumbersome and increase the time taken to deal with complaints, whilst the potential elevation of complaints to the Chief Executive does not encourage staff to take ownership and responsibility for dealing with complaints.
- 5.3 The new policy will reduce the number of stages in the complaints process from 4 to 3, with the 3rd stage being a complaint to the LGO. Furthermore, the new policy will encourage officers to attempt to deal with concerns in the first instance as an alternative to the formal procedure.
- 5.4 Where an issue is dealt with in accordance with the formal procedure it is the intention of the new policy that stage 1 complaints are dealt with by a team leader, with a core manager (or equivalent) dealing with stage 2 complaints. However, given the nature of a complaint, it may be appropriate for a complaint to be dealt with by a core manager and director respectively.
- 5.5 It is the intention of the new policy to empower staff to take ownership and responsibility for dealing with complaints by removing the 3rd internal stage and by encouraging staff to deal with complaints without the need to refer to a director or Chief Executive.
- 5.6 The policy also seeks to create a culture where feedback is viewed positively and may be used to influence future policy. To this end, all responders to complaints will be required to complete a 'Learning from Complaints' form with outcomes being recorded, reported and lessons learned being shared across the council.
- 5.7 The policy also creates a requirement for complaints handling performance information and learning points to be reported to the Senior Management Team and the Portfolio Holder on a quarterly basis.

6. CONSULTATION CARRIED OUT AND OUTCOME OF CONSULTATION

- 6.1 An internal task group was created to develop a new policy to ensure that feedback is dealt with in an efficient and effective manner and lessons learned are used to influence future decision making where appropriate.

7. OTHER OPTIONS CONSIDERED

None

8. FINANCIAL IMPLICATIONS

None

9. HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT IMPLICATIONS

None

10. ICT/TECHNOLOGY IMPLICATIONS

- 10.1 The adoption of the new policy will require new processes for dealing with feedback to be written in the Council's Customer Relationship Management system.

11. PROPERTY AND ASSET MANAGEMENT IMPLICATIONS

None

12. RISK MANAGEMENT

- 12.1 The lack of a clear policy for dealing with complaints could increase the potential for the Council to be liable for compensation payments or costs, as directed by the LGO.
- 12.2 There is a reduction in the number of stages required before a complaint can be made to the LGO. As a result, there is the potential for a greater number of complaints to be referred to the LGO. However, a very limited number of complaints have previously had a decision changed at the third stage, therefore the number of additional complaints that will be referred to the LGO is expected to be minimal.

13. EQUALITY AND DIVERSITY IMPACT

- 13.1 The adoption of a formal policy for dealing with and monitoring all types of feedback will assist the Council in identifying opportunities for improvements to the services provided to residents.

14. RELEVANT DIRECTORS RECOMMENDATIONS

- 14.1 This policy encourages staff to deal with and rectify complaints without the need to automatically refer to a higher level, thereby ensuring that complaints are dealt with in a more timely fashion.

15. COMMENTS OF THE STATUTORY FINANCE OFFICER

- 15.1 There are no financial implications arising from this report.

16. COMMENTS OF THE MONITORING OFFICER

- 16.1 Our previous complaints policy has served us well in the past but now it is looking rather cumbersome and out of date – hence why we need a new more focussed policy which also encompasses comments and compliments as well as complaints. It is important of course that we do have a robust and fit for purpose customer feedback policy in place – this is something the Ombudsman would expect.

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

Appendix A - South Ribble Borough Council Customer Feedback Policy

Denise Johnson
Director of Development, Enterprise & Communities

Report Author:	Telephone:	Date:
Peter Haywood	5578	6 th October 2017



South Ribble Borough Council Customer Feedback Policy

Dealing with Customer Comments, Compliments and Complaints

South Ribble Borough Council – October 2017

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Appendix A:

South Ribble Borough Council Policy on Dealing with Vexatious and Unreasonable Complainants

1. Introduction

This document sets out how South Ribble Borough Council manages and responds to customer comments, compliments and complaints.

South Ribble Borough Council is committed to providing excellent customer service and since 2001 has achieved Customer Service Excellence accreditation for a number of services, including the front line provision provided by Gateway. This policy supports the Council's service standards and helps us maintain a culture of excellent customer service as an organisation which listens to its customers, recognises good practice, and acknowledges and investigates when things have gone wrong, putting in place actions to learn and improve in the future.

The views of our customers are important to the Council; they help us shape services to support the needs of our communities, provide insight into what we are doing well and where we can improve and enable us to provide a responsive service that changes and adapts in accordance with customer need.

The Council will treat comments, compliments and complaints with respect and seek to understand the customer's point of view.

The Council will endeavour to resolve problems at the time they are brought to its attention to the customer's satisfaction. In order to achieve this, all staff are empowered to deal, where possible, with issues and complaints at source. Where this is not possible, the formal complaints procedure will be applied.

2. Scope

This document sets out how South Ribble Borough Council manages and responds to comments, compliments and complaints.

This policy supports the Council's priority of being an Efficient, Effective and Exceptional Council, and it incorporates the Council's Policy on Dealing with Vexatious and Unreasonable Complainants.

3. Comments, Compliments and Complaints - Definitions

3.1 Comments

A comment can be described as a volunteered personal opinion or belief, feedback or remark expressed by a customer. Unless specifically requested, there is not an automatic assumption that the Council will reply to comments. However, where it is felt appropriate or where the customer indicates they expect a reply, this should be sent within 10 working days.

3.2 Compliments

A compliment is defined as a customer statement of positive recognition or praise for a service or member of staff.

3.3 Complaints

A complaint is an expression of dissatisfaction or concern made by the customer about the standard of service, actions or lack of actions by the Council and its staff, affecting an individual customer or group of customers.

A complaint is not a service request. A service request is defined as a customer contact that, for the first time, brings a matter to the Council's attention and requests a service offered by the council.

3.4 Social Media

The Council receives an increasing amount of feedback via social media such as Facebook and Twitter. Where possible comments, compliments and service requests should be dealt with at the first point of contact, which in many cases will involve a response using social media. Complaints should be dealt with in accordance with the Complaints Process below, although it will be appropriate to reply immediately via social media to confirm that the matter is being dealt with as a formal complaint and in accordance with the Council's policy.

4. Comments, Compliments and Complaints – Process

The processes that are outlined below detail the maximum response times for responding to feedback – such as 10 or 20 working days. However, it is expected that feedback that is received will be treated as a priority and responded to expeditiously with the vast majority of cases having been investigated and responded to well within this timescale.

4.1 Comments Process

Customer comments are managed outside of the complaints process. Comments made to the Customer Feedback Officer will be forwarded to the appropriate Core Manager to consider.

Unless specifically requested, there is not an automatic assumption that the Council will reply to comments. However, where it is felt appropriate or where the customer indicates they expect a reply, this should be sent within 10 working days.

Core Managers are encouraged to share information of this nature at regular team meetings and acknowledge the performance of the relevant individual and/or team.

4.2 Compliments Process

Copies of all compliments should be forwarded to the Customer Feedback Officer who will maintain a central register of compliments.

Compliments should be celebrated and shared by Core Managers amongst teams and service areas, and may be publicised via the Council's communication channels (Connect, website, Forward and at Senior Management Team meetings).

4.3 Complaints Process

The formal complaints process has a three stage structure. Stage one and two complaints are investigated by the Council, stage three complaints are investigated independently by the Local Government Ombudsman.

In all circumstances the Council will act in accordance with its Values; Teamwork, Integrity, Excellence, being a Learning Organisation and having a Positive Attitude to improve services and customer service.

Officers responding to complaints are encouraged to speak with complainants during the investigation of the complaint to help gain a greater understanding of the complainant's point of view.

Informal Stage

Customers are asked, before submitting formal complaints, to contact us to establish whether we can deal with their concern promptly and satisfactorily. In cases such as a missed bin collection, this is more likely to result in an efficient resolution than awaiting a formal written response.

At the initial point of contact with the customer, the officer should, where possible, determine the extent to which the concerns being raised can be addressed through simple steps to put things right or an apology, without recourse to the formal procedure. Where such a solution is not possible or appropriate, the customer should be advised that the Council's formal procedure will be followed.

Stage 1

Stage one complaints will be registered and acknowledged (within three working days) by the Customer Feedback Officer. The Customer Feedback Officer must be provided with a copy of any complaints that are received directly by a service area immediately upon receipt.

Registered complaints will be passed to the appropriate Team Leader or Core Manager, who will review the complaint and either respond personally or arrange for an appropriate officer to respond (within 10 working days of receipt of the complaint, unless exceptional circumstances exist). A response may be sent by letter or email, or by any other method requested by the complainant.

The response must contain details of what the complainant needs to do if they remain dissatisfied with the outcome and wish to progress the complaint to stage 2. A copy of the response must be sent to the Customer Feedback Officer.

Stage 2

A complaint will enter stage two of the process if a customer advises that they are dissatisfied with the result of stage one.

Stage two complaints will be registered and acknowledged (within three working days) by the Customer Feedback Officer. The Customer Feedback Officer must be provided with a copy of any stage two complaints that are received directly by a service area immediately upon receipt.

Registered complaints will be passed to the appropriate Core Manager or Director, who will review the complaint and either respond personally or arrange for an appropriate officer to respond (within 20 working days of receipt of the complaint,

unless exceptional circumstances exist). A response may be sent by letter or email, or by any other method requested by the complainant.

The response must contain details of what the complainant needs to do if they remain dissatisfied with the outcome and wish to progress the complaint to stage 3. A copy of the response must be sent to the Customer Feedback Officer.

Stage 3

If a complainant is dissatisfied with the outcome of the stage two complaint they may wish to enter stage three of the complaints process and contact the Local Government Ombudsman directly.

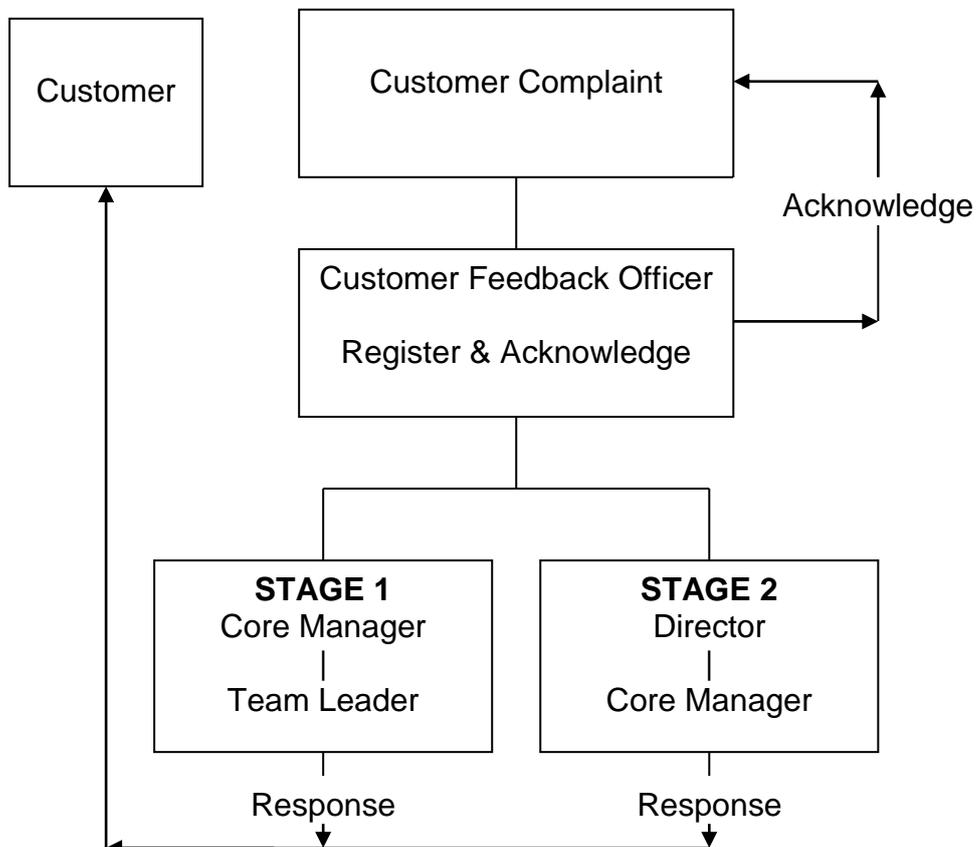
A complainant may approach the Local Government Ombudsman at any stage of the complaints process, although the Ombudsman will not usually investigate complaints unless the Council has had an opportunity to investigate at stages one and two first.

Stage three complaints will be registered and acknowledged (within three working days) by the Customer Feedback Officer.

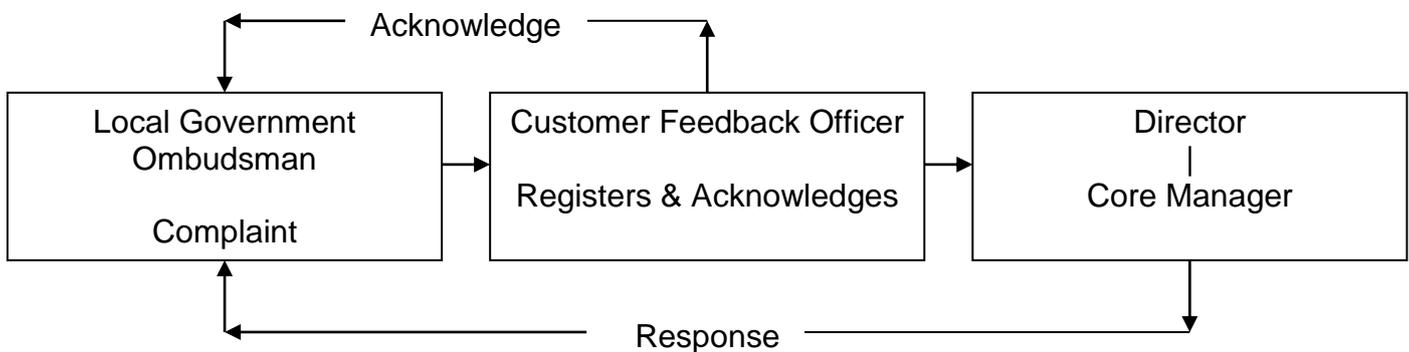
Registered complaints will be passed to the appropriate Director, who will review the complaint and either respond personally or arrange for the appropriate Core Manager to respond directly to the Local Government Ombudsman within 28 days, unless exceptional circumstances exist.

A copy of the response must be provided to the Customer Feedback Officer.

Stage 1 & 2 Complaints Flowchart



Stage 3 Local Government Ombudsman Complaints Flowchart



5. Exceptions

The following exceptions apply to this policy:

- The Complaints Process outlined above will not be used to deal with matters where an alternative statutory appeals process is in place to enable a decision to be challenged. Examples of this include planning applications, entitlement to housing benefit and decisions made in respect of homeless applications. For example, a customer may complain to the Council about the length of time taken or the process to determine entitlement to benefit but could not complain about the decision itself, with that decision being dealt with by the Social Security Appeals Tribunal.
- Unless the Chief Executive or a Director determines that there are exceptional circumstances, the Council will not investigate complaints relating to issues that are greater than 12 months old.
- The complaints process cannot be used to complain about the conduct of Councillors. Complaints of this nature should be directed to the Monitoring Officer at South Ribble Borough Council.
- The complaints process excludes complaints made by our suppliers, partners and other public authorities regarding our business relationships.

6. Learning from complaints

The Council values complaints and uses the information to inform service planning to shape services that support the needs of the customer. To this end all respondents to complaints are required to complete a 'Learning from Complaints Form'.

The Learning from Complaints Form provides an opportunity for officers to review the complaint and identify any lessons learnt and any corrective action taken. A copy of the form must accompany a copy of the response sent to the Customer Feedback Officer before the complaint can be deemed to be closed.

Learning from Complaints forms will be recorded centrally by the Customer Feedback Officer and reported to the Senior Management Team and the Portfolio Holder on a quarterly basis. Lessons learned will be shared across the Council.

7. Reporting complaints and compliments

Complaints handling performance and key learning points will be reported to the Senior Management Team and the Portfolio Holder on a quarterly basis.

These reports will include the following data:

- Volume of complaints
- Complaints by stage
- Complaints by corporate area
- Acknowledgement and response rate
- Theme of complaints
- Learning from Complaints

Feedback will also be gathered via a survey of closed complaints. The survey will gather the following information:

- Complaint handling satisfaction
- Communication satisfaction
- Complaint process satisfaction
- Speed of response satisfaction

Shared Assurance Services will include compliance with this policy on the annual Service Assurance Statements that are completed by services. When undertaking an audit of a service, Shared Assurance Services will ensure, where they deem it to be necessary, that the service is recording and dealing with complaints in accordance with this policy and will include their findings in the Final Report as appropriate. They may liaise with the Customer Feedback Officer to ensure that complaints are being correctly recorded and responded to within the timescales outlined in this policy.

The Customer Feedback Policy will be reviewed on an annual basis or when statutory requirements change.

8. Unreasonable or unreasonably persistent complaints

The Council recognises that customers may exert pressure on the authority when making a complaint, as they believe that the Council has failed in its service to them. Such pressure may be persistent, but in most cases this is reasonable and acceptable.

A small minority of complainants may pursue their complaints in ways that can impede the investigation of their complaint, or impose a significant and disproportionate resource requirement on the authority. Such actions can occur during the investigation of a complaint, or once investigations have been completed. In these cases, a complainant may be considered unreasonably persistent.

The Council's Policy on Dealing with Vexatious and Unreasonable Complainants should be used when considering restrictive measures with customers. A copy of this policy is at Appendix A to this document.

Violent or abusive behaviour towards staff will not be tolerated under any circumstances. In the event that such an incident occurs action should be taken in accordance with the Council's Verbal and Physical Abuse Policy, and should be reported in accordance with the Council's procedure for reporting incidents of verbal or physical abuse, as appropriate.

9. Anonymous complaints

Anonymous complaints should be passed to the Customer Feedback Officer who will register the complaint and pass to the appropriate Core Manager or Team Leader for investigation.

10. Confidentiality

In accordance with the 1998 Data Protection Act, the Council will maintain the confidentiality of all personal information, and not disclose it outside of South Ribble Borough Council without the express permission of the customer.

11. Role Descriptions

This section describes the roles and responsibilities of individuals and teams involved in the Comments, Compliments and Complaints Policy.

11.1 Members and Officers of the Council

Members and Officers of the Council are required, in the first instance, to forward all complaints and compliments to the Customer Feedback Officer.

Where Members are submitting complaints on behalf of residents, and are acting as advocates for residents, they will receive copies of all relevant correspondence relating to the complaint and may be the principal point of contact. In all cases, Members are invited to liaise with the Customer Feedback Officer to determine when an enquiry should be treated as a complaint, based upon the guidance given in Section 3 above, and explore how the council can provide the optimum support to ensure a satisfactory resolution for all parties.

Members and Officers receiving customer comments should forward these comments to the appropriate Core Manager or Team Leader.

11.2 Customer Feedback Officer

The Customer Feedback Officer will register and acknowledge all complaints within three working days. Compliments will also be registered and maintained on a central record.

Complaints and Learning from Complaints Forms will be passed to the appropriate Core Manager or Team Leader. The Customer Feedback Officer will also provide the response due date.

Responses and Learning from Complaints forms will be registered with the original complaint and a central record will be maintained. The Customer Feedback Officer will analyse Responses and Learning from Complaints forms and consider whether there are any opportunities for the Council to improve customer service. This may be in a specific service area or across the Council as a whole, with findings being reported to the Senior Management Team and the Portfolio Holder on a quarterly basis.

Complaints and compliments will be reported in accordance with section 7 of this policy.

11.3 Directors and/or Core Managers

Directors and/or Core Managers are responsible for reviewing all complaints for the services under their management, although a complaint may be responded to by a Team Leader.

11.4 Responding Officer

The responding officer is responsible for investigating and responding to a complaint in accordance with the standards detailed below:

- The timescales for responding to complaints that are outlined in this policy will be adhered to.
- If, due to exceptional circumstances, the investigation into the complaint will not be completed within the appropriate timescale, a letter will be sent to inform of the progress and expected timescales by the responding officer.
- The responding officer will also provide a copy of this letter to the Customer Feedback Officer, who will maintain a central register of complaints and response times.

The investigation of a complaint should be conducted in accordance with the Council Values; Teamwork, Integrity, Excellence, being a Learning Organisation and having a Positive Attitude to improve services and customer service. Investigations should be carried out objectively and responding officers should aim to resolve the complaint to the customer's satisfaction within the limitations that apply.

The response should be sent direct to the complainant and a copy provided to the appointed Customer Feedback Officer.



