

# Lancashire County Council

## Cabinet

Thursday, 3rd December, 2020 at 2.00pm to be held as a Virtual Skype Meeting

## Agenda

### Part I (Open to Press and Public)

#### No. Item

#### 1. Apologies for Absence

#### 2. Disclosure of Pecuniary and Non-Pecuniary Interests

Members are asked to consider any Pecuniary and Non-Pecuniary Interests they may have to disclose to the meeting in relation to matters under consideration on the Agenda.

#### 3. Minutes of the Meeting held on 5 November 2020 (Pages 1 - 6)

### Matters for Decision:

#### The Leader of the County Council - County Councillor Geoff Driver CBE

#### 4. Procurement Report (Pages 7 - 10)

#### The Deputy Leader of the County Council and Cabinet Member for Highways and Transport - County Councillor Keith Iddon

#### 5. Approval for the Introduction of Bus Stop Clearway, Liverpool Road, Penwortham (Pages 11 - 16)

#### 6. Stanhill Lane, Oswaldtwistle - Bus Stop Clearway (Pages 17 - 22)

#### 7. Cottam Parkway - Approval for Use of Powers and Preparation of Various Orders and Schemes including Compulsory Purchase Order (Pages 23 - 30)

#### 8. Ormskirk Highway Improvements, St Helens Road, Ruff Lane (Pages 31 - 48)

#### 9. Transport Asset Management Plan - Phase 2 2020/21 - 2024/25 (Pages 49 - 60)

**The Cabinet Member for Children, Young People and Schools - County Councillor Phillippa Williamson**

10. **Lancashire Religious Education Agreed Syllabus Conference** (Pages 61 - 66)
11. **Recruitment and Retention of Foster Carers** (Pages 67 - 72)

**The Cabinet Member for Children, Young People and Schools - County Councillor Phillippa Williamson and The Cabinet Member for Adult Services - County Councillor Graham Gooch**

12. **Statutory Social Care Annual Report for 2019/20 - Complaints and Customer Feedback** (Pages 73 - 98)

**Matters for Information:**

13. **Urgent Decisions taken by the Leader of the County Council and the relevant Cabinet Member(s)**

The following urgent decision had been taken by the Leader of the County Council and the Deputy Leader and Cabinet Member for Highways and Transport in accordance with Standing Order C16(1) since the last meeting of Cabinet, and can be viewed by clicking on the relevant link:

[Public Realm Improvement Grant](#)

14. **Urgent Business**

An item of urgent business may only be considered under this heading where, by reason of special circumstances to be recorded in the Minutes, the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency. Wherever possible, the Chief Executive should be given advance warning of any Member's intention to raise a matter under this heading.

15. **Date of Next Meeting**

The next meeting of Cabinet will be held on Thursday 14 January 2020 at 2.00pm.

16. **Notice of Intention to Conduct Business in Private**

No representations have been received.

Click [here](#) to see the published Notice of Intention to Conduct Business in Private.

## **17. Exclusion of Press and Public**

The Cabinet is asked to consider whether, under Section 100A(4) of the Local Government Act 1972, it considers that the public should be excluded from the meeting during consideration of the following items of business on the grounds that there would be a likely disclosure of exempt information as defined in the appropriate paragraph of Part I of Schedule 12A to the Local Government Act 1972 as indicated against the heading to the item.

## **Part II (Not Open to Press and Public)**

### **The Cabinet Member for Children, Young People and Schools - County Councillor Phillippa Williamson**

## **18. Schools Basic Need Programme Update**

(Pages 99 - 104)

Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. The report contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Angie Ridgwell  
Chief Executive and Director of  
Resources

County Hall  
Preston



**Lancashire County Council**

**Cabinet**

**Minutes of the Meeting held on Thursday, 5th November, 2020 at 2.00 pm in Skype Virtual Meeting - Skype**

**Present:**

County Councillor Geoff Driver CBE                      Leader of the Council  
(in the Chair)

Cabinet Members

County Councillor Keith Iddon  
County Councillor Albert Atkinson  
County Councillor Michael Green  
County Councillor Philippa Williamson  
County Councillor Peter Buckley  
County Councillor Graham Gooch  
County Councillor Shaun Turner

County Councillor John Fillis were also in attendance under the provisions of Standing Order No. C14(2).