South Ribble Borough Council

Policy on Dealing with Vexatious and Unreasonable Complainants

1. Introduction

- 1.1 The Local Government Ombudsman (LGO) recommends that councils have a policy in place to deal with vexatious or unreasonably persistent complainants.
- 1.2 Complainants who are vexatious or unreasonably persistent are few in number but they can have a great impact on the Council in terms of cost, officer time and staff morale.
- 1.3 We do not expect staff to tolerate unacceptable behaviour. We will take all appropriate action to protect staff from such behaviour. If a complainant behaves in an unreasonably persistent or vexatious way, then this policy will be applied.
- 1.4 This policy will provide a robust but fair procedure to ensure all complaints can be dealt with equitably, comprehensively, and in a timely manner.

2. Aims of the Policy

- To identify the point when a complaint or complainant could justifiably be considered vexatious or unreasonably persistent.
- To outline a strategy to deal with vexatious/unreasonable complaints and complainants

3. Behaviour

- 3.1 In putting together this policy the Council has taken account relevant advice issued by the LGO.

- 3.2 The LGO has defined an ‘unreasonable complainant’, as one who ‘because of the frequency or nature of their contacts with the authority, hinder the authority’s consideration of their or other people’s complaints’.
- 3.3 The LGO has defined a ‘vexatious complaint’ as one brought without sufficient grounds of success, purely to cause annoyance.
- 3.4 There are a number of characteristics that may identify a complainant as being vexatious or unreasonable (please see the Annex to this policy for general guidance). It will be for the relevant Director/Head of Service to decide whether a particular complainant should be treated as a vexatious or unreasonable complainant.

4. Guidance for Staff

- 4.1 Even where a person is deemed to have made vexatious or unreasonable complaints in the past, assumptions must not be made that the new complaint is also vexatious or unreasonable. Each complaint must be considered.

4.2 *Complaints about the same matters*

- 4.21 The following applies if the complainant:
- refuses to pursue the complaint to the next stage (as outlined in our Complaints procedure); or
 - repeatedly refuses to follow Council procedures; or
 - the Council’s Complaints and Ombudsman processes have been exhausted; or
 - the complainant continues to correspond.

4.22 *a) No new information*

If no significant new matters are raised or new information presented, the Director/Head of Service will write to the complainant to warn them that the Council will not enter into any further correspondence on the matter. If the complainant continues, the Director/Head of Service may decide that any further correspondence of such sorts may be filed with no acknowledgement sent.

4.23 *b) New information*

If the complaint contains new information, this must be evaluated by the officer dealing with the complaint. A response should be sent to the complainant. The letter must detail the next appropriate stage in the complaints procedure.

4.3 *Complaints about similar matters*

- 4.31 The most difficult vexatious/unreasonable complaints to deal with are often complaints that are slightly different to the original complaint, but about the same broad area of activity. A decision will have to be made as to whether or not the matters are sufficiently different to justify being considered as a new complaint. This decision will be taken by the relevant Director/Head of Service.

- 4.32 It is of course Council policy to respond to any service requests or complaints; however, on rare occasions the Council may choose not to.

4.4 *Complaints about different matters*

- 4.41 If a complainant keeps making complaints about different matters, each complaint should ordinarily be considered in the usual way under the complaints procedure.

The following are exceptions to the rule:

- If the volume of correspondence starts to impact on Council resources, it may be useful to hold a meeting with the complainant to find if there is a more effective way for the correspondence to be dealt with. This may bring to light an underlying, common cause for the various complaints
- If the new complaints are about entirely trivial matters, or matters that have clearly not caused the complainant any injustice, it may be appropriate to close down the complaint at stage 1. This should only be done by the Director/Head of Service concerned. The complainant will be told, and there will be no right to appeal other than to the Ombudsman. Subsequent complaints should then be simply noted.
- A complaint to the Council does not have to be made in writing. However, if a complainant is repeatedly telephoning either to discuss an existing complaint or to make a new complaint, and this is causing serious disruption, it may be reasonable to consider restricting future contact.

5. Considerations Prior to taking Action under this Policy

- 5.1 Different considerations will apply depending on whether the investigation of the complaint is ongoing or whether it has been concluded. With the latter, the Council has the option of ending all communication with the complainant, and where appropriate, referring the complainant to the LGO. Where there is an ongoing complaint, there needs to be some continuing contact with the complainant.
- 5.2 In deciding which restrictions are appropriate, careful consideration will be given to balance out the rights of the complainant with the need to ensure that staff do not suffer any disadvantage and that the resources of the Council are used effectively.

6. Options for dealing with Vexatious/Unreasonable Complainants

- 6.1 Any actions taken will be approved by the relevant Director/Head of Service and will be proportionate to the complainant's current behaviour and circumstances. The options set out below are those which are most likely to be used – they may be used singularly or in combination:
- Requiring contact to be with only one named officer (and a named deputy in their absence).

- Requiring that the complainant should not make contact with the Council by telephone except through a third party, e.g. solicitor/councillor/friend acting on their behalf
- Preventing the complainant from contacting the Council, either in person, by telephone, by fax, by letter, by e-mail or any combination of these, provided that one form of contact is maintained
- Preventing the complainant from accessing any Council building except by appointment
- Restricting telephone calls to specified days / times / duration
- Requiring any personal contact to take place only in the presence of an appropriate witness, and in a suitable location
- Refusing to register and process further complaints about the same matter
- Temporarily suspending all contact with the complainant while seeking advice or guidance from Legal Services or other relevant agencies, such as the LGO

7. Operating the Policy

7.1 Where this policy is applied, the complainant must be informed in writing to explain:

- why the decision has been taken,
- what action is being taken,
- the duration of that action,
- the review process of this policy,
- the right of the complainant to contact the LGO.

7.2 Records must be kept when placing a vexatious/unreasonable status on a complainant. A note will be made in the relevant files and computer records relating to that complainant.

7.3 The complainant will have no right of review of a decision that he is to be treated as a vexatious/unreasonable complainant.

8. Reviewing Vexatious/Unreasonable Status

8.1 A vexatious status should ordinarily be reviewed every 6 months by the relevant Director/ Head of Service. However, if problems have persisted for over 12 months then the relevant Director/Head of Service may decide that the vexatious status should continue for whatever time they consider to be reasonable.

- 8.2 A decision will be made as to whether any restrictions are still appropriate and necessary. The complainant will be informed of the result of this review, with the reasons explained.

9. Central Record

- 9.1 A Central Record of all vexatious/unreasonable complainants will be maintained by Legal Services.
- 9.2 Legal Services will liaise with the relevant Director/Head of Service to ensure that reviews of vexatious status are carried out on a timely basis.

ANNEX

Examples of Conduct that may be considered to constitute unreasonable conduct

Set out below are examples of unreasonable conduct. This is not intended to be an exhaustive list – rather this list is intended to assist officers in giving them specific examples of the sort of conduct that this policy is designed to cover.

- Insufficient or no grounds for the complaint
- The complaint would appear to have been made only to annoy
- Making what appear to be groundless complaints about the staff dealing with the complaints
- Refusing to specify the grounds of a complaint despite reasonable efforts of assistance from Council staff
- Refusing to co-operate with the complaints investigation process while still wishing for their complaint to be resolved
- Repeatedly unwilling to accept documented evidence as being factual
- Unwilling to accept that facts can sometimes be difficult to verify when a long period of time has elapsed
- Making unreasonable demands and failing to accept that these may be unreasonable
- Refusing to accept that certain issues are not the responsibility of the Council
- In relation to a complaint having made an excessive number of contacts with the Council. Discretion will be used in determining what the precise number of excessive contacts would be in the specific circumstances of that complaint.

- Adopting a ‘scattergun’ approach: pursuing a complaint(s) with a particular department of the Council, and at the same time, with other departments of the Council, and/or with various other bodies such as a Councillor or MP
- Lodging numbers of complaints in batches over a period of time, resulting in related complaints being at different stages of a complaints procedure
- Using valid new complaints to resurrect issues which were included in previous complaints
- Persistently raise subsidiary or new issues whilst a complaint is being addressed that were not part of the initial complaint
- Submitting repeat complaints, after complaints processes have been completed, essentially about the same issues, with minor additions/variations
- Submitting of falsified documents
- Regularly focusing on a trivial matter which is out of proportion to its significance
- Have harassed or been personally abusive or verbally aggressive towards staff dealing with the complaint



REPORT TO	ON
CABINET	25 OCTOBER 2017

September 2017

TITLE	PORTFOLIO	REPORT OF
INTRODUCTION OF PUBLIC SPACE PROTECTION ORDERS	NEIGHBOURHOODS AND STREETSCENE	ROGER ASHCROFT

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 Statutory Cabinet Forward Plan ?	Yes
Is the request outside the policy and budgetary framework and therefore subject to confirmation at full Council?	No
Is this report confidential?	No

1. PURPOSE OF THE REPORT

The Council adopted Dog Control Orders (DCOs) in September 2009. These orders replaced a number of bye-laws previously in force covering a range of offences and also allowed offences to be discharged by the payment of a £80 fixed penalty notice, thereby avoiding prosecution and the need to appear at Magistrates' Court.

From October 2017 DCOs will lapse and be replaced by Public Spaces Protection Orders (PSPOs). This report seeks approval to replace DCOs with PSPOs.

2. PORTFOLIO RECOMMENDATIONS

That Cabinet:

2.1 Considers the consultation responses and approves the introduction of the following PSPOs with immediate effect:

- a) The Dogs Exclusion in the Borough Council of South Ribble Public Space Protection Order 2017
- b) The Fouling of Land by Dogs in the Borough Council of South Ribble Public Space Protection Order 2017
- c) The Dogs on Leads by Direction in the Borough Council of South Ribble Public Space Protection Order 2017
- d) The Dogs on Leads in the Borough Council of South Ribble Public Space Protection Order 2017
- e) The Means to Pick Up Foul by Dogs in the Borough Council of South Ribble Public Space Protection Order 2017

2.2 Considers the consultation responses and does not approve the introduction of the following PSPO but keeps this under continuous review:

a) The Dogs (Specified Maximum) in the Borough Council of South Ribble Public Space Protection Order 2017

2.3 Agrees a review of PSPOs is undertaken before October 2020.

2.4 Agrees delegation to the Director of Neighbourhoods, Environmental Health and Assets to implement the relevant steps for enforcement of PSPOs.

2.5 The level of Fixed Penalty Notice be set at the highest amount possible of £100.

3. CORPORATE PRIORITIES

The report relates to the following corporate priorities (*tick all those applicable*):

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	

4. BACKGROUND TO THE REPORT

4.1 The Council adopted DCOs in September 2009 under powers afforded to local authorities by the Clean Neighbourhoods and Environment Act 2005. These orders replaced a range of bye-laws previously in force covering a range of offences and also allowed offences to be discharged by the payment of a £80 Fixed Penalty Notice (FPN), thereby avoiding prosecution and the need to appear at Magistrates' Court. From October 2017 DCOs will lapse and be replaced by PSPOs.

4.2 PSPOs apply to public spaces where the activities that are taking place have a detrimental effect, or are likely to have a detrimental effect, on the quality of life of those in the local community.

4.3 Guidance recommends that the Council should review the existing DCOs as part of the process of replacing them with PSPOs which must comply with the new legal tests. Also, it is crucial that the new PSPOs clearly reflect the level of restriction that the public feel is required.

4.4 A consultation process was authorised through a delegated decision in August 2017. The consultation process took place between 23 August and 31 September 2017 and the responses are detailed later in this report for Cabinet to consider.

4.5 The changes proposed aim to create a more comprehensive and consistent approach when dealing with issues such as dog fouling, keeping dogs on leads and excluding dogs from specified areas.

4.6 The proposed PSPOs will cover the following, which are currently dealt with under DCOs:

- Fouling of land by dogs
- Dogs exclusion areas
- Dogs on leads
- Dogs on leads by direction

In addition to the above, the consultation looked into potential additional provision for the following:

Means to pick up dog faeces
Dogs (Specified Maximum)

4.7 The Council enforcement team deals with dog related issues detailed above such as fouling, dog and dog owner behaviour, dogs off lead, dogs in excluded areas etc. It is important that the Council is able to continue to respond to these issues through the adoption of PSPOs to meet any concerns raised by the public and ensure that the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour.

5. PROPOSALS

5.1 The adoption of PSPOs relating to the control of dogs in the borough, aims to create a more consistent approach and balance the needs of dog owners against other members of the community. It will also assist the Council's zero tolerance approach to dog fouling, keeping the streets clean and protecting and enhancing open spaces.

5.2 The PSPOs will replace the current DCOs (with some amendments) within the Borough of South Ribble. It is proposed to make the following Public Space Protection Orders under Part 4 Section 59 of the Anti-social Behaviour Crime and Policing Act 2014:

- a) The Dogs Exclusion in the Borough Council of South Ribble Public Space Protection Order 2017. All these areas are fenced and new signs will be erected.
- b) The Fouling of Land by Dogs in the Borough Council of South Ribble Public Space Protection Order 2017
- c) The Dogs on Leads by Direction in the Borough Council of South Ribble Public Space Protection Order 2017
- d) The Dogs on Leads in the Borough Council of South Ribble Public Space Protection Order 2017
- e) The Means to Pick Up Foul by Dogs in the Borough Council of South Ribble Public Space Protection Order 2017 (This will allow officers to issue a FPN if a person in control of a dog does not have the means to pick e.g. poo bag)

5.3 See **Appendix 1** which includes the proposed PSPOs.

5.4 The above proposed PSPOs (a – d) will have substantially the same effect as the existing DCOs. However, there is a new PSPO (e above) which has been proposed which covers an issue not currently covered by the existing DCOs. This is in relation to having appropriate means to pick up dog faeces such as a plastic bag.

5.5 A further PSPO has been considered (see (a) below) in relation to only being able to have a specified number of dogs under your control as we have had complaints regarding professional dog walkers using the council's open space to exercise large numbers of dogs. A minute from a meeting of the Scrutiny Committee raising the issue is attached see **Appendix 3**. Officers consulted other councils who had introduced this PSPO and six dogs was the most common number.

- a) The Dogs (Specified Maximum) in the Borough Council of South Ribble Public Space Protection Order 2017 (To limit the number of dogs controlled by an individual to 6)

However, following the consultation exercise which was not supportive of this PSPO being introduced it is proposed that it is not introduced at this stage but is kept under continuous review.

6. CONSULTATION CARRIED OUT AND OUTCOME OF CONSULTATION

6.1 In accordance with statutory requirements, the Council has undertaken a formal consultation which was approved by delegated decision in August of this year. The Act does not define the level of or appropriate consultation. However, the Council consulted with the Chief Officer of Police for the area, The Police and Crime Commissioner, the Local Policing Body, Lancashire County Council, the Business Improvement District (BID), businesses, partnerships, parish and town councils, members, local communities and community representatives including the Kennel Club and the RSPCA and the general public.

6.2 The draft PSPO's were published for public consultation for a period of 5 weeks during August and September. Consultation was by the way of consultation letters, a notice in the local press, a notice on the Council's website (including a questionnaire) and via social media.

6.3 The proposal for the introduction of PSPOs relating to dog control within the borough has been widely consulted on as set out above.

6.4 A report on the consultation exercise was available on the council's website and a copy of the results are attached in **Appendix 2**, a summary of the survey results can be seen in the table below:

	Questions	Yes	No
1.	Do you own a dog or walk a dog for someone else?	85 %	15%
2.	Are you a... resident of South Ribble? person who works in South Ribble? Councillor? a local business owner? representative of a charity/organisation?	85%	15%
3	Do you agree with the proposal to introduce a borough wide Public Space Protection Order?	49%	51%
4	Do you think the Council should continue to enforce against persons in charge of a dog who fails to clean up its faeces?	99%	1%
5	Do you think additional enforcement should be taken against persons in charge of a dog who has no means to pick up dog faeces?	69%	31%
6	Do you think the Council should continue to exclude dogs from areas specified in the proposed order?	53%	47%
7	Do you have any suggestions as to other locations where you feel dogs should be excluded?	List attached	
8	Do you think the Council should continue to make it a requirement for persons in charge of a dog to put their dog on lead in the areas specified in the proposed order?	86%	14%
9	Do you have any suggestions as to other locations where you feel dogs should be on leads?	List attached	

10	Do you think the Council should continue to be able to make it a requirement for persons in charge of a dog to put their dog on a lead when asked to do so by an authorised officer?	86%	14%
11	Do you think provision should be made in the new order to restrict the number of dogs that can be walked by an individual on and off the lead?	27%	73%
12	Do you think that the current signage for Dog Control Orders across the borough is prominent and clear?	25%	75%
13	If you feel that any of these proposals will affect you as an individual because of any of the following, please give details below. Age, Disability, Ethnic Origin, Gender, Religious or Non-Religious Belief, Nationality, Responsibility for Dependents, Language, or any other reason.	22% List attached	78%

6.5 The consultation resulted in 146 on line response forms being completed with the majority of these being supportive of introducing the PSPOs. It should be noted that the majority of responses were from dog owners or those who exercised dogs for other people. The main points of objection was the proposal to restrict the number of dogs that can be walked by an individual on and off the lead. It should be noted that the Scrutiny Committee has previously identified this as an issue. There is also an even balance on the responses regarding current exclusion zones and the overall PSPO's. The responses to questions 7, 9 and 13 are attached in Appendix 2 and are mainly based on requesting additional exclusion zones around children's play areas, although this is difficult to enforce without fencing these areas.

6.6 When deciding whether to make requirements or restrictions on dogs and their owners, the council needs to consider whether there are suitable alternatives for dogs to be exercised without restrictions. It is considered there are numerous such areas throughout the borough where dog owners can take their dogs for exercise. The proposals therefore offer a balanced approach recognising the needs of the dog owning community as well as the general public.

6.7 It is important the proposed PSPOs are visibly policed and enforced. The existing Neighbourhood Officers group will continue to enforce the fixed penalty notices. The Immediate period following the introduction of the PSPOs will be actively publicised and front line officers will be on hand to offer advice to members of the public.

6.8 In respect of the statutory consultee responses, a response was received from Lancashire County Council Highways Team relating to the proposed Dogs on Lead PSPO. The response stipulated that the proposed wording for the Dogs on Leads Order is a little ambiguous or inconsistent with respect to public rights of way and provided that this should be amended. In light of this, the Schedule at i) and ii) of the proposed dogs on lead order (which went out to consultation) has been amalgamated under bullet point i) of the amended schedule. It is proposed that subject to consideration by Cabinet that the amended schedule is approved.

6.9 Comments received have been taken into consideration and approval is now sought to authorise the PSPOs and bring them into force with immediate effect and a proposed review date being prior to October 2020.

7. OTHER OPTIONS CONSIDERED

Consideration could be given to not replacing DCOs with PSPOs. However, this is not a viable option as it would mean that the council could not enforce and deal with dog related issues on the borough's public space.

8. FINANCIAL IMPLICATIONS

The estimated one-off cost of advertising and signage in relation to the proposed PSPOs is £1,500. This can be met from existing budgets.

9. LEGAL IMPLICATIONS

9.1 All offences can be dealt with by issuing a Fixed Penalty Notice (FPN). The current FPN for dog control order offences in the borough is set at £80. It is proposed that this will be increased to £100 for breaching a PSPO. (See also Comments of the Statutory Finance Officer). This is on the basis that the current £80 has been in place for some time and that the maximum FPN should be introduced as a deterrent to offenders. In cases of non-payment, the matter can be taken to court where the maximum fine on summary of conviction is level 3 on the standard scale which is currently £1000.

9.2 To challenge the validity of the PSPO orders - anyone who lives in, or regularly works in or visits the area can appeal a PSPO in the High Court within six weeks of issue. Further appeal is available each time the PSPO is varied by the council. This definition is provided for at section 66(1) of the Act.

9.3 While the PSPO is in force any byelaws and orders applying to the same activity will cease to have effect. A PSPO may not effect for a period of more than 3 years; that period can be extended for a further 3 years.

9.4 If cabinet authorise the making of the proposed PSPOs, there is a further requirement for publicity within the Anti-social Behaviour, Crime and Policing Act (publication of public space protection orders) Regulations. These require that where a local authority has made a PSPO, they must publish it on its website and erect such notices as it considers sufficient to advise members of the public that the PSPO has been made and the effect of such order.

10. HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT IMPLICATIONS

There are no implications to consider. Training on enforcement matters is regular reviewed and refreshed as appropriate.

11. ICT/TECHNOLOGY IMPLICATIONS

The recent introduction of remote technology has improved efficiency in responding to issues.

12. PROPERTY AND ASSET MANAGEMENT IMPLICATIONS

There are no implications.

13. RISK MANAGEMENT

Should the PSPOs not be introduced the Council will not be able to enforce dog related issues. This is an unacceptable position for the Council.