**1. Apologies for Absence**

Apologies were received from County Councillor Azhar Ali.

**2. Disclosure of Pecuniary and Non-Pecuniary Interests**

None declared.

**3. Minutes of the Meeting held on 1 October 2020**

**Resolved:** That the minutes of the meeting held on 1 October 2020 be confirmed as a correct record and signed by the Chair.

**4. Money Matters 2020/21 Position - Quarter 2**

Cabinet considered the Money Matters report setting out an update on the county council's 2020/21 revenue and capital financial position, as at the end of September 2020, and an updated medium term financial strategy (MTFS) covering the period 2021/22 to 2023/24.

The report also referred to the unprecedented uncertainty in relation to future local government funding, the increasing financial pressures felt by Covid-19 and the impact these would have on the county council's budget.

In presenting the report, members passed on their thanks to all officers for their hard work and commitment in maintaining the council's finances, especially during the current pandemic.

**Resolved:** That;

- i. The current forecast underspend of £2.017m on the revenue budget in 2020/21, be noted;
- ii. The revised funding gap of £78.791m covering the period 2021/22 to 2023/24 as set out in the revised financial outlook forecast for the council, be noted;
- iii. The contents of the county council's reserves position, be noted; and
- iv. The revised 2019/20 capital delivery programme of £157.929m as presented within the body of the report and the forecast outturn of £128.475m, be noted.

## **5. Procurement Report**

Cabinet considered a report seeking approval to commence the following procurement exercises in accordance with the county council's procurement rules:

- i. Agency Staff Neutral Vendor Managed Service; and
- ii. Framework Agreement for Professional and Technical Services.

Additionally, Cabinet noted an amendment to the plant and vehicle hire report, originally approved by Cabinet on 3 October 2019, as detailed in the report.

**Resolved:** That;

- i. The commencement of procurement exercises for the following be approved:
  - a. Agency Staff Neutral Vendor Managed Service; and
  - b. Framework Agreement for Professional and Technical Services.
- ii. The amendment to the plant and vehicle hire report approved by Cabinet on 3 October 2019, be noted.

## **6. Request Approval to Extend Existing Contracts in Response to Covid 19**

Cabinet considered a report seeking approval to extend existing procurement contracts, where the re-procurement work would have commenced in the next 6 to 12 months but where the resources in the service areas continued to be focussed on Covid related activity.

**Resolved:** That;

- i. The extension of the contracts as set out in this report and detailed in Appendix 'A' be approved; and
- ii. Directors and Heads of Service be authorised to determine the length and number of extensions within the maximum scope permitted by this report.

## **7. Blackburn Cathedral Council - Appointment of a County Council Representative**

Cabinet considered a report seeking approval to add Blackburn Cathedral Council to the county council's list of outside bodies and to appoint a county council representative to the Blackburn Cathedral Council.

**Resolved:** That;

- i. The addition of Blackburn Cathedral Council to the list of outside bodies to which the county council makes appointments, be approved; and
- ii. Subject to (i) above, the appointment of County Councillor Jayne Rear as the county council's representative to the Blackburn Cathedral Council until the next county council elections in 2021, be approved.

## **8. Transport Asset Management Plan End of Phase 1 Review**

Cabinet received a report on the progress made during phase 1 of the Transport Management Plan 2015 – 2030, which was originally approved by the Cabinet Member for Highways and Transport on 10 June 2014. Phase 1 of the plan ran from 1 April 2015 to 31 March 2020 and it was now proposed to publish a review of the progress made during this period.

**Resolved:** That;

- i. The update on progress outlined in the Progress Transport Asset Management Plan Phase 1 Breakdown as set out at Appendix 'A', be noted; and
- ii. The Director of Strategy and Performance be authorised to approve and publish the 'Transport Asset Management Plan – End of Phase One Review' full document 2019/20 in consultation with the Deputy Leader of the County Council and Cabinet Member for Highways and Transport.

## **9. Adult Social Care Winter Plan 2020/21**

Cabinet received a report which provided details of the Lancashire County Council Adult Social Care Winter Plan for 2020/21, and the additional capacity that will be mobilised to meet the anticipated demand.

**Resolved:** That, the county council's Adult Social Care Winter Plan for 2020/21 as set out at Appendix 'A', be approved.

## **18. Clean Energy and Technology Diversification Fund**

Following the advice of the Director of Corporate Services (the Monitoring Officer), the Leader of the County Council agreed that this report would be considered in Part I of the meeting. A copy of the report was subsequently published on the council's [website](#).

Cabinet received a report on the Clean Energy and Technology Diversification Fund. The report detailed the economic impacts of the current pandemic and the increasing pace at

which the industrial base of Lancashire has continue to shift. The report therefore proposed a county council loan to fund and support Lancashire to attract new investment.

**Resolved:** That;

- i. A county council £10 million loan fund to support Lancashire to attract inward investment in new and emerging growth sectors as detailed in the report, be approved; and
- ii. The Executive Director of Growth, Environment, Transport & Community Services, the Director of Finance and Director of Corporate Services be authorised to conclude all necessary processes and sign off such loans in consultation with the Cabinet Member for Economic Development, Environment and Planning.

**10. Urgent Decisions taken by the Leader of the County Council and the relevant Cabinet Member(s)**

**Resolved:** That the urgent decision taken by the Leader of the County Council since the last meeting of Cabinet, be noted.

**11. Urgent Business**

There were no items of Urgent Business.

**12. Date of Next Meeting**

It was noted that the next meeting of Cabinet would be held at 2pm on Thursday 3 December 2020 as a virtual meeting.

**13. Notice of Intention to Conduct Business in Private**

Cabinet noted the Notice of Intention to Conduct Business in Private and that no representations had been received.

**14. Exclusion of Press and Public**

**Resolved:** That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that there would be a likely disclosure of exempt information as defined in the appropriate paragraph of Part I of Schedule 12A to the Local Government Act 1972 as indicated against the heading to the item.

**15. Proposal for a New Sporting Campus in Central Lancashire**

Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. The report contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Cabinet received a report on a proposal for a new sporting campus in Central Lancashire.



**Resolved:** That the recommendations as set out in the report be approved.

**16. Operational Premises**

Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. The report contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Cabinet considered a report on works to operational premises.

**Resolved:** That the recommendations as set out in the report be approved.

**17. Eden Project North**

Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. The report contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Cabinet received a report in relation to Eden Project North.

**Resolved:** That the recommendations as set out in the report be approved.

Angie Ridgwell  
Chief Executive and  
Director of Resources

County Hall  
Preston



**Report to the Cabinet**

Meeting to be held on Thursday, 3 December 2020

**Report of the Head of Service - Procurement****Part I**

Electoral Division affected:  
(All Divisions);

**Procurement Report**

(Appendix 'A' refers)

Contact for further information:

Rachel Tanner Tel: (01772) 534904, Head of Service - Procurement,  
rachel.tanner@lancashire.gov.uk

**Executive Summary**

In line with the county council's procurement rules, this report sets out a recommendation to approve the commencement of a procurement exercise for the provision of Lancashire Enterprise Zone Commercial Agency Services.

This is deemed to be a Key Decision and the requirements of Standing Order C19 have been complied with.

**Recommendation**

Cabinet is asked to approve the commencement of the procurement exercise as set out in Appendix 'A'.

**Background and Advice**

Appendix 'A' sets out the detail of the procurement exercise and the basis upon which it is proposed to carry out the process including:

- The description of the service
- The procurement route proposed
- The estimated contract value
- The proposed basis for the evaluation of the tender submissions.

Where approval has been received from the Cabinet to undertake a tender process which is deemed to be a Key Decision, the subsequent award of the contract on the satisfactory completion of the tender exercise shall not be deemed to be a Key Decision and can be approved by the relevant head of service or director.

On conclusion of the procurement exercise, the award of the contract shall be made under the county council's scheme of delegation to heads of service and in accordance with the council's procurement rules.

### **Consultations**

Relevant heads of service and key operational staff have been consulted in drawing up the proposals to undertake the procurement exercise included within this report.