14. EQUALITY AND DIVERSITY IMPACT

Neighbourhood Services has an Equality Impact Assessment in place covering enforcement and the clean environment. This will be updated to reflect the replacement of DCOs with PSPOs. Other than this there are no other implications.

15. RELEVANT DIRECTORS RECOMMENDATIONS

The Council has no other option but to replace DCOs with PSPOs to enable dog related enforcement to continue.

The recommendations below are therefore proposed:

That Cabinet:

2.1 Considers the consultation responses and approves the introduction of the following PSPOs with immediate effect:

- a) The Dogs Exclusion in the Borough Council of South Ribble Public Space Protection Order 2017
- b) The Fouling of Land by Dogs in the Borough Council of South Ribble Public Space Protection Order 2017
- c) The Dogs on Leads by Direction in the Borough Council of South Ribble Public Space Protection Order 2017
- d) The Dogs on Leads in the Borough Council of South Ribble Public Space Protection Order 2017
- e) The Means to Pick Up Foul by Dogs in the Borough Council of South Ribble Public Space Protection Order 2017

2.2 Considers the consultation responses and does not approve the introduction of the following PSPO but keeps this under continuous review:

- a) The Dogs (Specified Maximum) in the Borough Council of South Ribble Public Space Protection Order 2017

2.3 Agrees a review of PSPOs is undertaken before October 2020.

2.4 Agrees delegation to the Director of Neighbourhoods, Environmental Health and Assets to implement the relevant steps for enforcement of PSPOs.

2.5 The level of Fixed Penalty Notice be set at the highest amount possible of £100.

16. COMMENTS OF THE STATUTORY FINANCE OFFICER

The current and proposed charges for Fixed Penalty Notices (FPNs) and fines for non-payment are set out in the financial and legal implications above. A one –off cost of £1.5k will be required from existing budgets to amend signage and formal communications. The proposed increase in charges for Fixed Penalty Notices is 25% which could increase over all income received by £1.5k per annum.

17. COMMENTS OF THE MONITORING OFFICER

Cabinet is being requested to consider the responses from the consultation process and to approve the PSPO's to tackle the problem issues relating to dogs.

The validity of a PSPO can be challenged in the High Court within six weeks of it being made.

18. BACKGROUND DOCUMENTS

Appendix 1 Proposed Public Spaces Protection Orders

Appendix 2 Consultation responses

Appendix 3 Scrutiny Committee minute

SMT Member's Name

Mark Gaffney

Job Title

Director of Neighbourhoods, Environmental Health and Assets

Report Author:	Telephone:	Date:
Roger Ashcroft	01772 625612	21/9/17

Appendix 1

SOUTH RIBBLE BOROUGH COUNCIL

ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014

THE DOGS EXCLUSION IN THE BOROUGH COUNCIL OF SOUTH RIBBLE
PUBLIC SPACE PROTECTION ORDER 2017

South Ribble Borough Council (“the Council”) under Part 4, Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”) hereby makes the following Order:

1. This Order comes into force on the _____ 2017 for a period of three years
2. This Order supersedes the following:
The Dogs Exclusion in the Borough of South Ribble Order 2009
The Dogs Exclusion in the Borough of South Ribble Order 2009 Amendment Order 2013
3. This Order applies to the public places specified in the Schedule below (“the Restricted Area”)
4. The Council is satisfied that the two conditions set out in Section 59 of the Act have been met, in that:
 - (1) activities carried on in the Restricted Area as described below have had a detrimental effect on the quality of life of those in the locality, or it is likely that these activities will be carried on in the public place and they will have such an effect;
 - (2) the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature, is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the Order.

OFFENCE

5. (1) A person in charge of a dog shall be guilty of an offence if, at any time, he takes the dog onto, or permits the dog to enter or to remain on, any land in the Restricted Area unless:
 - (a) he has a reasonable excuse for failing to do so; or
 - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so; or
- (2) Nothing in this article shall apply to a person who:
 - (a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
 - (b) is deaf, in respect of a dog trained by Hearing Dogs for Deaf people (registered charity number 293358) and upon which he relies for assistance; or
 - (c) has a disability which affects his mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.

- (3) For the purposes of this article:
- (a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;
 - (b) each of the following is a prescribed charity:
 - (i) Dogs for the Disabled (registered charity number 700454)
 - (ii) Support Dogs (registered charity number 1088281)
 - (iii) Canine Partners for Independence (registered charity number 803680).

PENALTY

6. By virtue of section 67 of the Act a person who is guilty of an offence under this Order shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale

FIXED PENALTIES

7. By virtue of section 68 of the Act a constable or authorised person of the Authority may issue a fixed penalty notice not exceeding £100 to anyone he or she has reason to believe has committed an offence under section 67 of the Act in relation to this Order

APPEALS

8. Any challenge to this Order must be made at the High Court within six weeks of the Order being made, and must be by an individual who lives in, regularly works in or visits the Restricted Area.

Interested persons can challenge the validity of the Order on two grounds: that the Council did not have the power to make the Order or to include particular prohibitions or requirements; or that one of the requirements of the legislation has not been complied with.

When an application is made, the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

SCHEDULE

Description of public places to which order applies

This Order applies to all public places within the administrative area in the Borough of South Ribble and which is a Council owned:

- (i) Play Area, namely:
Namely;

- Birch Avenue Playground, Penwortham
- Coupe Green Playground, Hoghton
- Dob Lane Playground, Little Hoole
- Farington Park Playground, Leyland
- Gregson Lane Playground, Hoghton
- Holland House Playground, Walton-le-Dale
- Hurst Grange Park Playground, Penwortham
- Hutton Playing Field Playground, Hutton
- King George V Playground, Penwortham
- King George V Playground, Higher Walton
- Kingsfold Drive Playground, Penwortham
- Longton Playground, Longton
- Moss Side Playground, Leyland
- Much Hoole Playground, Much Hoole
- New Longton Playground, New Longton
- Ryden Avenue Playground, Leyland
- Tardy Gate Playground, Lostock Hall
- Withy Grove Playground, Bamber Bridge
- Worden Park Playground, Leyland

(shown edged red for identification purposes on the plans attached hereto).

- (ii) Multi use games area and ball court.
- (iii) Bowling green (except the Order shall not apply to the perimeter footpath around the said bowling green).
- (iv) Skate park, BMX track or youth shelter.
- (v) Sports pitch at such times as when an organised sporting activity is taking place.
- (vi) Cemetery or crematorium grounds (except that the Order shall not apply to highways or footpaths within the said cemetery or crematorium grounds).

IN WITNESS whereof the Council have caused the Common Seal of the South Ribble Borough Council to be hereunto fixed this.....day of.....2017

EXECUTED AS A DEED by
SOUTH RIBBLE BOROUGH COUNCIL
by affixing its Common Seal
the day and year first written above

.....
Authorised Signatory

DRAFT

Appendix 1

SOUTH RIBBLE BOROUGH COUNCIL

ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014

THE FOULING OF LAND BY DOGS IN THE BOROUGH COUNCIL OF SOUTH RIBBLE
PUBLIC SPACE PROTECTION ORDER 2017

South Ribble Borough Council (“the Council”) under Part 4, Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”) hereby makes the following Order:

1. This Order comes into force on the _____ 2017 for a period of three years
2. This Order supersedes the following:
The Fouling of Land by Dogs in the Borough of South Ribble Order 2009
3. This Order applies to the public places specified in the Schedule below (“the Restricted Area”)
4. The Council is satisfied that the two conditions set out in Section 59 of the Act have been met, in that:
 - (1) activities carried on in the Restricted Area as described below have had a detrimental effect on the quality of life of those in the locality, or it is likely that these activities will be carried on in the public place and they will have such an effect;
 - (2) the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature, is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the Order.

OFFENCE

5. (1) If a dog defecates at any time on any land in the Restricted Area and a person who is in charge of the dog at any time fails to remove faeces from the land forthwith, the person shall be guilty of an offence unless:
 - (a) he has a reasonable excuse for failing to do so; or
 - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so; or
- (2) Nothing in this article shall apply to a person who:
 - (a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
 - (b) has a disability which affects his mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.
- (3) For the purposes of this article:
 - (a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;

- (b) placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be sufficient removal from the land;
- (c) being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces;
- (d) each of the following is a prescribed charity:
 - (i) Dogs for the Disabled (registered charity number 700454)
 - (ii) Support Dogs (registered charity number 1088281)
 - (iii) Canine Partners for Independence (registered charity number 803680).

(4) A person in charge and in the company of a dog on the land specified shall be guilty of an offence if, on the request of an authorised officer of the Council he or she fails to forthwith produce a device for or other suitable means of removing dog faeces and transporting it to a suitable waste disposal receptacle (whether or not the dog has defecated) unless he has a reasonable excuse for not doing so.

PENALTY

- 6. By virtue of section 67 of the Act a person who is guilty of an offence under this Order shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale

FIXED PENALTIES

- 7. By virtue of section 68 of the Act a constable or authorised person of the Authority may issue a fixed penalty notice not exceeding £100 to anyone he or she has reason to believe has committed an offence under section 67 of the Act in relation to this Order

APPEALS

- 8. Any challenge to this Order must be made at the High Court within six weeks of the Order being made, and must be by an individual who lives in, regularly works in or visits the Restricted Area.

Interested persons can challenge the validity of the Order on two grounds: that the Council did not have the power to make the Order or to include particular prohibitions or requirements; or that one of the requirements of the legislation has not been complied with.

When an application is made, the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

SCHEDULE

Description of public places to which order applies

This Order applies to all public places within the administrative area in the Borough of South Ribble and which is:

- (i) Open to the air on at least one side and to which the public are entitled or permitted to have access (with or without payment) within the Borough of South Ribble including but not limited to parks, public open spaces and highways in the area.
- (ii) Access Land within the meaning of S1(1) Countryside and Rights of Way Act 2000 including, but not limited to, Longton Brickcroft Nature Reserve and Access Land to Longton Marsh (shown edged red for identification purposes on the plans attached hereto).

DRAFT

IN WITNESS whereof the Council have caused the Common Seal of the South Ribble Borough Council to be hereunto fixed this.....day of.....2017

EXECUTED AS A DEED by
SOUTH RIBBLE BOROUGH COUNCIL
by affixing its Common Seal
the day and year first written above

.....
Authorised Signatory

DRAFT

Appendix 1

SOUTH RIBBLE BOROUGH COUNCIL

ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014

THE DOGS ON LEADS BY DIRECTION IN THE BOROUGH COUNCIL OF SOUTH RIBBLE PUBLIC SPACE PROTECTION ORDER 2017

South Ribble Borough Council (“the Council”) under Part 4, Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”) hereby makes the following Order:

1. This Order comes into force on _____ 2017 for a period of three years
2. This Order supersedes the following:
The Dogs on Leads by Direction in the Borough of South Ribble Order 2009
3. This Order applies to the public places specified in the Schedule below (“the Restricted Area”)
4. The Council is satisfied that the two conditions set out in Section 59 of the Act have been met, in that:
 - (1) activities carried on in the Restricted Area as described below have had a detrimental effect on the quality of life of those in the locality, or it is likely that these activities will be carried on in the public place and they will have such an effect;
 - (2) the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature, is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the Order.

OFFENCE

5. (1) A person in charge of a dog shall be guilty of an offence if, at any time, on any land in the Restricted Area he does not comply with a direction given to him by an authorised officer of the Authority to put and keep the dog on a lead and keep the same under control unless:
 - (a) he has a reasonable excuse for failing to do so; or
 - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.
- (2) For the purposes of this article:
 - (a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;
 - (b) an authorised officer of the Authority may only give a direction under this Order to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person (on any land to which this Order applies) or the worrying or disturbance of any animal or bird;
 - (c) an ‘authorised officer of the Authority’ means an employee of the Authority who is authorised in writing by the Authority for the purposes of giving directions under this Order;

(d) a “lead” shall be taken to mean a chord of two metres or less in length that is appropriately and securely attached to the dog for the purposes of allowing the person in control of the dog to hold or restrain that dog

PENALTY

6. By virtue of section 67 of the Act a person who is guilty of an offence under this Order shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale

FIXED PENALTIES

7. By virtue of section 68 of the Act a constable or authorised person of the Authority may issue a fixed penalty notice not exceeding £100 to anyone he or she has reason to believe has committed an offence under section 67 of the Act in relation to this Order

APPEALS

8. Any challenge to this Order must be made at the High Court within six weeks of the Order being made, and must be by an individual who lives in, regularly works in or visits the Restricted Area.

Interested persons can challenge the validity of the Order on two grounds: that the Council did not have the power to make the Order or to include particular prohibitions or requirements; or that one of the requirements of the legislation has not been complied with.

When an application is made, the High Court can decide to suspend the operation of the Order pending the Court’s decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

SCHEDULE

Description of public places to which order applies

This Order applies to all public places within the administrative area in the Borough of South Ribble and which is:

- (i) Open to the air on at least one side and to which the public are entitled or permitted to have access (with or without payment) within the Borough of South Ribble including but not limited to parks, public open spaces and highways in the area.
- (ii) Access Land within the meaning of S1(1) Countryside and Rights of Way Act 2000 including, but not limited to, Longton Brickcroft Nature Reserve and Access Land to Longton Marsh (shown edged red for identification purposes on the plans attached hereto).

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Appendix 1

SOUTH RIBBLE BOROUGH COUNCIL

ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014

THE DOGS (SPECIFIED MAXIMUM) IN THE BOROUGH COUNCIL OF SOUTH RIBBLE PUBLIC SPACE PROTECTION ORDER 2017

South Ribble Borough Council (“the Council”) under Part 4, Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”) hereby makes the following Order:

1. This Order comes into force on the _____ 2017 for a period of three years
2. This Order applies to the public places specified in the Schedule below (“the Restricted Area”)
3. The Council is satisfied that the two conditions set out in Section 59 of the Act have been met, in that:
 - (1) activities carried on in the Restricted Area as described below have had a detrimental effect on the quality of life of those in the locality, or it is likely that these activities will be carried on in the public place and they will have such an effect;
 - (2) the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature, is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the Order.

OFFENCE

4. (1) A person in charge of more than one dog shall be guilty of an offence if, at any time, on any land in the Restricted Area, the number of dogs which are being walked is more than 6:
 - (a) he has a reasonable excuse for failing to do so; or
 - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.
- (2) For the purposes of this article:
 - (a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.

PENALTY

5. By virtue of section 67 of the Act a person who is guilty of an offence under this Order shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale

FIXED PENALTIES

6. By virtue of section 68 of the Act a constable or authorised person of the Authority may issue a fixed penalty notice not exceeding £100 to anyone he or she has reason to believe has committed an offence under section 67 of the Act in relation to this Order

APPEALS

7. Any challenge to this Order must be made at the High Court within six weeks of the Order being made, and must be by an individual who lives in, regularly works in or visits the Restricted Area.

Interested persons can challenge the validity of the Order on two grounds: that the Council did not have the power to make the Order or to include particular prohibitions or requirements; or that one of the requirements of the legislation has not been complied with.

When an application is made, the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

SCHEDULE

Description of public places to which order applies

This Order applies to all public places within the administrative area in the Borough of South Ribble and which is:

- (i) Open to the air on at least one side and to which the public are entitled or permitted to have access (with or without payment) within the Borough of South Ribble including but not limited to parks, public open spaces and highways in the area.
- (ii) Access Land within the meaning of S1(1) Countryside and Rights of Way Act 2000 including, but not limited to, Longton Brickcroft Nature Reserve and Access Land to Longton Marsh (shown edged red for identification purposes on the plans attached hereto).

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Appendix 1

SOUTH RIBBLE BOROUGH COUNCIL

ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014

THE MEANS TO PICK UP FOUL BY DOGS IN THE BOROUGH COUNCIL OF SOUTH RIBBLE PUBLIC SPACE PROTECTION ORDER 2017

South Ribble Borough Council (“the Council”) under Part 4, Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”) hereby makes the following Order:

1. This Order comes into force on the _____ 2017 for a period of three years
2. This Order applies to the public places specified in the Schedule below (“the Restricted Area”)
3. The Council is satisfied that the two conditions set out in Section 59 of the Act have been met, in that:
 - (1) activities carried on in the Restricted Area as described below have had a detrimental effect on the quality of life of those in the locality, or it is likely that these activities will be carried on in the public place and they will have such an effect;
 - (2) the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature, is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the Order.

OFFENCE

4. (1) If at any time on any land in the Restricted Area and a person who is in charge of the dog at any time fails to produce forthwith a device for or other suitable means of removing dog faeces and transporting it to a bin (whether or not the dog has defecated) when asked to do so by an authorised officer shall be guilty of an offence unless:
 - (a) he has a reasonable excuse for failing to do so; or
 - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so; or
- (2) Nothing in this article shall apply to a person who:
 - (a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
 - (b) has a disability which affects his mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.
- (3) For the purposes of this article:
 - (a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;
 - (d) each of the following is a prescribed charity:
 - (i) Dogs for the Disabled (registered charity number 700454)

- (ii) Support Dogs (registered charity number 1088281)
- (iii) Canine Partners for Independence (registered charity number 803680).

PENALTY

- 5. By virtue of section 67 of the Act a person who is guilty of an offence under this Order shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale

FIXED PENALTIES

- 6. By virtue of section 68 of the Act a constable or authorised person of the Authority may issue a fixed penalty notice not exceeding £100 to anyone he or she has reason to believe has committed an offence under section 67 of the Act in relation to this Order

APPEALS

- 7. Any challenge to this Order must be made at the High Court within six weeks of the Order being made, and must be by an individual who lives in, regularly works in or visits the Restricted Area.

Interested persons can challenge the validity of the Order on two grounds: that the Council did not have the power to make the Order or to include particular prohibitions or requirements; or that one of the requirements of the legislation has not been complied with.

When an application is made, the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

SCHEDULE

Description of public places to which order applies

This Order applies to all public places within the administrative area in the Borough of South Ribble and which is:

- (i) Open to the air on at least one side and to which the public are entitled or permitted to have access (with or without payment) within the Borough of South Ribble including but not limited to parks, public open spaces and highways in the area.
- (ii) Access Land within the meaning of S1(1) Countryside and Rights of Way Act 2000 including, but not limited to, Longton Brickcroft Nature Reserve and Access Land to Longton Marsh (shown edged red for identification purposes on the plans attached hereto).

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Appendix 1

SOUTH RIBBLE BOROUGH COUNCIL

ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014

THE DOGS ON LEADS IN THE BOROUGH COUNCIL OF SOUTH RIBBLE
PUBLIC SPACE PROTECTION ORDER 2017

South Ribble Borough Council (“the Council”) under Part 4, Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”) hereby makes the following Order:

1. This Order comes into force on the _____ 2017 for a period of three years
2. This Order supersedes the following:
The Dogs on Leads in the Borough of South Ribble Order 2009
The Dogs on Leads in the Borough of South Ribble Order 2009 Amendment Order 2013
3. This Order applies to the public places specified in the Schedule below (“the Restricted Area”)
4. The Council is satisfied that the two conditions set out in Section 59 of the Act have been met, in that:
 - (1) activities carried on in the Restricted Area as described below have had a detrimental effect on the quality of life of those in the locality, or it is likely that these activities will be carried on in the public place and they will have such an effect;
 - (2) the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature, is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the Order.

OFFENCE

5. (1) A person in charge of a dog shall be guilty of an offence if, at any time, on any land in the Restricted Area he does not keep the dog on a lead and under control unless:
 - (a) he has a reasonable excuse for failing to do so; or
 - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.
- (2) For the purposes of this article:
 - (a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;
 - (b) a “lead” shall be taken to mean a chord of suitable length that is appropriately and securely attached to the dog for the purposes of allowing the person in control of the dog to hold or control that dog

PENALTY

6. By virtue of section 67 of the Act a person who is guilty of an offence under this Order shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale

FIXED PENALTIES

7. By virtue of section 68 of the Act a constable or authorised person of the Authority may issue a fixed penalty notice not exceeding £100 to anyone he or she has reason to believe has committed an offence under section 67 of the Act in relation to this Order

APPEALS

8. Any challenge to this Order must be made at the High Court within six weeks of the Order being made, and must be by an individual who lives in, regularly works in or visits the Restricted Area.

Interested persons can challenge the validity of the Order on two grounds: that the Council did not have the power to make the Order or to include particular prohibitions or requirements; or that one of the requirements of the legislation has not been complied with.