### **Implications:**

This item has the following implications, as indicated:

### **Financial**

The estimated value of the contract will be contained within the funding arrangements as set out in Appendix 'A'. If significant variations should result from this position, a further report to Cabinet will be required.

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A

<p><b>Procurement Title</b> Lancashire Enterprise Zone Commercial Agency Services</p>			
<p><b>Procurement Option</b> OJEU – Open Tender</p>			
<p><b>New or Existing Provision</b> Existing with development. The current contract end date for the Commercial Agency Services to the Samesbury Aerospace Enterprise Zone is 31/03/2021 however, as part of the re-procurement the council is collaborating with Blackpool Council to provide a single Commercial Agent for all Lancashire Enterprise Zones (also including Hillhouse Technology, Warton Aviation and Blackpool Airport) via a single supplier framework agreement.</p>			
<p><b>Estimated Contract Value and Funding Arrangements</b> It is estimated the contract value for all Enterprise Zone Commercial Agency Services will be circa £800,000 per annum. At present the full potential contract value is split into the below elements:</p> <p>Blackpool Airport and Hillhouse Technology Enterprise Zones:</p> <ul style="list-style-type: none"> <li>(i) Consultancy and Strategic Advice Services: estimated to be circa £15,000 per annum; and</li> <li>(ii) Potential Property Deals: estimated to be circa £331,500 per annum. This figure is based on estimated maximum number of potential property sales and rentals if secured</li> </ul> <p>Samesbury Aerospace and Warton Aviation Enterprise Zone:</p> <ul style="list-style-type: none"> <li>(i) Consultancy and Strategic Advice Services: estimated to be circa £25,000 per annum; and</li> <li>(ii) Potential Property Deals: estimated to be circa £427,500 per annum. This figure is based on an estimated maximum number of potential land sales.</li> </ul> <p>The Lancashire County Council spend is estimated to be circa £453,000 with the Blackpool Council estimated spend being circa £347,000.</p>			
<p><b>Contract Duration</b> The framework agreement will be let for an initial period of 24 months with an option to extend beyond the initial term to a maximum of a further 24 months. The framework agreement will allow for call offs to be completed by both LCC and Blackpool Council alongside leaving access open for Fylde and Wyre Councils.</p>			
<p><b>Lotting</b> The framework agreement will not be split into lots. This decision mirrors the re-procurement's aim to have a single commercial agent to cover all services across all Lancashire Enterprise Zones.</p>			
<p><b>Evaluation</b></p> <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Quality Criteria 70%</td> <td style="width: 50%;">Financial Criteria 30%</td> </tr> </table> <p>Social value will take 5% of the apportioned quality criteria detailed above and will align to the County Council's social value policy and objectives.</p>		Quality Criteria 70%	Financial Criteria 30%
Quality Criteria 70%	Financial Criteria 30%		

## **Contract Detail**

The Commercial Agency Services for the Samlesbury Aerospace Enterprise Zone are due to expire at the end of March 2021 and as such there is a need to re-procure. Following an Enterprise Zone Governance Committee meeting it was agreed that a combined Commercial Agency Services for all Enterprise Zones (EZs) be procured as a single contract. This will involve the collaboration of Lancashire County Council and Blackpool Council in the development of the tender documents, specification and evaluation criteria. It is the intention that this is a combined procurement for both authorities however, if the County Council are unable to combine all requirements of the EZs, or the complexities of this prove not to provide value for money, the County Council will proceed with the renewal procurement of the SAEZ in the same manner (Open OJEU tender process) without the inclusion of the other EZs. This decision will be delegated to the County Council's Director of Growth, Environment and Planning with the Head of Procurement.

It is the intention to award a single supplier framework agreement from which each authority can call-off their requirements, and who will contract manage locally. It should be noted that the intention is that any County Council led enquiries wouldn't generate a sales fee.

The provision of Commercial Agency Services will support the development of the Enterprise Zones throughout Lancashire. The commercial agent appointed (the Agent) will be responsible for securing tenants and occupiers for the site aligned to the site's advanced manufacturing and engineering focus and the provision of a broad range of advice associated with the above.

The Agents may be required to provide a full property agency service for the disposal of property on part(s) of the Enterprise Zones as required by the relevant authority (short term lease and/or long leasehold sales) and investment and joint venture vehicles acting jointly with other agents when required.

The Agents will be required to have a minimum of 3 years previous experience in commercial marketing and valuation services and of securing enquiries/deals that sit within the appropriate sectors that the enterprise zones focus upon.

The services provided by the Agent outlined within the specification will include, but may not be limited to,

- identifying potential occupants for the Enterprise Zone plots,
- acting upon and progress enquiries to the sites,
- negotiating and secure lease terms,
- providing market related information and intelligence to the Project Team,
- providing advice and prepare marketing strategies.

Alongside this there are further requirements such as support in the legal process of disposal, further advice on different elements of the sites and attendance at Governance meetings. These requirements will be shared with all authorities to be involved and will be expanded to include the requirements of all Enterprise Zones as needed.

**Report to the Cabinet**

Meeting to be held on Thursday, 3 December 2020

**Report of the Head of Service - Planning and Environment****Part I**Electoral Division affected:  
Penwortham West**Approval for the Introduction of Bus Stop Clearway, Liverpool Road, Penwortham**

(Appendix 'A' refers)

Contact for further information:

Rebekah Porthouse, Tel: (01772) 530672, Senior Transport Planner,  
rebekah.porthouse@lancashire.gov.uk**Executive Summary**

Approval is sought for the introduction of a Traffic Regulation Order along Liverpool Road, Penwortham to provide marked Bus Stop Clearways at four existing bus stop locations as shown in Appendix 'A'.

The purpose of this proposal is to improve facilities for users of the 2 and 2A bus route from Preston to Hutton and the 2 and 2A bus route from Hutton to Preston. The markings will also enhance cyclist awareness of potential conflicts with stationary buses, improving safety.

Two objections have been received to the proposed bus stop clearways, one of which was withdrawn following correspondence with engineers. The remaining objection relates to delivery access and refuse collection.

**Recommendation**

Cabinet is asked to approve the proposals for Bus Clearways along Liverpool Road, Penwortham as shown in Appendix 'A' for the reasons outlined in this report.

**Background and Advice**

Following carriageway resurfacing works along Liverpool Road between Howick Moor Lane and Meadway in December 2019, a new road marking strategy was implemented to provide continuous on-carriageway cycle lanes and reduce the width of vehicular running lanes. This is part of a wider package of works to improve

sustainable travel options along the Liverpool Road corridor following completion of the Penwortham bypass and also to promote use of the bypass through reallocation of carriageway space.

The introduction of marked bus stop clearways along Liverpool Road is intended to improve road safety by reducing the potential for conflict and injury/accident between buses and cyclists and also ensure bus users can board and alight safely without obstructions. All bus stops will remain in the existing locations.

## **Consultations**

The proposal was advertised between 8 January 2020 and 5 February 2020 and two objections were received. After correspondence with engineers, one objection was withdrawn and one objection remains.

Lancashire Constabulary did not object to the proposals.

The remaining objection was received citing property value and concerns regarding access for deliveries to the home and refuse bin collection.

*"This will severely reduce the value of our homes or at worst make it difficult to sell at all... There are other concerns which I have which relates to having deliveries to my home. How would this effect having large or heavy items delivered to my home. Will my refuse bins be collected from outside my house or would I have to take them 2-3 doors away and leave them outside someone else's house."*

Officer response:

Delivery vehicles should set down in a safe and appropriate location that does not breach traffic regulations (i.e. outside of the bus stop clearway). It is noted that properties along this section of the highway have private driveways which can be utilised for large deliveries if required. Refuse collection would not be impacted; bins would continue to be collected from outside the property as normal.

The powers under which the proposed works would be provided contain no statutory right to compensation.

## **Implications:**

This item has the following implications, as indicated:

### **Risk management**

The proposals will increase safety for cyclists.

### **Traffic Management and Road Safety**

- Ensure that bus drivers discharge their duty to drop passengers off on the kerb and not on the road;



- Ensure that bus services operate on time and are not delayed; and
- Enhance cyclist awareness of stationary buses.