When an application is made, the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

SCHEDULE

Description of public places to which order applies

This Order applies to all public places within the administrative area in the Borough of South Ribble and which is:

- (i) Highways – this includes all carriageway and road, footway (aka pavement) footpath, bridleway, byway or cycle track and adjoining footpaths and verges.
- (ii) Footpaths, walkways and paths linked or associated with play areas owned by the Council.
- (iii) Land provided or used for public enjoyment, recreation and sporting or educational purposes during an organised activity on that land.
- (iv) Land, which is used as a market or fair or for the sale of goods at the time it is being used for that purpose.
- (v) Land used for the consumption of food or drink in connection with any trade, business or undertaking supplying food or drink at the time it is being used for that purpose.
- (vi) Land which is any forecourt, terrace, yard or walkway providing access to or adjoining any building to which the public resort or have access to.
- (vii) Land, which is any platform, forecourt, waiting area, walkway or shelter at any bus, or rail station, hackney carriage rank or designated hackney carriage waiting place.
- (viii) Land, which is used as memorial, burial ground, cemetery, garden or remembrance and adjoining footpaths and verges.
- (ix) Also;
 - Longton Brickcroft Nature Reserve
 - Access Land to Longton Marsh
 - Haig Avenue Green, Leyland
 - Kingsfold Drive Teen Play Area, Penwortham
 - Leadale Green, Leyland
 - Seven Stars Green, Leyland
 - Tardy Gate Play Area, Lostock Hall
 - Worden Park – The Formal Gardens, The Maze, The Rose Garden, The Walled Garden, The Pond Boardwalk, and the Arts & Craft Centre Courtyards (shown edged red for identification purposes on the plans attached hereto).

IN WITNESS whereof the Council have caused the Common Seal of the South Ribble Borough Council to be hereunto fixed this.....day of.....2017

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**SOUTH RIBBLE BOROUGH COUNCIL
SCRUTINY COMMITTEE – 8 MARCH 2016
MATTERS ARISING FROM PREVIOUS MEETINGS**

Appendix 3

<i>Date of Meeting & Min. No.</i>	<i>Title and Recommendation</i>	<i>Portfolio Holder/ Responsible Officer</i>	<i>Accepted Yes/No</i>	<i>Implemented Yes/No</i>	<i>Explanation/Progress</i>
23/06/15 Min No.5	<p>Performance, Budget and Risk monitoring report – year end 2014/15 (April 2014 – March 2015)</p> <p>6. Requests this council learns from other councils in Lancashire to try and increase the amount of affordable housing</p> <p>7. Requests an update be provided on the land acquisition at Wesley Street Mill</p>	<p>Cllr Michael Green / Denise Johnson</p> <p>Cllr M Smith / Mark Gaffney</p>	<p>Yes</p> <p>Yes</p>	<p>No</p> <p>No</p>	<p><i>To be covered in the two Housing Learning Hours planned later in the Civic year</i></p> <p><i>An informal meeting has taken place with the Scrutiny Chair and Vice-chair. Further reports will be provided to the Committee at the appropriate time</i></p>
22/09/15 Min No.13	<p>Cabinet Member Update – Housing & Healthy Communities</p> <p>3. the committee</p> <p>i) looks forward to receiving and commenting on the forthcoming Housing Strategy; and</p> <p>ii) looks forward to the strategy having ambitious SMART targets including around affordable housing;</p>	<p>Cllr Michael Green / Mark Gaffney & Denise Johnson</p>	<p>Yes</p> <p><i>Awaiting changing national policy/ legislation</i></p>	<p>No</p> <p>No</p>	<p><i>Implemented when the Housing Strategy is produced.</i></p> <p><i>There will be SMART targets for Housing. These will need to take account of proposed changes in the Housing and Planning Bill</i></p>
08/12/15 Min. No.34	<p>Cabinet Member Update – Finance & Resources</p> <p>2. the committee looks forward to a report to the Governance Committee on Section 106 monies in the new year;</p> <p>3. the committee looks forward to the Cabinet member convening as soon as possible the meeting to brief the My Neighbourhood Chairmen and Vice-chairmen on Section 106;</p>	<p>Cllr Bennett / Susan Guinness (portfolio SMT lead)</p> <p>Cllr Bennett / Susan Guinness & Denise Johnson</p>	<p>Yes</p> <p>Yes</p>	<p>No</p> <p>No</p>	<p><i>To be part of normal governance reporting, timing to be arranged with chairman</i></p> <p><i>Action to progress after the My Neighbourhood review in February</i></p>

**SOUTH RIBBLE BOROUGH COUNCIL
SCRUTINY COMMITTEE – 8 MARCH 2016
MATTERS ARISING FROM PREVIOUS MEETINGS**

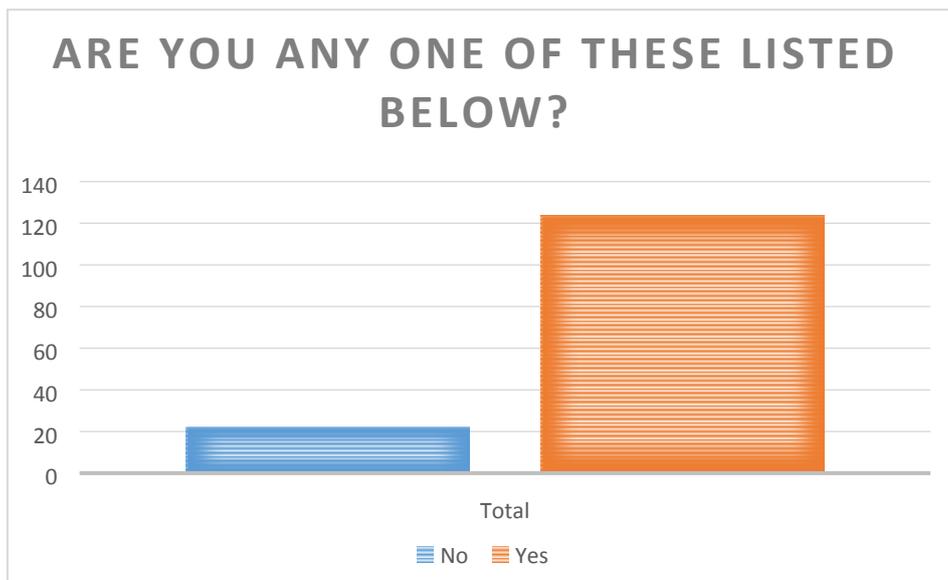
	5. the committee looks forward to the Cabinet member providing re-assurance that the council's emergency planning arrangements are robust, particularly regarding flooding and storms;	Cllr Bennett / Garry Barclay	Yes	No	<i>A Member Learning Hour is scheduled for 23rd May 2016 where the Council's responsibilities for Emergency Planning and Flooding Response will be concisely explained</i> <i>This will include an account of the impact of Storm Eva over the Christmas period during which the Lancashire Multi-Agency Flood Plan and the Council's own Emergency Plan were severely tested in practice</i>
26/01/16 Min. No.41	Cabinet Member Update – Neighbourhoods & Streetscene 3. the committee expresses concern at the low levels of enforcement around dog fouling and litter and asks a report be provided to a future meeting to outline what steps the Cabinet member is going to take to increase the level of enforcement (including use of benchmarking and best practice etc); 4. the committee requests confirmation that residents can report cleansing and environmental issues to the council through social media; 5. the committee requests that the Cabinet member investigate the use of the borough's parks and open spaces by commercial dog walking companies; and 6. the committee requests that the Cabinet member gives further consideration to making more use of the Community Payback Scheme on local projects	Cllr Mullineaux / Mark Gaffney	No	No	<i>The Cabinet member is happy to work with the Scrutiny Committee to see how a combined approach to enforcement and education can improve the cleanliness of the borough.</i> <i>The current preferred method is for residents to report issues to Gateway via telephone or self-serve.</i> <i>Communications have taken place with those companies of which the Council is aware.</i> <i>The Council already makes significant use of the Community Payback scheme.</i>
26/01/16 Min. No.42	Waste Management Partnership 3. the committee requests that further information be provided to explain the reduction in the council's recycling rate; and 4. the committee requests that it receives updates on Lancashire County Council's Waste Review and this council's proposed actions to address the £1m reduction in income when the Cost Sharing Agreement ceases.	Cllr Mullineaux / Mark Gaffney	Yes	No	<i>Information will be provided to the committee.</i> <i>As more information becomes available this will be provided to the committee.</i>

**SOUTH RIBBLE BOROUGH COUNCIL
 SCRUTINY COMMITTEE – 8 MARCH 2016
 MATTERS ARISING FROM PREVIOUS MEETINGS**

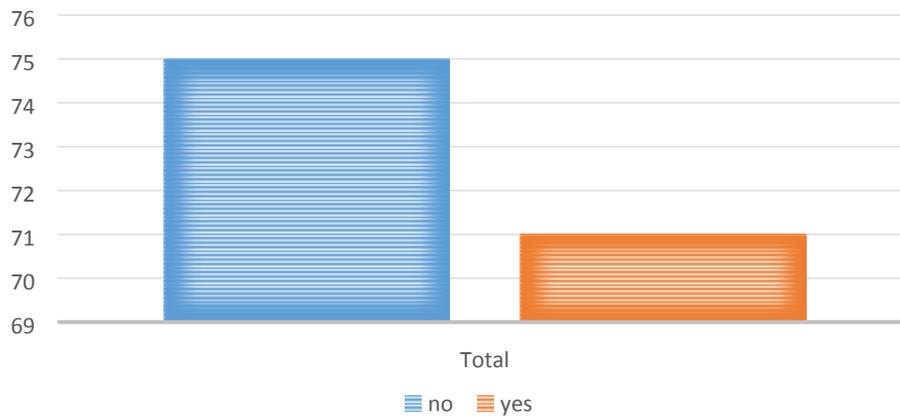
<p>26/01/16 Min. No.43</p>	<p>Worden Park Vision Plan – progress update</p> <p>2. the committee requests the Cabinet member that a SMART and target based action plan be developed for the short, medium and long term actions, aims and aspirations that will implement the Worden Park Vision Plan;</p> <p>3. the committee expresses concern about the feedback the council received following the Green Flag inspection and asks that a report be presented to a future meeting explaining what the council has and was doing to respond/address the feedback;</p> <p>4. the committee welcomes the Cabinet member’s offer to look at extending educational visits to Worden Park;</p> <p>5. the committee requests that the maintenance of the public toilets on Worden Park be closely monitored with a view to their refurbishment; and</p> <p>6. the committee requests that the Cabinet member provides a response to the member of the public regarding concerns raised (including football pitches and vandalism).</p>	<p>Cllr Mullineaux / Mark Gaffney</p>	<p>No</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>No</p> <p>No</p> <p>Yes</p> <p>Yes</p>	<p><i>The Worden Vision Plan is a long term document with an anticipated delivery period of 20 years. As future budgets are prepared consideration will be given to the aims and aspirations detailed in the plan.</i></p> <p><i>The Green Flag feedback report was for 2014/15. Since this date the Council has successfully retained the award for 2015/16 with the majority of the actions from 2014/15 actioned where possible. An update will be provided to the committee.</i></p> <p><i>An extensive education plan has and is being developed for 2016/17.</i></p> <p><i>See the capital budget for 2016/17.</i></p> <p><i>Contact will be made with the member of public regarding his concerns.</i></p>
<p>04/02/16 Min. No.47</p>	<p>Draft Corporate Plan, Budget and Risk Register 2016-2017</p> <p>2. the committee looks forward to receiving feedback from its comments from 8 December 2015 and also that the above comments to Cabinet for 10 February 2016 be provided back to the Scrutiny Committee.</p>	<p>Cllr Mrs Smith / Mike Nuttall</p>	<p>Yes</p>	<p>No</p>	<p><i>This is currently being considered, feedback to be provided as soon as possible.</i></p>

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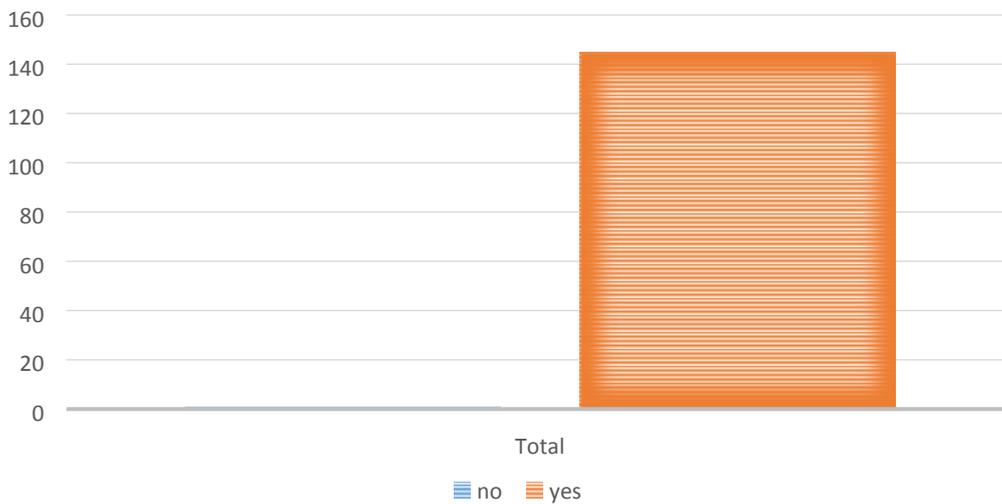
Public Space Protection Orders



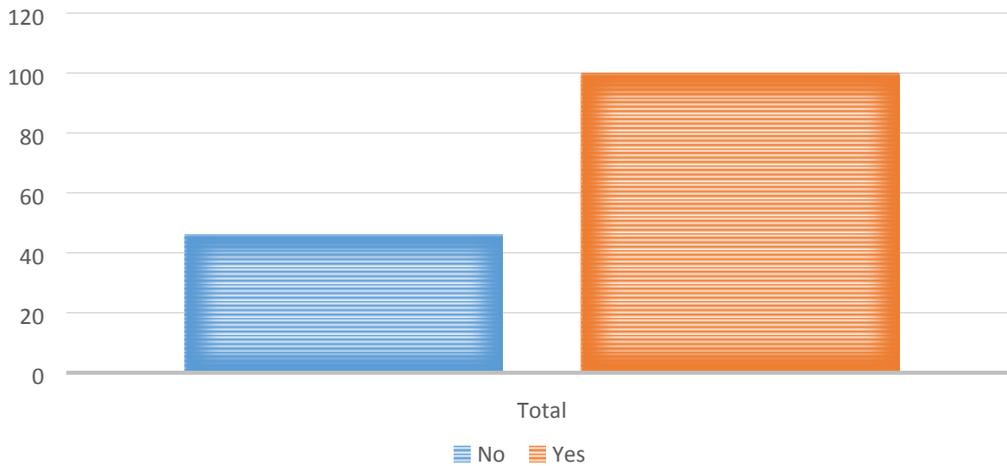
**DO YOU AGREE WITH THE PROPOSAL
TO INTRODUCE A BOROUGH WIDE
PSPO?**



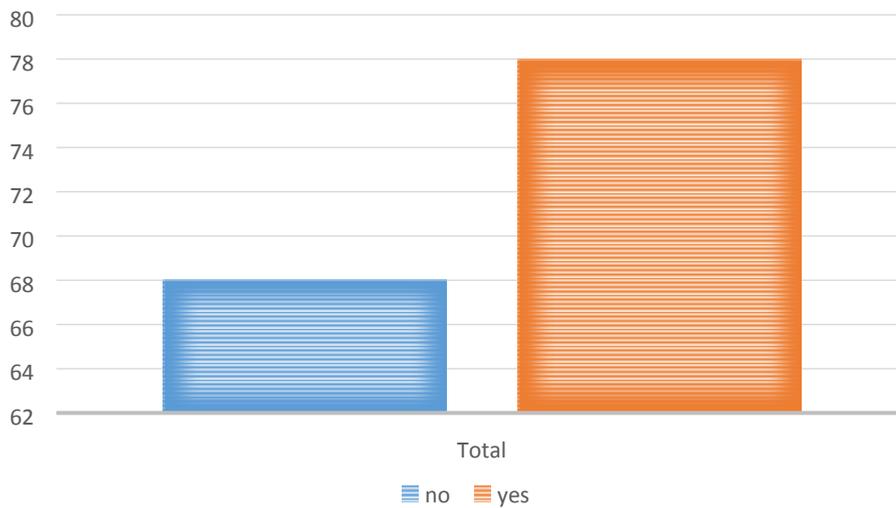
**DO YOU THINK THE COUNCIL SHOULD
CONTINUE TO ENFORCE AGAINST
PERSONS IN CHARGE OF A DOG WHO
FAILS TO CLEAN UP ITS FAECES**



DO YOU THINK ADDITIONAL ENFORCEMENT SHOULD BE TAKEN AGAINST PERSONS IN CHARGE OF A DOG WHO HAS NO MEANS TO PICK UP DOG FAECES



DO YOU THINK THE COUNCIL SHOULD CONTINUE TO EXCLUDE DOGS FROM AREAS SPECIFIED IN THE PROPOSED ORDER

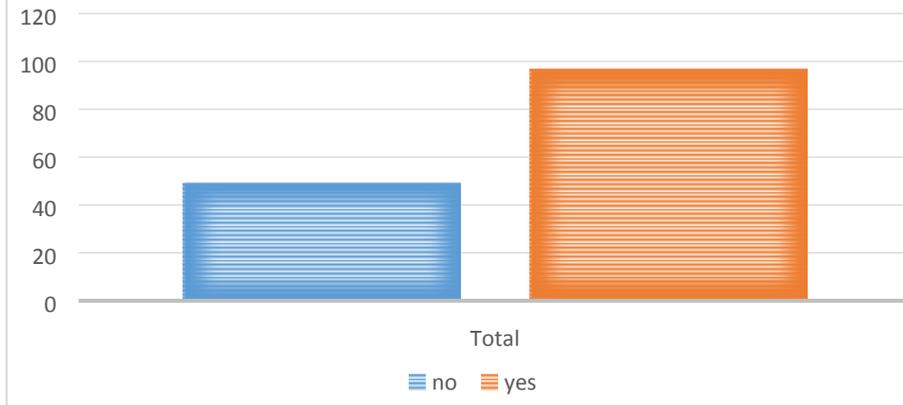


Text Suggestions

- No. Dogs should be included in everyday life, not excluded.
- Any children's playground/specified picnic areas. South Ribble is deemed a great place to live. At 76 I keep fit by walking my dogs. My dogs keep fit by being able to run free, I expect to keep them on a lead at certain times, this should be kept as unrestricted as possible. Dog owners like me would love to meet the council and work with it to draw up a sensible/flexible plan. Other councils have met the wrath of dog owners who have not been consulted before action has been taken. Please do this.
- Dogs should not be excluded from anywhere except from gated children's play areas.