### **Equality**

- Ensure that the investment in raised kerbs, (as previously required under the Disability Discrimination Act 1995 and now required by the Equalities Act 2010), is not negated by indiscriminate parking at bus stops; and
- Help the bus align with the kerb to enable level access for disabled passengers and pushchair users.

### **Financial**

The cost of the works is £1,240 for the four proposed bus clearway markings, funded by the *Hutton to Higher Penwortham Corridor Improvements* City Deal scheme.

### **List of Background Papers**

Paper	Date	Contact/Tel
Penwortham Bypass Condition 10: Details of highway works to discourage through-traffic passing through Penwortham Centre from the junction of the bypass at the A59 and along the A59 to its junction with Hill Road	April 2019	Richard Askew/(01772) 534506

Reason for inclusion in Part II, if appropriate

N/A



**NOTICE OF PROPOSAL**  
**LANCASHIRE COUNTY COUNCIL**  
**(A59 LIVERPOOL ROAD, PENWORTHAM, SOUTH**  
**RIBBLE BOROUGH)**  
**(INTRODUCTION OF BUS STOP CLEARWAY)**

**NOTICE IS HEREBY GIVEN** that Lancashire County Council propose to introduce a Bus Stop Clearway at any time (the effect of which will be to prohibit the stopping of vehicles) in the following lengths of road:

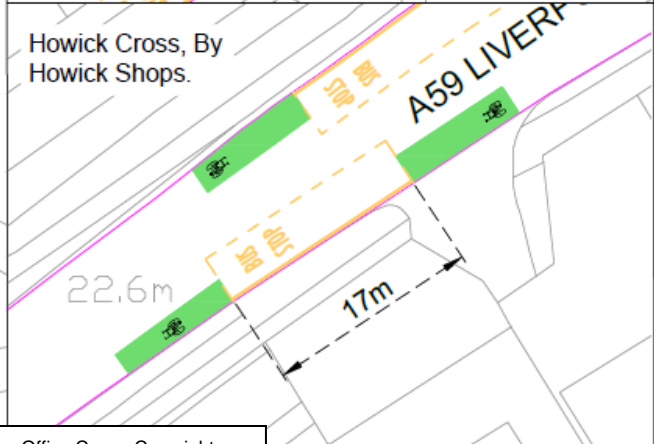
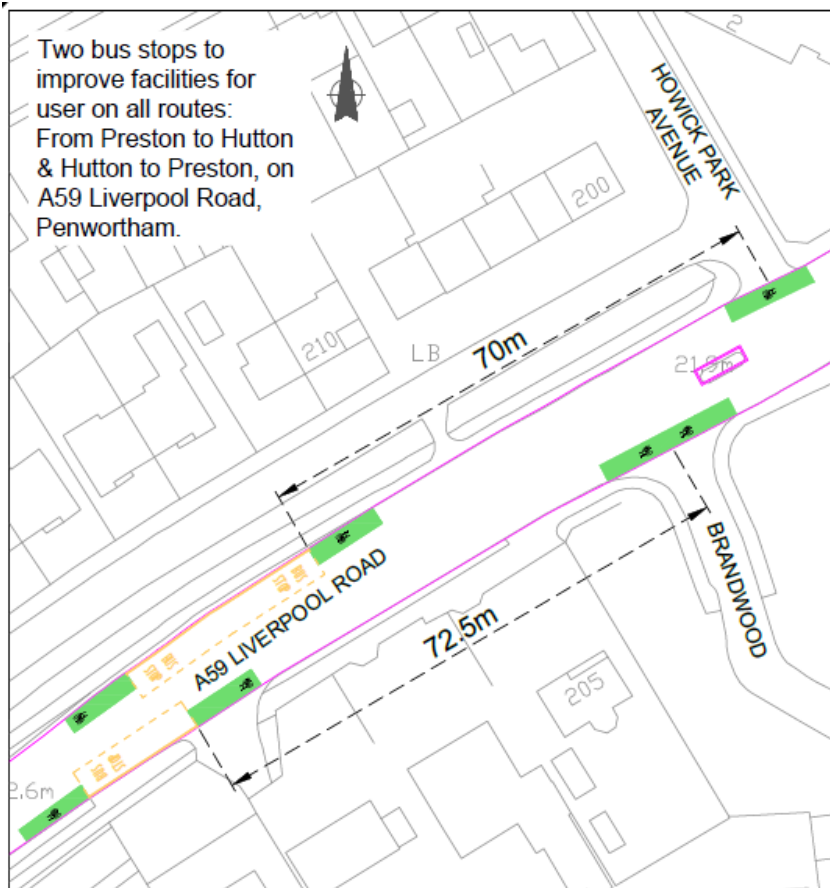
1. A59 Liverpool Road, Penwortham, the north west side, from a point 70 metres south west of its junction with the centreline of Howick Park Avenue, for a distance of 29 metres in a south westerly direction.
2. A59 Liverpool Road, Penwortham, the south east side, from a point 72.5 metres south west of its junction with the centreline of Brandwood, for a distance of 17 metres in a south westerly direction.
3. A59 Liverpool Road, Penwortham, the north west side, from a point 28.5 metres south west of its junction with the centreline of Blashaw Lane, for a distance of 29 metres in a south westerly direction.
4. A59 Liverpool Road, Penwortham, the south east side, from a point 35.5 metres south west of its junction with the centreline of Carleton Drive, for a distance of 29 metres in a south westerly direction.

**Statement of Reasons**

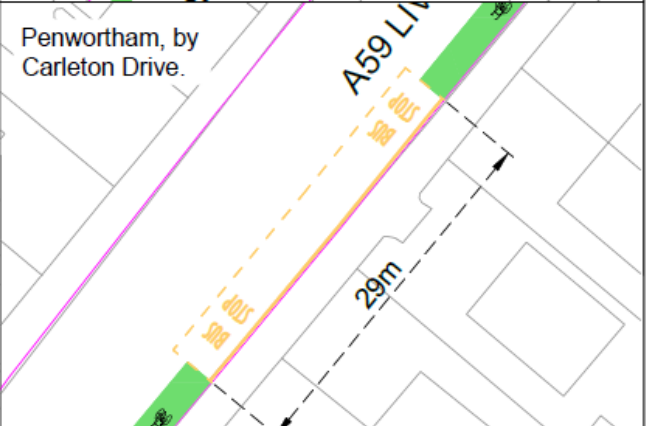
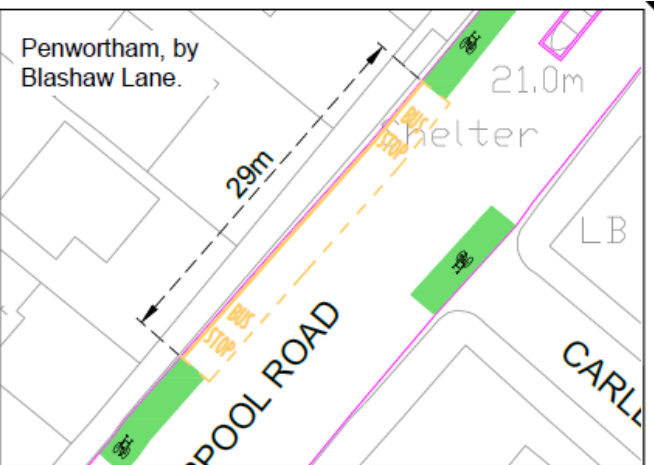
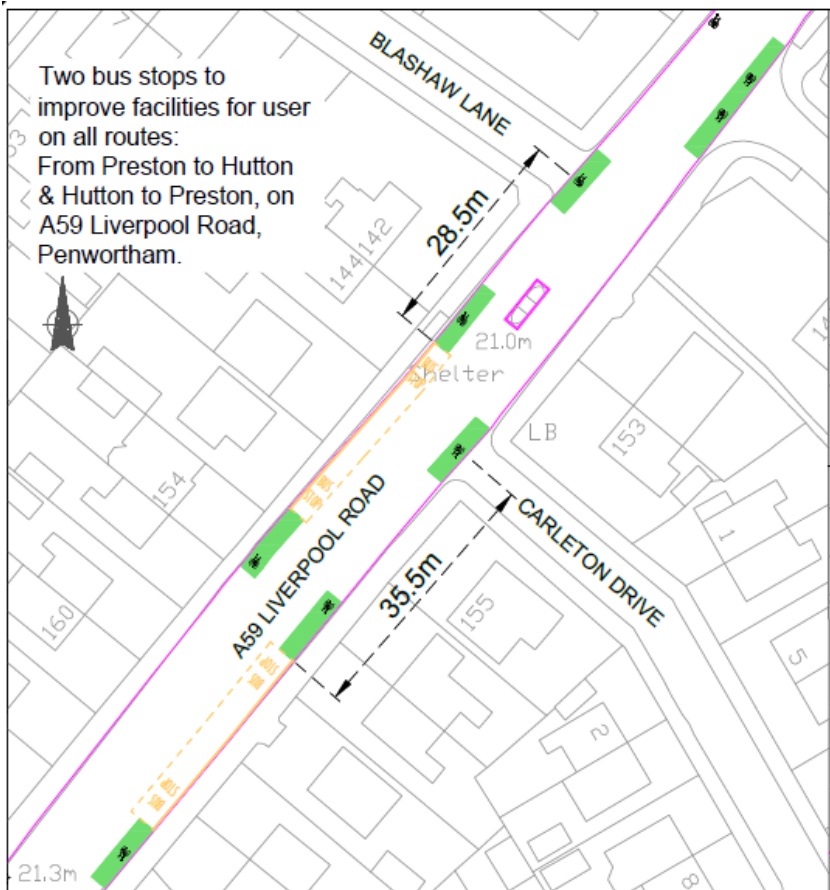
The purpose of this proposal is to introduce four Bus Stop Clearways to improve facilities for users of the 2 and 2A bus route from Preston to Hutton and the 2 and 2A bus route from Hutton to Preston. The markings will also enhance cyclist awareness of potential conflicts with stationary buses.