- If you propose to have exclusion zones, then you need also to have inclusion zone. Take a look at what Wells-Next-the-Sea has done with their dog friendly beach.
- There should be a space big enough for dogs to be exercised off lead
- Children's play areas
- None.
- All playgrounds for definite
- Playgrounds and school grounds.
- None
- Obviously exclude dogs from children's play areas but other than that dogs should be under control anywhere regardless of area and it is not the amount of dogs that people walk it's the control owners have over their dogs whether it's 10 dogs or 1 dog
- As a responsible dog owner with limited mobility I cannot take my dogs far from home to be walked. My dogs are always on their leads and I always pick up and dispose of any faeces. While I agree that play areas for children should be protected as the borough insists on building on every available green space provision should be made for dog owners. By all means restrict those who are not responsible, were not all the same.
- None
- Children's play area
- Areas should be available for exercising off lead dogs - excluding dogs is actually discriminatory towards dog owners I suffer severe anxiety and need my dog with me - we enjoy off lead walks he's exceptionally well behaved time to deal with the minority rather than a blanket ban on all
- Nope! Children's play areas should be the only place really!
- No, but if dogs are being excluded from areas then balance needs to be created by having areas specifically where dogs can have off-lead exercise without the worry of children playing.
- No but feel Worden should be off the list no lots of dog owners that use it although do not personally use it
- Children's playground
- None
- dogs are not the dirty animals, it the owners, don't punish people for a crime that might happen
- Enclosed play areas
- I don't think dogs should be excluded but tougher conditions on people who cannot control their dogs and or fail to clean up after themselves.
- It is reasonable to exclude dogs from enclosed play areas, but not from entire parks or recreation grounds. We all contribute towards the maintenance of these areas and should be allowed to enjoy them. If you enforce current laws on fouling then you do not need to discriminate against an entire group of law abiding citizens.
- Dogs should not be excluded. Responsible dog owners are being penalised. Dog owners who do not pick up after their dogs or don't keep them under control should be fined/prosecuted. Banning dogs is not the solution.
- Additional regulations will only affect those concerned with obeying regulations and not those who consistently flout regulations. People who have no respect for and no intention to abide by current rules, certainly won't be bothered by new rules
- More poo bins at dog walking sites
- No suggestions
- Children's play areas

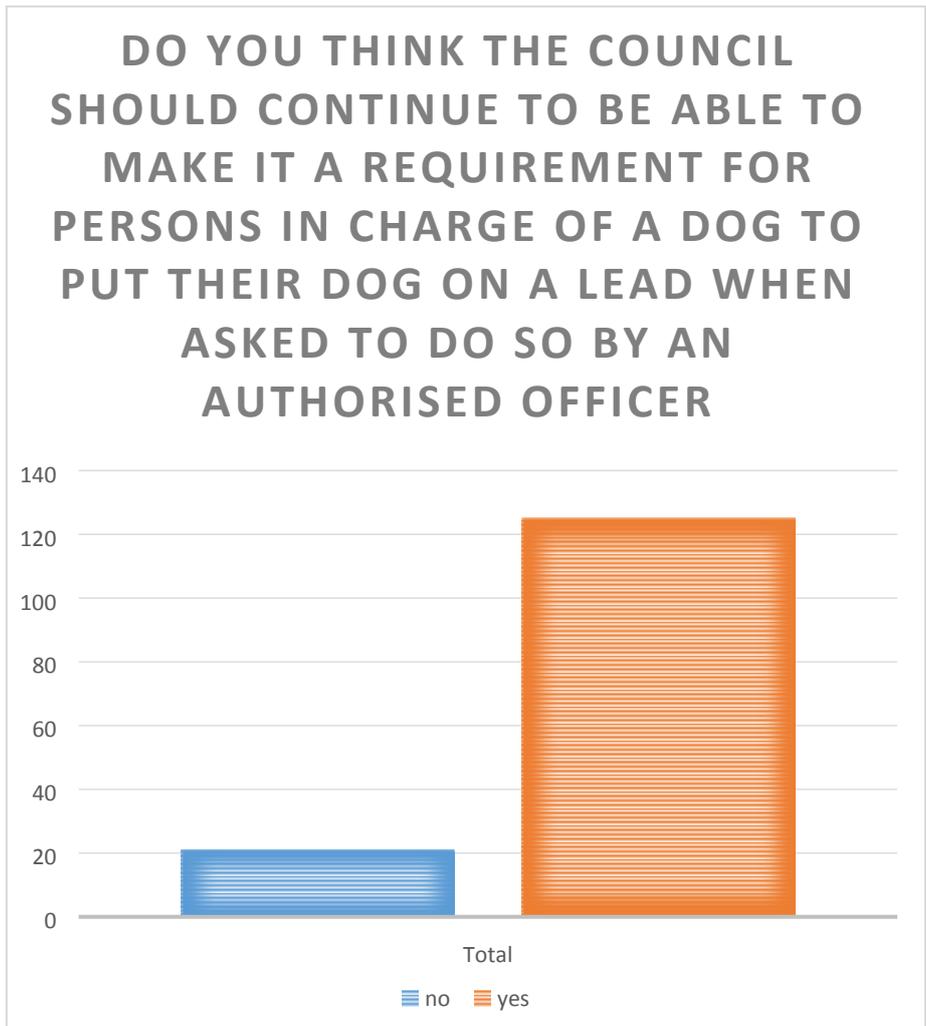
DO YOU THINK THE COUNCIL SHOULD CONTINUE TO MAKE IT A REQUIREMENT FOR PERSONS IN CHARGE OF A DOG TO PUT THEIR DOG ON A LEAD IN THE AREAS SPECIFIED IN THE PROPOSED ORDER



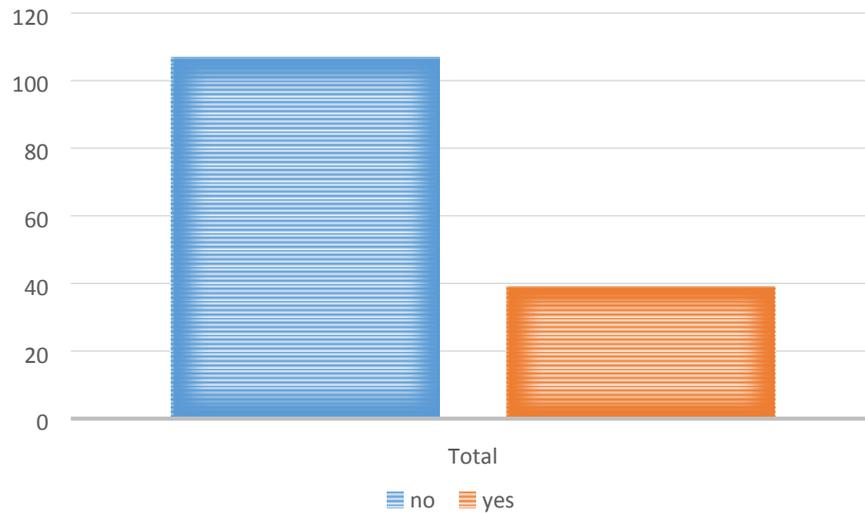
Text Suggestions

- Farmland with animals on it
- In towns, villages and farms.
- Town centres & public parks
- Town/city centre streets.
- I think all paths adjacent to roads
- It is not the location that is the issue it is the fact there are not enough people to enforce it!, I come into contact with someone every day not abiding by these laws and nothing gets done, employ more dog wardens!
- Public roads and near schools.
- None
- You already have laws to deal with out of control dogs. Even if a dog is on a lead it does not mean it's under control.
- Not at the moment
- Housing estates
- Town centre
- No dogs need off lead exercise - try dealing with the rabble of anti-social kids leaving rubbish damaging cars and generally intimidating others the majority of dog owners are 100% responsible deal with the non-responsible owners as and when required
- Only in fields with livestock and nature reserves.
- No but feel Worden should be taken off list don't use personally but no dog walkers that do
- Near busy roads
- Main roads, town centres
- None
- while walking at the side of main roads
- If the person is a fit and proper person and can be responsible for their dog there should be no need. As for the max number of dogs I know a lot of good people who will be affected by this and all have exceptionally well behaved dogs.
- There is already adequate cover in law for this such as highways rules etc.
- As above, if you enforce current laws you do not need to penalise and entire group of people for the actions of a few.

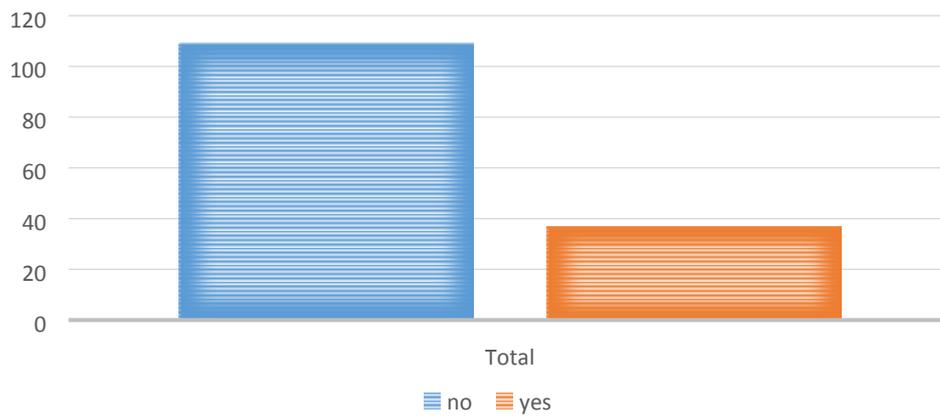
- Dogs should not be on lead if it is a safe place to exercise off lead. Responsible dog owners are being penalised. Dog owners who do not pick up after their dogs or don't keep them under control should be fined/prosecuted. Keeping dogs on lead is not the solution. Soon there will be nowhere for dogs to exercise off lead & this will cause frustration in the dogs & other problems will arise due to their needs not being met.
- The law only requires dogs to be under control
- More poo bins
- No suggestions
- All public highways



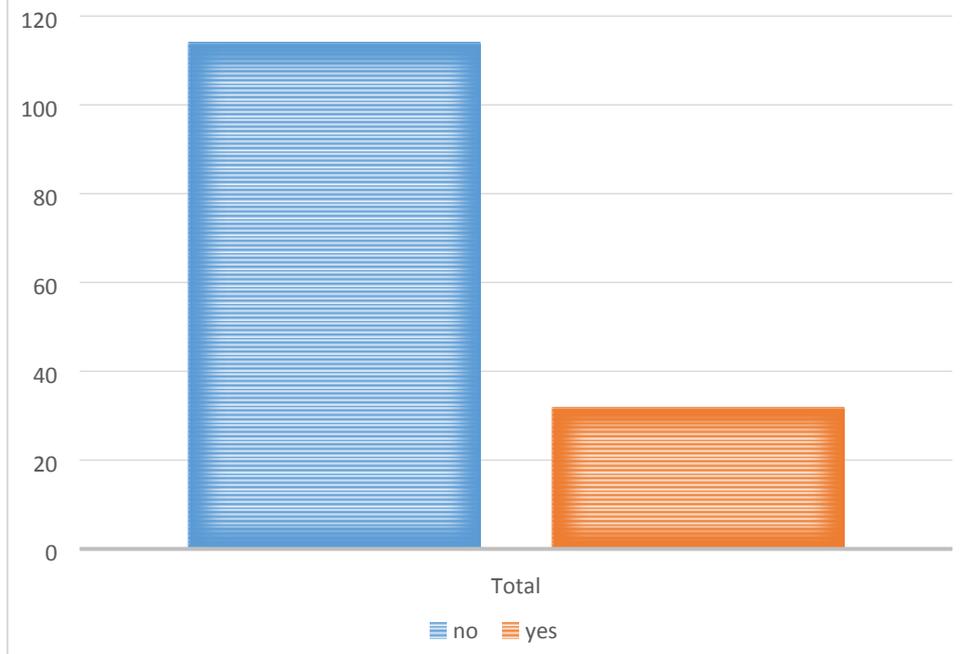
DO YOU THINK PROVISION SHOULD BE MADE IN THE NEW ORDER TO RESTRICT THE NUMBER OF DOGS THAT CAN BE WALKED BY AN INDIVIDUAL ON AND OFF THE LEAD



DO YOU THINK THAT THE CURRENT SIGNAGE FOR DOG CONTROL ORDERS ACROSS THE BOROUGH IS PROMINENT AND CLEAR



DO YOU FEEL THAT ANY OF THESE PROPOSALS WILL AFFECT YOU AS AN INDIVIDUAL, BECAUSE OF ANY OF THE FOLLOWING SEE LIST BELOW, IF YES PLEASE GIVE DETAILS BELOW.



Text Suggestions

- It should not be a crime to walk more than 2 dogs at a time. My disabled daughter has foster dogs, as well as her own, so the numbers vary. They are all walked together, under control. She worries about having to go out twice or more times with them for her own sake health wise and also re noise nuisance for neighbours if some are made to wait their turn at home.
- As an individual, the proposals are in direct conflict with Article 8 of the European Convention on Human Rights which provides a right to respect for one's "private and family life." My dogs are a de facto and de cure part of my family and my rights are hence enshrined in the above Article.
- Walking multiple dogs for family members who cannot due to health reasons.
- I am an OAP with severe arthritis and I try my best to keep track of my very energetic spaniel who needs free running time if I have to keep him on a lead it well make things difficult
- Discriminating against dog owners who can & do look after their dogs & who do pick up & are in control.
- I have over 6 dogs who are my dependants. This will force me to walk them separately causing me to only be able to provide half the exercise they currently have due to time constraints as I work full time. I am fully capable of walking all my dogs safely together. Why am I being forced to stop when I have never had any complaints and often get complimented on my dog's good manners. This is prejudice, pure and simple
- DOG OWNER
- I am responsible for a disabled adult and I cannot walk my dogs far from home. I also have limited mobility due to knee and hip problems.
- I am disabled
- I am not directly affected but need to comment. I see a lady walking 9 or 10 dogs early each morning, all well behaved and not bothering anyone and have often chatted in passing. If any go to the toilet she dutifully picks it up. I also see some dog walkers during the day walking single dogs which are lunging and barking or running up to people or off the park and people not clearing the dog mess. Training the dogs is obviously more important than numbers so why is the

limit needed?

- I feel that having a maximum number for walking dogs is discrimination because any dog can be out of control whether it be one or ten. In my experience the people with multiple dogs have the better behaved dogs than those who have just one or two! So why penalise them. Surely it should be judged on individual circumstances not punish everyone who haven't committed a breach in public order!
- As somebody who may at times be in charge of multiple dogs due to looking after family dogs as well as my own I would feel victimised if limited by number when in my 20yr experience as a dog owner and trainer one person with one dog out of control or trained to be aggressive can cause far more trouble than somebody with multiple dogs who are trained and under control. Possibly licence responsible multi dog owners/walkers and then punish if they don't meet the terms of their licence??
- Disability
- religious
- Work
- This is victimisation of people for an assumed crime. It doesn't take into account whether people are capable and willing to control and pick up after a number of dogs. Just fines them for what it is assumed they will do regardless of their actual actions. No different to sentencing someone for theft due to skin colour or postcode. That was rightly made illegal a long time ago. Definitely a step backwards to bring this in and potentially illegal discrimination
- Age, due to working full time and having children I am limited as to when and where I can walk dogs.
- No need to discriminate against people because they own more than 6 dogs. Laws already tackle dog problems regardless of how many dogs you have. Tackle people for what they do not how many dogs they own
- Disability and lack of poo bins
- Walk multiple dogs
- I need to get all my dogs out before my husband goes to work and I have to look after our baby - by bringing in the max dog rule I wouldn't be able to take them all at once even though they're all small, have at least their bronze good citizen, and two don't go off lead as they're very old.
- Don't agree with stop and search policy for poo bags. You may have already used them up.
- I will struggle to walk my 7 dogs in two groups as due to age I can't walk very far and can't do two walks each day. Rules are already in place to tackle fouling and dogs out of control whether you have 1 dog or many. Why penalise responsible owners for having a number of dogs and assuming that because of this they won't clear up or control their dogs. You wouldn't lock someone up for theft because you thought they might rob a bank. You have to wait for them to actually do it.
- I currently have 10 dogs all of whom are well behaved and walked before work as a group and after work in batches. I walk them between 6am and 7am before work in unpopulated areas and always poo pick. My dogs don't cause any nuisance and yet I am to be criminated simply because I have a certain number of well-behaved dogs. I have mobility issues so splitting the dogs into two walks will cause them to get less exercise than they need.
- Currently the number of dogs off of leads and the uncleared faeces make it difficult to enjoy the boroughs parks with family.
- They affect me as a resident and as a dog owner. This persecution of mostly responsible dog owners because of the poor behaviour of a few is unfair. With numerous misguided road projects happening in the area the space where dogs can be safely walked is already shrinking. If these proposals go ahead, when can I expect either large, well maintained and safe dog runs to be installed in all parks and community spaces or a refund of part of my council tax as I will now be excluded from these spaces?
- I'm a dog owner and a mother, my children love dogs and will try to pet dogs if the dog runs to them in public. I always keep my dog under control when other people or children are about as she is a nervous dog, wish others did same.
- Disability
- None
- My age and disability and the age and disability of my old small blind dog who if always on a lead can and will tumble and injure once again his knee. More money spent at vets and on medication and a dog and dog owner reluctant to have a walk (health and wellbeing etc.)

- Limited mobility means dog cannot be properly exercised except off lead. Dogs should only be required to be on a lead if they are not under close control.
- sometimes I find it hard to remember to take things with me because of age



REPORT TO	ON
CABINET	<i>25th October 2017</i>

TITLE	PORTFOLIO	REPORT OF
<i>Statement of Intent for Energy Company Obligation (ECO) Flexibility Eligibility</i>	Strategic Planning and Housing	Director of Development, Enterprise & Communities

Is this report a KEY DECISION (i.e. more than £100,000 or impacting on more than 2 Borough wards?)	Yes No
Is this report on the Statutory Cabinet Forward Plan ?	Yes No
Is the request outside the policy and budgetary framework and therefore subject to confirmation at full Council?	Yes No
Is this report confidential?	Yes- No

1. PURPOSE OF THE REPORT

To inform Members of the options under the governments Energy Company Obligation Flexibility option which will assist some of the most vulnerable households in the Borough in energy efficiency and reducing energy bills.

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

2. PORTFOLIO 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, to put all necessary steps in place to implement the Statement of Intent.

2.5 - Agree that the council runs a promotion / awareness raising campaign with residents

The Report was deferred at the last cabinet meeting requesting additional information, this has now been completed, and a cost breakdown and impact assessment is provided.

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	

EXECUTIVE SUMMARY

In 2017 following a review of the governments Energy Company Obligation, a new revised scheme was launched in April 2017 which provides greater flexibility for local authorities to utilise funding from energy suppliers under the Energy Company Obligation.

This new initiative allows local authorities to set their own qualification criteria for assistance to address local need, under the new scheme energy suppliers have to allocate 10% of their energy company obligation budget to be used under the new Flexible eligibility criteria.

The funding can be accessed directly from the energy suppliers or through a 3rd party contractor and can be used to carry out energy saving measures to domestic properties.

Local authorities can only access this funding if a Statement of Intent (SOI) has been published on its website and BEIS (Department for Business, Energy and Industrial Strategy) have been notified of its publication.

Each installation that qualifies for funding under the new Flexible eligibility criteria will require a declaration to be signed by the council, which confirms that the council has been consulted in the measure being installed.

No measure will be able to be installed without this declaration from the council as this will be required by the energy supplier who will be funding the work and is a requirement by BEIS (Department for Business, Energy and Industrial Strategy).

The 2017 Fuel poverty figures indicates that there are a total of 4672 (9.9%) of households in the borough are in fuel poverty, these are identified across all 5 neighbourhoods. The criteria that will be used is same as other Lancashire authorities which will help the most vulnerable household's access funding to enable energy measures to be installed.

This report provides 3 options to be considered for the delivery of this new initiative, the options are:

1. Join the Cosy Homes in Lancashire (CHIL) scheme which is delivered by a 3rd party contractor.
2. The Council to deliver the scheme direct with its own statement of intent and agreements with utility providers.
3. The Council could opt not to publish a SOI

Once the agreed Statement of intent is signed, this will then be published and delivery of the scheme can resume through the selected route.

4. BACKGROUND TO THE REPORT

The Energy Company Obligation is an existing scheme which the residents have benefitted from over the last 3 years. The change which has resulted in this report is the need for councils to agree a new flexible eligibility criteria.

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 which has been in place for the last 3 years and the residents have benefitted.

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" which is a new element within the Energy Company Obligation (ECO) 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 government's 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.

All authorities are not required to take advantage of this new funding, however no work can be funded by any energy supplier under the 'flexible Criteria' without a valid statement of intent being published on the council's website and notifying BEIS (Department for Business, Energy and Industrial Strategy)

Once the council has published its 'Statement of Intent' funding can then be utilised from providers to deliver benefits to residents meeting the criteria.

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.

No direct funding for the measures will be required by the council as the work will be covered by the funding through any provider the councils utilises, depending on which option the council chooses to deliver this may have indirect costs such as staff time, marketing etc.

Market Analysis

All six energy providers have been contacted to determine their offer for the council, all with the exception of Eon have already fully committed their funding.

The ChIL (Cosy homes in Lancashire) scheme is delivered through a 3rd party contractor who has agreed funding through an agent who have contracts with the energy supplier, this may result in reduced funding being actually spent on measures for customers.

6. 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 Flexible eligibility funding.

All Authorities have opted for either one of the options below:-

- 1) Directly with the energy provider
- 2) Through a 3rd party contractor.

This report asks the cabinet to state the preferred option.

7. OTHER OPTIONS CONSIDERED

Three options to be considered –

Option 1

Join the Cosy Homes in Lancashire (CHIL) scheme, agree and sign the Lancashire statement of intent and deliver as a Lancashire wide scheme which uses a managing agent, this option will use a 3rd party contractor who will collate all referrals and refer them to installers / funders who they have contracts with themselves, there will be little or no control of who received assistance or the standard of the work carried out.

ICT Implications

The Council will need to sign and store the local authority declarations.

Financial/Resource Implications

- (a) Staff time to complete local authority declarations
- (b) Assisting with publicity and promotion
- (c) No referral income for the council as any income will be used by the contractor to deliver the service across Lancashire

Risk -

- (a) As the contract for funding will be between contractor and their funders the council has no control over the quality of measures installed.
- (b) If the referral fees received by the contractor cannot sustain their business they may withdraw all services which will leave the councils without any funding to deliver the service.
- (c) Where customers have a shortfall i.e where the cost of the work may not fully be covered by the funder the customer will be required to pay which may not be possible for some vulnerable customers.

Option 2

The Council to deliver the scheme direct with its own statement of intent and agreements with utility providers, Customers would not be disadvantaged as the criteria is the same as Cosy Homes in Lancashire (CHIL) which is being used across Lancashire. This options will provide the council greater control over the customer journey from initial contact through to completion.

ICT Implications

- (a) The Council will need to sign and store the local authority declarations.
- (b) The Council's Gateway to be the first point of contact for customers, existing Firmstep script will need to be revised to reflect the new scheme.
- (c) Referral to be electronically sent to the service provider on a spreadsheet.

Financial/Resource Implications (See background documents Campaign Details and Costs)

- (a) Staff time to complete local authority declarations
- (b) Assisting with publicity and promotion
- (c) Gateway costs to take customer enquires
- (d) Referral income for the council will be paid direct to the council from the funder which can be used to deliver the service.
- (e) The referral income can also be used to meet any customer shortfalls where a customer is in hardship.

Risk

The council may not be able to attract any funder directly as the funding is mainly provided by the big 6 utility providers, At the time of the original report on the 6th Sept 2017 there was only Eon who had funding still available and were in a position to fund this.

It is not possible to make an accurate forecast on the level of installations which would be carried out by this initiative and the income it may generate for the council as this is a brand new scheme nothing like any previous government initiatives, therefore an assumption has been made based on different levels of take up of installations with the lowest and the highest fees payable to determine the potential income.

Referral Income proposed by Eon

Measure	Fee	Measure	Fee
External Wall Insulation	£100.00	LPG Boiler	£40.00
		Oil Boiler	£150.00
Cavity wall insulation	£50.00	Park Home LPG Boiler	£100.00
Loft Insulation	£25.00		

Number of potential installations

Based on the latest fuel poverty data for the borough there are 4672 homes that are in fuel poverty, the neighbourhood fuel poverty levels are –

Central	1328	Penwortham	474
Leyland	892	Eastern	874
Western Parish	1104		

Lowest fee level

% Take up	Number of households	Income (Loft @ £25.00)
1	46.72	£1,168.00
5	233.60	£5,840.00
10	467.20	£11,680.00

Highest Fee Level

% Take up	Number of households	Income (Oil Boiler @ £150.00)
1	46.72	£7,008.00
5	233.60	£35,040.00
10	467.20	£70,080.00

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.

8. FINANCIAL / PROCUREMENT IMPLICATIONS

FINANCIAL IMPLICATIONS

If this is approved then the service will be delivered using existing officers in Strategic Housing and Gateway. Additional budget may be required for publicity and promotion costs and, depending on take up, for any additional Gateway costs in relation to handling customer enquiries. Indicative campaign costs are set out the attached appendix 'Campaign Details and Costs'. These additional costs would be funded from referral income, which could also be used to meet any customer shortfalls where a customer is in hardship.

PROCUREMENT IMPLICATIONS

Having considered the matter carefully we do not consider that there are any procurement implications arising from these proposals.”

“Contract Procedure Rules state at para 1.2 :” The Rules apply to any contract that results in a payment being made by the Council as well as to some types of contracts where a service is being provided for the Council which results in some income being generated for the Council. “in this instance we do not consider that any service is being provided for the council – rather the service will be provided to individual home owners who chose to avail themselves of the benefit of the scheme. Individual contracts will be entered into between the individual property owner and the energy provider concerned. The council will not be a party to any such contracts. This situation is analogous to the situation with disabled facilities grants.”

The implications for the council are that potentially we will receive referral fees. A couple of comments to make with regard to that. Firstly potentially any of the energy providers could avail themselves of this scheme in the borough (albeit as we speak we understand that it is only EON with current funding available). Secondly in any event officers do not consider that it is in any way likely that the referral income for the pilot period will exceed £10,000.”

9. HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT IMPLICATIONS

The service will be delivered using existing officers in Strategic Housing and Gateway.

10. ICT/TECHNOLOGY IMPLICATIONS

There would be implications for ICT as the existing Firm step system would be utilised and will require minor changes to be made to an existing script.

11. PROPERTY AND ASSET MANAGEMENT IMPLICATIONS

No Implications.

12. 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.

13. 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.

14. 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 that the council runs a promotion / awareness raising campaign with residents
Agree the Statement of Intent for South Ribble Borough Council
Authorise the Director of Development, Communities and Enterprise in consultation with the Portfolio Holder, to put all necessary steps in place to implement the Statement of Intent.

15. COMMENTS OF THE STATUTORY FINANCE OFFICER

As set out in the report above, this is a brand new scheme and therefore the take-up in terms of the number and type of installations provided by the utility company and the potential level of referrals income generated is uncertain.

The referral income paid to the Council by the utility provider is to support the scheme's delivery and therefore any additional costs incurred on this scheme would be funded directly from the referral income. Therefore there are no budgetary implications arising from accepting the recommendations above.

16. 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.

17. BACKGROUND DOCUMENTS

South Ribble Borough Council Declaration

South Ribble Borough Council's Statement of Intent

Lancashire Statement of Intent

Campaign Details and Costs.

Impact Analysis

SMT Member's Name Denise Johnson

Job Title Director of Development, Enterprise & Communities

Report Author:	Telephone:	Date:
Pradip Patel Senior Strategic Housing Officer	01772 625365	16.10.2017

REPORT TO	ON
CABINET	25 October 2017



September 2017

TITLE	PORTFOLIO	REPORT OF
2017/18 Quarter 1 Budget Management Statement (as at June 2017)	Finance	Acting Chief Finance Officer

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

1. PURPOSE OF THE REPORT

This report provides an update on the Council's overall financial position compared to the financial plan for the first quarter 2017/18 financial year. The following items have been included:

- Budget Management Report (Appendix One).
- Capital Expenditure (Appendix Two)

2. PORTFOLIO RECOMMENDATIONS

That Cabinet review, note and comment on the report and appendices.

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

This report provides an update on the Council's overall financial position compared to the 2017/18 budget.

5. DETAIL

The financial position as at 30th June 2017 has been set out in accordance with the year-end Statement of Accounts, that is, over Directorate rather than on a cost type (subjective analysis basis). The report also shows an initial projected out-turn where budget variances are known to be permanent. At the conclusion of the first quarter it is expected that the out-turn will be positive but at a non-material level with regard to recurring budget variations. It should be noted, however, that this is based on a number of forecasting assumptions with regard to future spend remaining in line with the original budget set. Therefore any proposals and policy changes adopted by Council that have an impact on the Council's budget will result in the assumptions having to be changed which will invariably change the current forecasted out-turn position. Of the £104k forecasted underspend £70k has been set aside to fund the Business Transformational Change project.

The financial performance to date shows that the Council is performing well and that the financial risk profile in respect of Business Rates Retention has currently moved in a favourable direction. Presently there is greater confidence that the Lancashire Pooling Agreement will continue, however, this also assumes that the outstanding BRR appeals totals do not undergo significant change during the remainder of the year. These two factors are being monitored closely.

The Capital Programme spend is detailed in Appendix Two by project and shows spend to date, forecasted spend to be achieved by the end of the year and projects that may be re-phased into future years. The re-phasing of the Capital Programme will be reviewed when future investment in ICT has been mapped as part of the work currently been done as part of the Business Transformational change programme and as part of setting the budget for 2018/19 that will support the Corporate Plan and Priorities.

It is also expected that the next Budget Management Report will be able to update members on the outcome of the City Deal Resource Review.

7. FINANCIAL IMPLICATIONS

The financial implications are contained within the report and attached appendices.

8. HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT IMPLICATIONS

There are no Human Resources or Organisational Development implications as a result of this report.

9. ICT/TECHNOLOGY IMPLICATIONS

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

10. PROPERTY AND ASSET MANAGEMENT IMPLICATIONS

There are no Property and Asset Management implications as a result of this report.

11. RISK MANAGEMENT

Risk is identified in the report and appendices. The main risk area is the inclusion of assumptions with regard to spend profiles and external influences that will impact on the equivalent performance (that is, out-turn performance) against the full year budget. Therefore any conclusions drawn from the contents of the report should be treated with some caution at this stage of the year. Financial risk is mitigated by the retention of reserves.

12. EQUALITY AND DIVERSITY IMPACT

This report is not considered to have any adverse impact on equality.

13. RELEVANT DIRECTORS RECOMMENDATIONS

The implications are as stated in the Comments of the Statutory Finance Officer.

16. COMMENTS OF THE STATUTORY FINANCE OFFICER

The financial implications are contained within the report and attached appendices.

17. COMMENTS OF THE MONITORING OFFICER

The report is clearly in accordance with good practice. There are no direct legal implications arising from it.

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

Budget Report and Medium Term Financial Strategy – Cabinet 20 February 2017

SMT Member’s Name: Susan Guinness CPFA

Job Title: Acting Chief Finance Officer (s151)

Report Author:	Telephone:	Date:
Susan Guinness	01772 (62) 5376	07/09/17
Jane Blundell	01772 (62) 5245	07/09/17

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Budget Management Report Quarter 1 2017/18

As at June 2017

1. Revenue Budget Performance

The approved 2017/18 revenue budget set by the Council in February 2017 was £13.182m. The current budget as set out in the table below is £14.197m, a difference of £1.015m. This is due to the budget being updated to reflect the two transactions of receiving City Deal New Homes Bonus and the payment out to LCC (£965k), plus additional s31 funding received (£50k) which has been set aside in earmarked reserves as it will be required to fund costs in relation to business rates reliefs in 2018/19. Both these adjustments have no impact on the bottom line budget.

This report compares the profiled 2017/18 budget to the end of June 2017 with net expenditure incurred to the same period end and also the forecast underspend at year end on certain budget heads where permanent variances have occurred.

The profiled budget to June excludes Capital Charges in relation to depreciation (£3.5m) as these are charged to services in the final quarter of the year. Other material budgets, including Shared Financial Services contract costs and investment property income, are profiled in the first quarter to match when expenditure and income is committed. These items have been shown separately in the table for information.

The period end variances are summarised by Directorate which is consistent with the reporting of the Council's revenue outturn expenditure and income in the Statement of Accounts.

Quarter 1 Budget Summary	2017/18 Full Year Budget (excluding recharges)	2017/18 Profiled Budget to June	Actual to June	Variance Under/ (over) spend	Forecast outturn Variance
Directorate	£000	£000	£000	£000	£000
Chief Executive					
<i>Shared Financial services</i>	633	633	607	26	
<i>Capital Charges (depreciation)</i>	2	0	0	0	
<i>Other services</i>	1,785	745	707	38	
Total	2,420	1,378	1,314	64	
Development Enterprise & Community					
<i>Capital Charges (depreciation)</i>	808	0	0	0	
<i>Other services</i>	2,537	1,107	1,048	59	
Total	3,345	1,107	1,048	59	30
Governance & Business Transformation					
<i>Capital Charges (depreciation)</i>	214	0	0	0	
<i>Other services</i>	3,233	1,051	1,059	(8)	
Total	3,447	1,051	1,059	(8)	
	2017/18	2017/18			

Quarter 1 Budget Summary	Full Year Budget (excluding recharges)	Profiled Budget to June	Actual to June	Variance Under/ (over) spend	Forecast outturn Variance
Directorate	£000	£000	£000	£000	£000
Neighbourhood, Environment & Asset Management					
<i>Investment Property Income</i>	(1,123)	(807)	(840)	33	
<i>Capital Charges (depreciation)</i>	2,522	0	0	0	
<i>Other services</i>	5,016	933	1,049	(116)	
Total	6,415	126	209	(83)	
Budgets Not In Directorates:					
Pensions contributions	(909)	(227)	(235)	8	
Pensions deficit payments	1,468	1,468	1,468	0	
Corporate Efficiency Target - turnover	(100)	(100)	(71)	(29)	
Parish Precepts	398	398	398	0	
Investment Interest	(69)	(18)	(44)	26	40
Interest Payable	120	30	30	0	
Depreciation and revenue funded from capital (reversals) *	(3,546)	0	0	0	
Provision for Repayment of Debt	1,017	1,018	989	29	29
Transfers to & from reserves	191	766	766	0	
Total Net Expenditure	14.197	6.997	6.931	66	99
Funding:					
Council Tax	(7,896)	0	0	0	
RSG	(346)	(93)	(93)	0	
Transition Grant	(92)	(23)	(23)	0	
New Homes Bonus (<i>incl. City Deal</i>)	(1,646)	(439)	(444)	5	5
s31 Grant	(705)	(146)	(146)	0	
Retained Business Rates	(3,512)	2,632	2,632	0	
Total Funding	14.197	1.931	1.926	5	5
TOTAL	0	8,928	8,857	71	104
Virement of underspent budgets to Business Transformation project					(70)
TOTAL (NET UNDERSPEND)					34

*Depreciation costs are included in the full year directorate budgets and reversed out below the line in accordance with accounting practice.

2. Revenue Budget Variations

There are a number of factors that contribute on the Council's budget management performance when compared against the original budget set in February 2017. An explanation is set out below which highlights the salient points and reasons for the budget variations.

Chief Executive

The overall variance in the first quarter was a £64,000 net underspend. This was mainly due to the balance of unspent budgets to June in relation to Corporate Support £22,000 and Internal audit fees £12,000 plus various minor variations to the profiled budget.

Development Enterprise & Community

The overall variance in the first quarter was a £59,000 net underspend. Of this, £30,000 relates to the Leisure services contract fee which is revised on an annual basis for inflation and pensions costs. Therefore this period end saving will be an outturn variance.

There is an increase in Building Control income against the profiled budget to June of £14,000. This is partly attributable to the number of school applications received which has boosted fee income levels in the period.

There is a small increase in planning fee income (£8,000) against the profiled budget in the 1st quarter. No projected out-turn variance is forecasted at this early stage of the year, however this is a volatile budget which will be closely monitored during the year against the forecast. Some expected large scale planning applications have been included in the current forecasts.

Governance & Business Transformation

There is a small net overspend of £8,000 in the budgets for this directorate.

Recovery of housing benefit overpayments is £13,000 less than budgeted in the first 3 months of the year whilst other net benefits income is £9,000 less than budgeted, which gives an overall variance of £22,000 at the end of June. The nature of housing benefits profiles throughout the year is volatile and fluctuates year on year and therefore variations invariably occur. No out-turn variance is anticipated at the end of the first quarter but this budget will continue to be closely monitored each month and any permanent, material variation reported accordingly.

Neighbourhood Environment & Asset Management

The overall variance in the first quarter was a £83,000 net overspend. Despite the Neighbourhoods, Environmental and Asset Management Directorate currently showing an overspend as at the end of the first quarter this will be corrected during the course of the year due to the successful measures implemented in 2017/18 to meet the Business Transformation project carried forward from 2016/17.

There is an overall underspend of £23,000 on premises costs of which £12,000 relates to reactive repair and maintenance budgets which invariably do not conform by nature to predetermined spend profiles and £11,000 on non-material variations.

The income budget for New Bins consists of £45k for new properties and the new approved budget of £30k which is profiled to be received across the later part of the year. Income for new properties is behind the current profile, however, developments are coming forward and it is expected that this income stream will come back into line later in the year.

Income

The income budgets below are highlighted as a detailed separate item in order to report transparently on budget heads that have a higher risk profile due to the fact they are affected by factors that may be out of the direct control of Budget Holders. Due to their value, any material variations against budget have the ability to impact significantly on our overall revenue budget position and need to be closely monitored.

The table below provides a summary of the Council's main income streams:

Description	Annual Budget	Profiled Budget	Actual to June	Variance to June	Forecast Outturn Variance
	£	£	£	£	£
Building Control Fees	(150,000)	(39,531)	(53,645)	14,114	0
Car Parking Charges	(92,512)	(23,145)	(26,263)	3,118	0
Domestic Waste - new bins	(75,000)	(11,256)	(3,800)	(7,456)	0
Domestic Waste - spec collns	(32,000)	(8,004)	(10,596)	2,592	0
Land Charges Income	(100,000)	(25,020)	(26,311)	1,291	0
Licensing - Premises	(63,000)	(10,156)	(10,293)	137	0
Market Rents	(135,000)	(33,774)	(32,004)	(1,770)	0
Pest Control Income	(23,000)	(4,001)	(3,178)	(823)	0
Planning Application Fees	(375,000)	(93,822)	(102,130)	8,308	0
Property Rental	(1,122,756)	(807,602)	(840,095)	32,493	0
Short Term Interest	(69,000)	(17,262)	(43,586)	26,324	40,000
Taxi Licensing Income	(82,411)	(29,559)	(28,201)	(1,358)	0
Trade Waste Income	(476,810)	(465,030)	(464,083)	(947)	0

Interest on Investments

Short-term investment income is £26,000 above the profiled budget to the end of June. The increase in interest is a combination of increased average balances and better rates obtained in the first quarter. Comparative returns on investments for the reporting period over the last three years are set out below:-

	Average Balance Qtr. 1	Average Rate Qtr. 1	No of days	Interest Earned
2015/16	£26,566,036	0.477134%	91/365	£31,602
2016/17	£30,924,123	0.706599%	91/365	£53,368
2017/18	£31,635,639	0.552615%	91/365	£43,586

Although a favourable out-turn variance is anticipated, the likelihood is that the average rate will reduce as the year goes on as greater cash balances present greater difficulty to place cash within the constraints of the Treasury Strategy.

Investment Property

Rental income in the first quarter is £32,000 higher overall than budgeted for the period. This variation comprises of an increase against the forecasted overall number of voids. Overall the occupancy of the council's investment property at the end of the first quarter was 95% let and 5% unlet. The budget assumptions on void rates will be reviewed and updated.

Business Rates Retention - BRR

Regular monitoring is being undertaken as increases or reductions in the tax base will impact on current and future years funding. The current trend is favourable, with the Council's share of net growth to date in the region of £55,000 against the anticipated increase of £100,000. Prior to the Council entering the Lancashire Pooling Agreement any growth against the government baseline would have resulted in an additional levy payment and therefore an in-year budget overspend. The pooling agreement for 2017/18 currently means that additional income generated by tax base growth is retained locally following a 10% contribution to Lancashire County Council.

The impact of the Lancashire Pooling Agreement is very positive and resulted in £5.1m being retained within Lancashire in 2016/17, this will have a favourable impact on the risk profile of BRR and therefore on the budget planning assumptions if the borough's outstanding appeals profile does not experience an influx of additional appeals into the Valuation Office Agency (VOA).

A review of the risk profile of BRR is currently being undertaken as part of the Council's Medium Term Financial Strategy and its Strategic Review of Reserves the outcome of which will impact on the budget challenge assessment in future years.

3. Overall Commentary

It is pleasing to report that the financial position as at 30th June 2017 shows that the Council is performing well and in line with its profiled budget whilst also accommodating additional project costs. It is important to note, however, that this is based on a number of forecasting assumptions made with regard to expected spending patterns and levels of income received. Therefore, it is too early to predict accurately the projected year-end position.

In summary, financial performance against budget as at 30th June 2017 is consistent with the period's anticipated spending level, however all Budget Holders and Directors are required to closely monitor all spend to ensure that no overspending on individual budget heads occurs.

The current position is being closely monitored with particular regard to volatile budgets that are subject to fluctuation and therefore present a higher risk, updates are being reported during the course of the year. All material budget variations, the potential impact on future budget forecast and the resulting movement in reserves are reported to Members in accordance with the reporting cycle and as soon as practicably possible. The impact of external factors on budget performance are highlighted through this report and therefore the outcome of the Resource Review into City Deal will be included in future reports when it's outcome is published.

It is important to note that the updated start position as at 01/04/17, after the accounts have been closed for the previous year, and any significant in-year variations will be applied to the 2018/19 Budget setting process which support the refresh of the Corporate Plan and Priorities.

The key messages to date are:

- There is a favourable, yet non-material budget variation with regard to the revenue budget. This underspend is being used to fund costs in respect of the Business Transformational Change Programme.
- The Capital Programme reported highlights a forecasted variation at the end of the year. Some Capital Resources will be rolled forward to allow the scheme to be completed in the next financial year. ICT expenditure commitments are currently under review so that they are aligned to delivering maximum efficiencies within the BT programme.
- The impact of the year end out-turn position and any significant in-year variations will be included in the 2018/19 Budget setting round. The outcome of which will be to support the Corporate Plan and Corporate Risk Register that will be refreshed over the forthcoming months and progress the Council in one of its strategic aims of becoming financially self-sufficient.

Reporting Parameters

Year-end balance sheet and collection fund adjustments that impact on the revenue budget are outwith the scope of this report. Nevertheless with effect from the half year report the budget management report will be aligned to performance report of the Corporate Plan and include a wider context with regard to a Revised Estimate in respect of Capital Resources and Earmarked Reserves forecasts.

4. Capital Programme

Details of the Council's capital spending, by project is contained in **Appendix Two**. The original budget for 2017/18 was £4,404,522 which increased to £4,852,470 as a result of:

- 1) slippage of schemes from 2016/17 (£427,948);
- 2) additional approval (£20,000) - Whernside Way drainage works, funded from a grant of £20,000 from the Environment Agency as part of their Flood Resilience Grant programme.

The projected spend is compared to the full year budget to provide an update on any current spend progress. The expenditure (actual plus committed) at the end of June totalled £0.686m which is 14.1% of the total budget for the year of £4.852m. Directors have provided a spend profile of schemes over the remaining three quarters in order to provide a more accurate budget variation reporting for Members when the programme will also be aligned to investment priorities within the Corporate Plan and long term investment priorities of the Council. The projected out-turns estimated at this early stage in the year shows that there is an expected variance of £1.509m. It should be noted that these are projections may change, for example, ICT expenditure has halted whilst future commitments are currently being assessed as part of the Business Transformational change programme and a proportion of the variance will be rolled over into the next financial year to ensure that projects are still delivered albeit in a different financial year than originally planned. The impact

on Capital Funding will be reported in the next monitoring report when more information is available with regard to future Capital Expenditure.

5. General and Earmarked Reserves

A summary of Revenue Reserves & Balances as at 1st April was reported as part of the Budget Out-turn Report in June and also in the Statement of Accounts which provides an update to forecasted Revised Estimate contained in the budget report for 2017/18. No adjustments were made to reserves in the first quarter but by means of reporting a post-period material adjustment there is a cabinet recommendation going to Council in September that requests a Business Transformation Earmarked Reserve is created in the sum of £0.500m to pump prime investment to achieve budget efficiency savings. The repayment of this invest to save funding 'pot' should be taken into account as part of each business case presented within the Business Transformational change programme.

As previously reported underspends during the year in respect of both capital and revenue net expenditure will cause variations to the balances shown below.

Revenue Reserves	Actual Balance 31 March 2017 £'000	Projected Balance 31 March 2018 £'000	Projected Balance 31 March 2019 £'000	Projected Balance 31 March 2020 £'000
Total General Fund Reserves	4,597	4,297	4,036	4,436
Earmarked Reserves:				
Asset Management	1,494	689	19	219
Borough Council Elections	82	112	142	52
Borough Investment Account	3,824	0	0	0
Building Control	22	22	22	22
Business Rates Retention	3,250	3,674	3,938	4,015
Housing Needs Survey	87	62	52	72
ICT Strategy	988	617	510	400
Leisure Sites Repair & Maintenance	160	160	160	160
Local Development Framework	80	80	80	80
Performance Reward Grant	68	48	42	42
New Burdens Funding	222	222	147	147
My Neighbourhoods	45	45	45	45
Public Open Space funds	1,535	1,476	1,417	1,358
Organisational Restructure costs	385	385	385	385
Vehicles & Plant Replacement	21	21	21	21
Other Earmarked Reserves	1,733	1,350	1,222	988
Total Earmarked Reserves	13,996	8,963	8,203	8,006
Total Reserves	18,593	13,260	12,239	12,442

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Cost Centre	Scheme Name	(A) (B) (A - B)								Details about the scheme and the financial position	Projections					
		Original Budget 2017/18	Approved Slippage b/f from 2016/17	In-year budget changes	Latest Budget 2017/18	Expenditure	Orders raised	Total Committed Spend	Budget Remaining		Q1 (Actual)	Q2	Q3	Q4	(C) Forecasted Out-turn	(A - C) Projected Variance
201061	Business Transformation - Customer Contact	30,000	23,448		53,448	9,000	45,385	54,385	(937)	Report went to SMT on 10th Jan seeking permission to begin rollout of IDOX mobile apps for Building Control, Planning and Environmental Health and purchase of mobile devices. Order has now been placed for £18,000 (May 17), residual money to be spent on project implementation. Also raised order for Good (Blackberry) implementation. Remainder to be used for mobile devices.	9,000	30,785	13,663	-	53,448	-
201105	Call Centre system upgrade	-	1,940		1,940	-	-	-	1,940	All upgrades and system replacements will be considered as part of the Business Transformational change programme	-	-	-	1,940	1,940	-
206159	Committee Management System	20,000	-		20,000	-	20,000	20,000	-	Replacing Egenda with Mod.gov and order raised accordingly. Invoice to be paid in Sep/Oct on completion.	-	-	20,000	-	20,000	-
201012	Electronic Document and Records Management System (EDRMS)	22,000	-		22,000	11,230	11,235	22,465	(465)	The scheme involves an upgrade and migration to server 2012. Half paid and remainder on successful completion in Sept.	11,230	11,235	-	-	22,465	(465)
201080	Financial Management Information Systems (FMIS)	20,000	(10,748)		9,252	-	10,750	10,750	(1,498)	When the original budget 2017/18 and revised budget 2016/17 were set, no expenditure was forecast in 2016/17. However, the Civica consultants became available sooner than expected so the opportunity was taken to get the work done early, at a cost of £10,750k. An order for further consultancy work has been raised for £10,750.	-	10,750	-	-	10,750	(1,498)
201013	HR system upgrade	20,000	-		20,000	-	-	-	20,000	An assessment of all optimum system upgrades and replacements will be undertaken within the MTFS Business Transformation project.	-	-	-	-	-	20,000
201101	IT hardware replacement	40,000	-		40,000	22,080	-	22,080	17,920	£12,720 used to purchase ICON following Waiver. Also purchased tablets. Remainder use for infrastructure improvements as part of the MTFS BT change programme	22,080	-	17,920	-	40,000	-
201120	Licencing system (LALPAC)	-	2,100		2,100	-	992	992	1,108	Remainder from licencing upgrade, being held as a contingency	-	992	-	-	992	1,108
206106	SAN server replacement	85,029	-		85,029	81,601	42	81,643	3,386	SANs ordered and peripheral devices and cables also ordered. Remainder to be used for consultants implementation costs.	81,601	-	3,428	-	85,029	(0)
206107	Sorce - intranet	-	1,734		1,734	-	-	-	1,734	Sorce fully implemented. Remainder to be used for enhancements if required.	-	-	-	-	-	1,734
201088	Web Firmstep - cloud based	10,000	-		10,000	-	-	-	10,000	All upgrades and system replacements will be considered as part of the Business Transformational change programme	-	-	-	-	-	10,000
206136	Business continuity & disaster recovery	100,000	-		100,000	-	-	-	100,000	This is a contingency budget to be used should any key pieces of hardware or software unexpectedly fail, i.e. outside the schemes already included in the programme. All upgrades and replacements are now part of the MTFS BT change programme.	-	-	-	-	-	100,000
206160	Polling Booths	5,460	-		5,460	5,540	-	5,540	(80)	20 new polling booths purchased. Scheme now complete.	5,540	-	-	-	5,540	(80)
	Shared Services and Corporate Support	352,489	18,474	-	370,963	129,451	88,403	217,855	153,108		129,451	53,762	55,011	1,940	240,164	130,799
206162	Civic centre - Toilets refurbishment	50,000	-		50,000	-	-	-	50,000	Refurbishments now to be aligned with co-location projects. Exact spend unclear at the current time for 2017/18 with some monies possibly being rephased to 2018/19.	-	-	5,000	20,000	25,000	25,000
206161	Civic centre - Swipe card security system	31,000	-		31,000	-	-	-	31,000	Works anticipated to commence in September.	-	-	31,000	-	31,000	-
206163	Civic centre - CCTV	10,000	-		10,000	-	-	-	10,000	Upgrade works anticipated to commence in September/October.	-	-	10,000	-	10,000	-
206164	Civic centre - Relocation of staff	20,000	-		20,000	-	1,000	1,000	19,000	Works anticipated to commence in September.	-	1,000	19,000	-	20,000	-
206137	Inv Prop Farm Yard cottages - New roofs to 3 & 4 Farm yard cottages	50,000	-		50,000	-	-	-	50,000	Works anticipated to commence in September.	-	-	50,000	-	50,000	-
206138	Inv Prop Middleforth / Bison Place - Redevelopment of units	5,000	-		5,000	-	-	-	5,000	Feasibility study on future options for the units. To take place in the last quarter.	-	-	-	5,000	5,000	-
206139	Inv Prop Worden Craft Units - Infrastructure upgrade	55,000	-		55,000	-	-	-	55,000	Spend of £25k forecast by December. Works include painting, chimney stack refurbishment, fireplaces and wood burning stoves. Reassessment of further works to be undertaken.	-	-	25,000	-	25,000	30,000
206112	Moss Side Depot - Fire suppression works	50,000	-		50,000	-	-	-	50,000	Reassessment of the need to undertake this work is currently underway.	-	-	-	-	-	50,000
206091	Gregson Lane replacement pavilion	30,000	-		30,000	-	-	-	30,000	The Council will provide this funding towards a new community centre once the community group has raised sufficient funds themselves. Therefore timescales for spend are dictated by the community group and the budget will continue to roll forward into future years until required. However, the community group are making good progress. Therefore £30k to be rephased to 2018/19.	-	-	-	-	-	30,000
206108	Wesley St development	54,976	-		54,976	-	-	-	54,976	The budget will be used to cover any legal costs and valuation fees required to conclude this work. A spend profile cannot be established at the moment so it is currently classes as rephasing to 2018/19.	-	-	-	-	-	54,976
	Management of Assets	355,976	-	-	355,976	-	1,000	1,000	354,976		-	1,000	140,000	25,000	166,000	189,976

Cost Centre	Scheme Name	(A)				(B)		(A - B)		Details about the scheme and the financial position	Projections					
		Original Budget 2017/18	Approved Slippage b/f from 2016/17	In-year budget changes	Latest Budget 2017/18	Expenditure	Orders raised	Total Committed Spend	Budget Remaining		Q1 (Actual)	Q2	Q3	Q4	Forecasted Out-turn	Projected Variance
206140	Open Spaces 2016/17 to 2019/20	117,779	14,054		131,833	-	37,110	37,110	94,723	A number of parks capital improvement schemes currently underway or being worked up for completion by March 2018. To include Dob Lane ball court, Arboretum planting, Worden Park boundary wall, Higher Walton PF drainage and Tarn Wood drainage and footpaths.	-	37,110	30,000	64,723	131,833	-
206132	Gregson Green - Drainage Scheme	50,608	-		50,608	17,802	-	17,802	32,806	Works have been carried out to replace the sports field drainage system, all works have been completed with the exception of improvement works to the Cricket Square, following consultation with the Cricket Club these works will now be carried out at the end of the playing season (September 2017). It is anticipated that the works will be completed by mid-October 2017.	17,802	-	32,000	-	49,802	806
206141	Hurst Grange Park	40,340	9,660		50,000	-	9,660	9,660	40,340	Works are being carried out to improve the drainage and culverts. The remaining monies (circa 50%) are to be used to support development projects for the park and/or the coach house lottery bid project as outlined below. Therefore the budget may roll forward each year until the lottery bid process is concluded. Therefore £25k to be rephased to 2018/19.	-	9,660	-	15,340	25,000	25,000
205102	Hurst Grange Park development plan	50,000	-		50,000	-	-	-	50,000	The Council is assisting the Friends Group in submitting a lottery bid to restore the coach house building. The friends have successfully obtained a resilience grant to allow the process to progress. The budgets purpose is to provide match funding for the restoration project should the bid require it. The budget will roll forward each year until the lottery bid process is concluded. Therefore £50k to be rephased to 2018/19.	-	-	-	-	-	50,000
206127	Moss Side Sports Facilities - Car park extension	102,500	610		103,110	-	-	-	103,110	Project tendered and currently being mobilised. Project forecast to be complete by March 2018.	-	-	-	103,110	103,110	-
206115	St Mary's, Penwortham - Churchyard wall repairs	76,950	-		76,950	-	-	-	76,950	Technical surveys have now been completed to identify works that are required and the risk regarding the stability of the ground in the graveyard and how this could impact on the project. The works will now be tendered and permissions applied for from the diocese and past experience shows that this will take some time. The scheme cannot be undertaken during the autumn/winter period due to the risk of ground instability created by the weather. Due to this and the timescales for permissions from the diocese the scheme and budget of £76,950 will now be rephased to spring 2018/19.	-	-	-	-	-	76,950
204058	Vehicles and Plant replacement programme	970,000	33,464		1,003,464	1,464	27,174	28,638	974,826	Report seeking award of tenders scheduled for October 2017 Cabinet. £600k expenditure forecast. Following reassessment of the replacement programme rephasing of £370k to 2018/19 is expected.	1,464	27,174	-	600,000	628,638	374,826
205141	Whernside Way drainage works	-	-	20,000	20,000	-	15,078	15,078	4,922	Works due for completion by September 2018.	-	15,078	4,922	-	20,000	-
206142	Withy Grove Park	250,000	-		250,000	-	-	-	250,000	Contract for main phase of work currently being awarded with expected completion by March 2018. Remainder of funds to be spent on a range of smaller projects which need to be progressed on completion of the main phase. Therefore £66k to be rephased to 2018/19.	-	-	-	184,000	184,000	66,000
206118	Worden Park - Refurbishment of vinehouse	58,000	13,906		71,906	-	74,656	74,656	(2,750)	Works underway and frame fabrication (offsite) now completed. Project completion expected by November 2017.	-	74,656	2,750	-	77,406	(5,500)
206117	Worden Park - Replacement conservatory / greenhouse	190,005	-		190,005	-	-	-	190,005	Due to the specialised and bespoke build programme of the enhanced specification the lead in time is much greater than initially forecast taking up to 12 months. Contract awarded and design of new frame expected to start by end of August 2017. Project completion expected September 2018. Therefore £142,505 to be rephased to 2018/19.	-	47,500	-	-	47,500	142,505
206144	Worden Park - Toilet facilities improvements	225,000	-		225,000	-	-	-	225,000	Planning Applications submitted and Cabinet report for award of tenders scheduled for 6 Sept 2017. Project completion expected by March 2018.	-	-	-	225,000	225,000	-
Neighbourhoods and Streetscene		2,131,182	71,694	20,000	2,222,876	19,266	163,678	182,944	2,039,932		19,266	211,178	69,672	1,192,173	1,492,289	730,587
203120	Feasibility & Surveys - Design and development	20,000	-		20,000	1,731	520	2,251	17,749	This budget is to allow schemes to be developed and early design work to take place. Therefore it is difficult to predict annual spend. £20k is a sensible amount which allows schemes to progress feasibility.	1,731	5,520	5,000	7,000	19,251	749
206165	Bamber Bridge railway station	5,000	-		5,000	-	-	-	5,000	As part of the overall Bamber Bridge regeneration scheme - this is to complete some improvements to the railway station with Friends Group, BAXI and local scouts.	-	2,000	3,000	-	5,000	-
206134	Cuerden Park visitor centre	-	3,500		3,500	-	-	-	3,500	The Council agreed to make a contribution of £7k towards refurbishment of the visitor centre, with £3,500 paid at the outset in 2015/16 and the remainder to be paid on completion of the work.	-	-	-	-	-	3,500

Cost Centre	Scheme Name	(A)				(B)		(A - B)		Details about the scheme and the financial position	Projections					
		Original Budget 2017/18	Approved Slippage b/f from 2016/17	In-year budget changes	Latest Budget 2017/18	Expenditure	Orders raised	Total Committed Spend	Budget Remaining		Q1 (Actual)	Q2	Q3	Q4	(C) Forecasted Out-turn	(A - C) Projected Variance
206122	Bamber Bridge - Regeneration	80,000	127,313		207,313	20,396	60,590	80,986	126,327	Manufacture of planters, benches, bins, cycle parking and other street furniture is currently in progress. Installations will take place during summer and autumn with timings based around LCC's progress.	20,396	120,590	65,000	-	205,986	1,327
203222	Leyland - Gateway features	75,000	24,394		99,394	13,600	-	13,600	85,794	Procurement is being completed. Manufacture of the Horse and installation of base/mound will take place during summer/early autumn.	13,600	50,000	35,000	-	98,600	794
203216	Leyland - Regeneration	285,000	-		285,000	-	-	-	285,000	A master planning exercise is now being undertaken under management of City Deal. On completion of this there will be consideration of future works programme for Leyland.	-	-	-	-	-	285,000
206168	Leyland Loop	17,500	-		17,500	-	-	-	17,500	Procurement is being completed. Works due to start early August and complete during Sept.	-	10,000	7,500	-	17,500	-
203209	Longton Village - Regeneration	7,000	10,043		17,043	409	-	409	16,635	Work on Longton village centre is now complete. The remaining funds will be used coastal footpath work, which is being scoped.	409	-	-	16,635	17,043	-
203221	Longton Village - Coastal communities	-	1,350		1,350	-	-	-	1,350		-	-	-	1,350	1,350	-
206167	Lostock Hall arts academy trail	7,000	-		7,000	-	-	-	7,000	The project is complementary community project to the major works completing St. Catherine's Park. Working with Lostock Hall Academy & St. Catherine's Hospice to improve use and fundraising	-	-	2,000	5,000	7,000	-
206169	McNamara Memorial	7,500	-		7,500	-	-	-	7,500	WW1 memorial gardens in Bamber Bridge and installation of DCLG provided memorial stone. Works to be completed in Autumn '18	-	-	-	2,000	2,000	5,500
206166	Priory Park	12,000	-		12,000	-	-	-	12,000	Scoping project for coastal footpaths linked to Longton regeneration scheme/coastal communities. Works not expected until Summer 18 & are dependent on scoping report.	-	-	-	1,000	1,000	11,000
206129	Walmer Bridge Improvements	73,500	(26,838)		46,662	1,446	2,247	3,693	42,969	Scheme involves works on a village garden, car parking, cycle paths and shop fronts. Due to complete October.	1,446	41,247	2,000	-	44,693	1,969
206149	Lostock Hall Football Facility	150,000	-		150,000	-	-	-	150,000	Deal with club and partners is being completed to allow design work to occur prior to build. It is difficult to estimate timings at present. Works could take place during 17 and 18.	-	30,000	-	50,000	80,000	70,000
206150	Walton-le-dale Community Centre car park refurbishment	75,000	-		75,000	-	-	-	75,000	Permissions required for spend of budget at Council, work now expected to span financial years.	-	-	-	20,000	20,000	55,000
	Regeneration, Leisure & Healthy Communities	814,500	139,762	-	954,262	37,582	63,358	100,939	853,323		37,582	259,357	119,500	102,985	519,423	434,839
206003	Disabled Facilities Grants	585,875	178,475		764,350	51,131	95,197	146,328	618,022	As at 20th July the actual spend was £61,507, approved cases total £140,091, awaiting approval cases total £342,908 and new cases not opened total £157,387. The total of all these cases is £701,893.	51,131	276,197	227,022	210,000	764,350	0
206152	Empty Properties	32,000	15,487		47,487	-	-	-	47,487	We are currently contacting all empty property owners and will offer the assistance to all qualifying applicants this will depend on the owners wanting to take up assistance.	-	10,000	20,000	17,487	47,487	-
206155	Private Sector home improvement grants	100,000	-		100,000	-	28,000	28,000	72,000	The scheme started in 2017-18 and to date we have approved 9 grants for excess cold and will continue to identify and inspect properties and where they qualify assistance will be provided in line with the policy.	-	52,000	42,000	6,000	100,000	-
206158	CPO of property	8,000	3,000		11,000	2,925	-	2,925	8,075	The CPO has been project planned and the expenditure is based upon the schedule activities/work undertaken by the external law firm.	2,925	3,000	-	5,075	11,000	-
	Strategic Planning and Housing	725,875	196,962	-	922,837	54,056	123,197	177,253	745,584		54,056	341,197	289,022	238,562	922,837	0
203141	Performance Reward Grant (PRG)	24,500	1,056		25,556	5,895	-	5,895	19,661	The costs associated with this scheme are 60% of the salary of the Partnership Manager.	5,895	5,880	5,880	5,880	23,535	2,021
	South Ribble Partnership (PRG)	24,500	1,056	-	25,556	5,895	-	5,895	19,661		5,895	5,880	5,880	5,880	23,535	2,021
	Expenditure Total	4,404,522	427,948	20,000	4,852,470	246,249	439,636	685,886	4,166,584		246,250	872,374	679,085	1,566,540	3,364,248	1,488,222
	% of Latest Budget							14.1%	85.9%		5.1%	18.0%	14.0%	32.3%	69.3%	30.7%

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REPORT TO	ON
CABINET	25 October 2017



September 2017

TITLE	PORTFOLIO	REPORT OF
Scrutiny's Review of Staff Morale	Leader	Interim Corporate Governance Manager

Is this report a KEY DECISION (i.e. more than £100,000 or impacting on more than 2 Borough wards?)	No
Is this report on the Statutory Cabinet Forward Plan ?	No
Is the request outside the policy and budgetary framework and therefore subject to confirmation at full Council?	No
Is this report confidential?	No

1. PURPOSE OF THE REPORT

1.1 Following the adoption of the Scrutiny Task Group's Review of Staff Morale by the meeting of the Scrutiny Committee, Cabinet are asked to approve the draft response to the recommendations set out within the action plan at Appendix A.

2. PORTFOLIO RECOMMENDATIONS

2.1 That Cabinet approves the draft response to the recommendations of the Scrutiny Committee Review of Staff Morale at Appendix A to the report.

2.2 That Cabinet notes that the report and action plan will be presented to the next meeting of full Council on 22 November 2017.

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	√

5. BACKGROUND TO THE REPORT

5.1 The results of the staff survey which was conducted in November 2016 were reported into the January meeting of the Scrutiny Committee for their information.

5.2 Members were very concerned at the outcome of the survey and requested that the Leader developed a detailed plan outlining the response to the issues which were highlighted by the survey as a matter of some urgency.

5.3 The Leader's response was considered at their meeting in June 2017, following which members felt it would be helpful to carry out a more focused piece of work to explore staff morale now that some months have elapsed since the initial survey.

5.4 The full report of the Task Group is attached at Appendix B. Cabinet will note that the Task Group adopted the following aims and objectives:

- ▶ Review the steps taken to respond to the results of the employee survey.
- ▶ Assess the effectiveness of the actions taken following the survey and impact on staff morale.
- ▶ Consider the role of Members in inspiring and encouraging staff morale.
- ▶ Demonstrate to staff the commitment of Members to respond to their feedback and be the best possible employer.
- ▶ Consider best practice and complement the work of the new Chief Executive in engaging with employees.
- ▶ Make recommendations on how the Council could improve staff morale.

5.5 The Group met on 7 occasions meeting with the Leader and officers, a focus group of staff from the Staff Involvement Group and Kash Haroon, Director at North West Employers.

5.6 The key findings of the Task Group are set out at page 8 of Appendix B. In summary the Task Group found that there had been a significant amount of work undertaken since the employee survey results had been published in January which had been very positive. However, it was early days with more to be done to engage staff and embed the outcomes. Key concerns included the need for continued improvement in communications, the need to address a perception that staff at the depot were treated differently and the concern that the behaviour of some members had resulted in an adverse impact on staff morale. The Group also recognised that the appointment of a new Chief Executive had been positive with proposed restructure of the Management Team seen as an opportunity to improve the managerial leadership.

5.7 The report is now before Cabinet to consider each recommendation and if accepted to approve an action plan. Appendix A sets out a draft action plan for Cabinet's approval.

6. CONSIDERATION OF SCRUTINY REPORTS

6.1 The Scrutiny Procedure Rules provide that once a Scrutiny review has been agreed by the Scrutiny Committee the Chief Executive will allocate it to either, or both, the Cabinet and Council for consideration, according to whether the contents of the report would have implications for the Council's Budget and Policy Framework.

6.2 In this instance the Chief Executive has considered that the report should go to both Cabinet and full Council in view of members concerns regarding this issue and the need for all members to be aware of the contents of the action plan.

6.3 Cabinet should note that it is the Cabinet's responsibility to implement any action plan approved by them and to submit regular reports to the Scrutiny Committee for information.

7. CONSULTATION CARRIED OUT AND OUTCOME OF CONSULTATION

Not applicable

8. OTHER OPTIONS CONSIDERED

It is open to the Cabinet not to accept either all or any of the individual recommendations of the Scrutiny Team, provided that a cogent reason is given for not doing so.

9. FINANCIAL IMPLICATIONS

There are no immediate financial implications arising as a result of the recommendations although some of the proposals may need funding as part of the Council's overall Communication and Transformation Strategies. It is too early to quantify any specific actions.

10. HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT IMPLICATIONS

Appendix A of this report provides reassurance in relation to the Council's commitment toward 'One Council, One Team Creating Excellence' with staff at the heart of the organisation moving forward. Implementation of the Transformational Strategy brings to life the new 'South Ribble Way' for the benefit of all staff. In addition, the historical concern that depot staff are treated differently has been heard and is being addressed with real action. Given the combined strategic commitment from members and the management team staff morale will continue to improve in a sustainable fashion.

11. ICT/TECHNOLOGY IMPLICATIONS

Not applicable

12. PROPERTY AND ASSET MANAGEMENT IMPLICATIONS

Not applicable

13. RISK MANAGEMENT

Poor staff morale is recognised as being a potential risk to the effective and efficient delivery of council services as well as potentially a risk to the overall health and well-being of individual members of staff. Improvements to staff morale are therefore important to mitigate against these risks.

14. EQUALITY AND DIVERSITY IMPACT

There is no direct impact as a result of this report.

15. RELEVANT DIRECTORS RECOMMENDATIONS

Not applicable

16. COMMENTS OF THE STATUTORY FINANCE OFFICER

There are no financial implications arising directly as a result of this report, however the proposed Action Plan will identify if there are any actions which cannot be funded from existing budgets and will therefore require additional budget provision to be approved.

17. COMMENTS OF THE MONITORING OFFICER

There are no legal implications arising from the contents of the report.

18. BACKGROUND DOCUMENTS

Reports to Scrutiny Committee January and September 2017

Appendix A Action Plan

Appendix B Report of the Scrutiny Committee Task Group – Review of Staff Morale

C J Elwood
Interim Corporate Governance Manager

Report Author:	Telephone:	Date:
Mrs C J Elwood		October 2017

APPENDIX A

Scrutiny Committee Recommendations	Recommendation Accepted? Yes/ No	Cabinet Response If yes, how & when is the recommendation going to be implemented? If no, why is the recommendation not going to be implemented
<p>1. The Political Group Leaders, and wider political group membership, consider how best they ensure that their Members' behaviour, on social media and in public fora, adhere to the Council's constitution, code of conduct and policies.</p>	<p>Yes</p>	<p>Implemented: Members have debated, and the full Council has approved, the adoption of a Social Media Protocol by full Council. Training has been made available on the effective use of social media to members, encouraging positive use to drown out the negatives.</p> <p>Further work is ongoing to develop a Member Officer Protocol which will set out mutual expectations between Members and Officers.</p> <p>In Progress: Political Group Leaders and members generally are encouraged to continue to make this issue a priority in recognition of the adverse impact such behaviour can have on staff, particularly the potential loss of respect for members and the potential damage to the Council's reputation as an organisation.</p>
<p>2. The Communications Strategy be reviewed and updated with an</p>	<p>Yes</p>	<p>In Progress: Progress on the delivery of the Communications Strategy will be reported to members in November 2017. It is intended to evaluate the strategy in</p>

<p>increased emphasis on everyone improving communications and further engagement with staff, such as:</p> <ul style="list-style-type: none"> ▶ Formalise the role, selection process and impact for the staff involvement group, including report to Members ▶ Focus on those who don't have access to the CONNECT intranet ▶ Service planning team away workshops ▶ Strengthen the team briefing process to make it a more regular opportunity for dialogue between managers and staff that facilitates positive two-way communication ▶ Maximise the use of staff noticeboards ▶ Develop a staff suggestion scheme 		<p>March 2018 and a revised strategy for 2018 onwards will be developed at that time. However, as the strategy is closely linked to both the senior management re structure and Transformation Strategy it would be inappropriate to undertake a review until this work has been completed.</p> <p>The majority of the detailed suggestions of the Task Group are captured by the Council's Transformation Strategy, although some will require funding to be identified (for example the improvement of the working environment)</p> <p>The following suggestions are already included within the Transformation Strategy:</p> <ul style="list-style-type: none"> • Service Planning Team Away Days • Strengthen Team Briefings • Maximise the use of staff noticeboards • Develop a staff suggestion scheme • Review and reward recognition mechanisms • Capturing staff stories and giving staff a voice • Improving Working Environment
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<ul style="list-style-type: none"> ▶ Review reward and recognition mechanisms ▶ Capturing staff stories and giving staff a voice ▶ Improving the working environment 		
<p>3. Bring forward the idea of having a quarterly 'health/temperature check' on staff morale to supplement the biennial staff survey.</p>	Yes	<p>In Progress: The Chief Executive has already implemented "temperature" checks which will continue to be utilised to supplement the employee survey, although it may be preferable that this is on an ad hoc basis, as and when issues arise, as opposed to quarterly.</p>
<p>4. The Council work with North West Employers' and other councils in devising a set of standard employee survey and engagement measures that can be effectively benchmarked</p>	Yes	<p>In Progress: The Council has been undertaking biennial staff surveys for a number of years which means that there is a body of South Ribble focused data which enabled comparative benchmarking to be undertaken year on year.</p>

		However there is clearly merit in looking at wider comparators and officers are exploring this opportunity further with NWE.
<p>5. Break the barriers down between Members and officers in an appropriate way to ensure clarity of roles, such as:</p> <ul style="list-style-type: none"> ▶ The proposed development of the Member / officer protocol to be clear on the way in which Members should work with staff and the standards of behaviour expected. ▶ A Member / officer shadowing programme be developed so that there is a greater understanding of respective roles, responsibilities and expectations and pressures. ▶ Quiz nights, Member / officer Mayoral events, bowling etc. be organised ▶ The Leader and Chief Executive meet informally with a small cross- 	Yes	<p>In Progress: Workshops on the development of a new Member Officer Protocol have already started with further workshops scheduled with both Officers and Members contributing to its formulation. This work is funded by the LGA and is seen as one of the key tools in improving the Council's corporate governance framework.</p> <p>Shadowing and social events can be explored to test if there is an appetite for it. (The possibility of shadowing was asked as question as part of the recent Member Survey).</p> <p>The Leader & Chief Executive have already held joint staff workshops. Regular working lunches with small groups of staff is included as a proposal within the Transformation Strategy and can be piloted over the next few months.</p>

section of staff over lunch on a regular basis to discuss any issues and provide feedback.

6. Consideration be given to the workforce information provided to Members to ensure it is analysed and presented in a way that Members can effectively interpret and use in managing the Council's performance.

Yes

In Progress: Work has already commenced to develop the Council's Performance Management Framework, led by the Council's Interim Corporate Improvement Manager and better interpretation of data generally, including workforce information, has formed part of this work.

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Scrutiny Committee

Review of Staff Morale



Final Report – August 2017

Agreed by the Scrutiny Committee: 6 September 2017

Task Group:

- ▶ Councillor Matthew Tomlinson (Chair)
- ▶ Councillor Colin Coulton
- ▶ Councillor Keith Martin
- ▶ Councillor Karen Walton

What is Scrutiny?

Scrutiny is all about challenging decision made by the Council and other local organisations, keeping an eye on local issues and reviewing local policies.

In other words, Scrutiny acts like a watchdog for the people of South Ribble. It is about helping the council to work with local people, partners, other businesses and organisations and voluntary and community groups, to improve the quality of life of residents in the borough.

Scrutiny:

Challenges local performance so that we can raise standards, ensuring the services provided meet customers' expectations;

Questions the decisions of the Council's cabinet and other local organisations;

Reviews policies and becomes involved in the development of new policies;

Holds inquiries and reviews services provided by public organisations on issues of public interest or concern e.g. local hospitals, the police, fire service, utility companies etc.

Makes recommendations for action, change and improvement.

Who is Scrutiny?

Scrutiny is made up of twelve members of the Council who are appointed by all members of the council on an annual basis.

How can you get involved?

Local people and organisations have an important part to play in the Scrutiny process. If you use a service it is important that you let your councillors know your views on how it could be improved.

You can do this in a number of ways:

- ▶ Attend meetings
- ▶ Suggest a topic
- ▶ Get involved in a consultation

You could be asked for your views on an issue or be invited to provide specialist knowledge you have by being a witness in a Scrutiny review or by being co-opted onto one of the task groups.

More information?

Please contact: Darren Cranshaw - Scrutiny & Performance Manager
Tel: 01772 625512 / Email: dcranshaw@southribble.gov.uk

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Chair's Foreword

Like most Members, the Scrutiny Committee was extremely concerned at the powerful results of the employee survey results from November last year. The Scrutiny Committee has tracked the Council's improvement journey with keen interest and decided to carry out a more focussed piece of work to explore staff morale some 9 months since the survey.



We hope that this report provides a useful temperature check of the progress made in improving staff morale and helps to inform future plans. This review has been timed to help inform the work of the Council and new Chief Executive in developing the organisation to ensure it is fit for purpose and delivers our vision and priorities.

We would like to thank everyone involved in this review for their support and providing honest and open feedback. We hope that we have done justice to the wide-ranging comments made and that our findings and recommendations make a real difference for our employees and the benefits that then has for Members, our residents and stakeholders, including employees.

Finally, we would like to place on record our admiration and appreciation to all employees for all their hard work day in, day out, in delivering quality services to our residents and making South Ribble a great place to live, work, visit and play.

Councillor Matthew Tomlinson
Scrutiny Committee Chair
On behalf of the Scrutiny Task Group

Rationale for the Review

In January 2017, the Scrutiny Committee considered the results of the employee survey conducted in November 2016.

The Committee expressed its deep concern with the results of the Employee Survey and recommended that the Leader develops a detailed plan of the steps that will be taken to respond to the issues identified in the survey and these be provided as a matter of urgency (minute no 35 refers).

At its meeting on 22 June 2017, the Scrutiny Committee received the following response from the Leader:

“The new OD strategy seeks to address: Leadership development, PDR process, Coaching and further employee surveys.

Poor communications has been addressed by the roll out of the new Communications Strategy agreed March 2017. This includes the launch of both Staff Connect and Councillor Connect both of which have been received well by staff and Members alike.

A staff panel has also been introduced to engage employees on a range of issues – using staff as a sounding board on new developments and improvement activities.

Member and officer relationships are being addressed in a number of ways. There are a number of externally facilitated workshops planned for Members together with a programme of activities to address Member conduct issues that are currently being developed by the Centre for Public Scrutiny following its report published in April.”

Following this response the Scrutiny Committee agreed to carry out a review of staff morale (minute number 7 refers).

This review will consider the results of the survey and assess the effectiveness of the actions taken following the survey.

Scrutiny Committee Review Team

- ▶ Councillor Matthew Tomlinson (Chair)
- ▶ Councillor Colin Coulton
- ▶ Councillor Keith Martin
- ▶ Councillor Karen Walton

Review Aims and Objectives

- ▶ Review the steps taken to respond to the results of the employee survey.
- ▶ Assess the effectiveness of the actions taken following the survey and impact on staff morale.
- ▶ Consider the role of Members in inspiring and encouraging staff morale.
- ▶ Demonstrate to staff the commitment of Members to respond to their feedback and be the best possible employer.
- ▶ Consider best practice and complement the work of the new Chief Executive in engaging with employees.
- ▶ Make recommendations on how the Council could improve staff morale.

Links with Corporate Priorities and Corporate Plan

The review links with the Council's Corporate Plan 2017-2018

Corporate Priority:

- ▶ Efficient, effective and exceptional council

Corporate Outcome:

- ▶ More staff satisfied with the Council as a place to work

Key Action:

- ▶ We will implement a new Organisational Development Strategy and action plan and meet all the targets that are due for completion by 31st March 2018

This review also links with the Council's Improvement Plan and Transformation Strategy.

Methodology

The Task Group has carried out extensive research to inform their review and ensure that as many people as possible could get involved in the review:

- ▶ The Task Group carried out desktop research reviewing best practice from other Scrutiny reviews carried out by other councils around the country.
- ▶ The Task Group reviewed key documentation to set the context for the review including:
 - Employee Survey Results 2016
 - Employee Survey Results 2015
 - LGA Corporate Peer Challenge
 - Corporate Improvement Plan
 - Centre for Public Scrutiny (CfPS) Diagnostic Assessment
 - Organisational Development Principles
 - Transformation Strategy
 - Best practice publications and CIPD (Chartered Institute of Personal and Development)
- ▶ The Task Group has met on 7 occasions at the end of July and during August to carry out the review meeting with a selection of key Members and officers:
 - Councillor Peter Mullineaux, Leader of the Council
 - Heather McManus, Chief Executive
 - Tracy Boustead, HR and OD Consultant
 - Mark Hodges, Branch Secretary – UNISON union
 - Mark Gaffney, Director of Neighbourhoods, Environmental Health & Assets (representing the Senior Management Team)
- ▶ A focus group was also held with members of the Staff Involvement Group.
- ▶ The Task Group also met with Kash Haroon, Director at North West Employers' Organisation.

Key Findings

The Task Group has used all the research mentioned in the above methodology to come up with the following key findings that have been used in developing recommendations for the review.

1. The Task Group found that there had been a significant amount of work carried out since the employee survey results were published in January, which has included:
 - ▶ New corporate plan, service plans agreed and higher proportion of appraisals carried out
 - ▶ Centre for Public Scrutiny Diagnostic Assessment Team visited the Council, met with staff and reported back
 - ▶ Peer Review Team met with staff and reported back
 - ▶ Re-launch of CONNECT employee intranet to improve communications
 - ▶ Regular Chief Executive and Senior Management Team blogs
 - ▶ New Employee Involvement Group to act as sounding board created and increasingly being used
 - ▶ Political Awareness Training has been rolled out for cross section of colleagues
 - ▶ Senior Management Team and Core Managers' Team Workshop to look to the future and what needs to be done to achieve our vision and priorities
 - ▶ New performance management framework in place
 - ▶ New Transformation Strategy agreed, which acknowledges the need for us to re-connect with our staff, capture their voice and improve morale
 - ▶ District Councils Network staff development opportunity attracted 13 applications, with two being submitted to the national scheme and those nominated taking part in corporate projects to help develop skills and in improvement activities
 - ▶ Brand new Graduate Development Programme saw two graduates employed by the Council to strengthen corporate capacity

- ▶ Continuation of apprenticeship scheme with 10 apprentices appointed this year
 - ▶ Reduced sickness absence (final figures awaited)
 - ▶ Secondment opportunities available, such as Electoral Support Officer, Chief Executive's PA, transformation etc.
 - ▶ Softer improvements for staff: new settees in Coppice Room, table tennis table and social area at Moss Side Depot and Civic Centre
 - ▶ Continued other employee and health/wellbeing activities: pilates, badminton, Moss Side-deers charity walk, themed weeks in Gateway etc.
2. Whilst the above work is very positive, it is early days and there is more to do in engaging and particularly communicating with staff about them to ensure the outcomes become truly embedded.
 3. The appointment of a permanent Chief Executive has had a positive impact on staff, with the pace of change being significant with roadshows held with all staff. The Chief Executive led the sessions with the Leader introducing them and Cabinet Members listening to the outcomes.
 4. The new Communications Strategy has made a difference, but communications with staff continues to be seen to be a major problem – not just internally with employees but externally with residents and partners. .
 5. There appears to be a feeling that there is a differential approach to staff based at Moss Side Depot and the Civic Centre.
 6. There is genuine concern that the behaviour of some Members has had an adverse impact on staff morale, particularly in the inappropriate use of social media, but also their conduct in public meetings.
 7. The re-structure of the management team, which is currently being consulted upon, is seen as an opportunity to improve the managerial leadership of the Council.
 8. We heard much about the South Ribble Way, which is at its embryonic stage, but understand this will be an important element of defining the culture of the organisation.

Recommendations

1. The Political Group Leaders, and wider political group membership, consider how best they ensure that their Members' behaviour, on social media and in public fora, adhere to the Council's constitution, code of conduct and policies.
2. The Communications Strategy be reviewed and updated with an increased emphasis on everyone improving communications and further engagement with staff, such as:
 - ▶ Formalise the role, selection process and impact for the staff involvement group, including report to Members
 - ▶ Focus on those who don't have access to the CONNECT intranet
 - ▶ Service planning team away workshops
 - ▶ Strengthen the team briefing process to make it a more regular opportunity for dialogue between managers and staff that facilitates positive two-way communication
 - ▶ Maximise the use of staff noticeboards
 - ▶ Develop a staff suggestion scheme
 - ▶ Review reward and recognition mechanisms
 - ▶ Capturing staff stories and giving staff a voice
 - ▶ Improving the working environment
3. Bring forward the idea of having a quarterly 'health/temperature check' on staff morale to supplement the biennial staff survey.
4. The Council work with North West Employers' and other councils in devising a set of standard employee survey and engagement measures that can be effectively benchmarked.
5. Break the barriers down between Members and officers in an appropriate way to ensure clarity of roles, such as:
 - ▶ The proposed development of the Member / officer protocol to be clear on the way in which Members should work with staff and the standards of behaviour expected.
 - ▶ A Member / officer shadowing programme be developed so that there is a greater understanding of respective roles, responsibilities and expectations and pressures.
 - ▶ Quiz nights, Member / officer Mayoral events, bowling etc. be organised
 - ▶ The Leader and Chief Executive meet informally with a small cross-section of staff over lunch on a regular basis to discuss any issues and provide feedback.

6. Consideration be given to the workforce information provided to Members to ensure it is analysed and presented in a way that Members can effectively interpret and use in managing the Council's performance.

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