Any representations or objections (specifying the grounds on which they are made) relating to the proposal must be made in writing and should be sent to Legal and Democratic Services, Lancashire County Council, PO Box 78 County Hall, Preston PR1 8XJ or by e-mail to [tro-consultation@lancashire.gov.uk](mailto:tro-consultation@lancashire.gov.uk) quoting ref: **LSG4/894.10779/AFR** before the 05 February 2020

**Laura Sales, Director of Corporate Services**  
**08 January 2020**



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**Report to the Cabinet**

Meeting to be held on Thursday, 3 December 2020

**Report of the Head of Service - Design and Construction****Part I**

Electoral Division affected:  
Accrington West &  
Oswaldtwistle Central;

**Stanhill Lane, Oswaldtwistle - Bus Stop Clearway**

Contact for further information:

Zamir Ukadia, Tel: (01772) 534478, Assistant Highways Engineer,  
zamir.ukadia@lancashire.gov.uk

**Executive Summary**

The Public Transport team, after requests from local bus users, has identified a need for a new permanent bus stop and bus stop clearway on Stanhill Lane, Oswaldtwistle.

This report summarises the results of the formal advertising of the proposed bus stop clearways to which objections have been received.

**Recommendation**

Cabinet is asked to approve the construction of the permanent bus stop and clearway on Stanhill Lane, Oswaldtwistle.

**Background and Advice**

The Public Transport team, after requests from local bus users and the local county councillor, has identified a need for a new permanent bus stop and bus stop clearway on Stanhill Lane, Oswaldtwistle.

The bus stop is proposed at this location as vulnerable people in the area struggle to walk the distance of approximately 500m along a relatively steep incline to the current bus stops thus contributing to a level of social isolation. The new bus stop is proposed approximately midway between the two existing stops, thus improving accessibility.

If constructed, the bus stop would see the installation of a bus stop pole and plate and the creation of a paved boarding area and raised kerbs to ensure easy access on and off the bus for passengers with impaired mobility.

Bus stop clearway markings will be provided to ensure buses have adequate access to the new bus stop. The bus stop clearway markings would prohibit vehicles except buses from stopping within the area of the marked bus stop. The proposed bus stop location has been chosen in consultation with the bus operator and key stakeholders and takes into account convenience for potential passengers, suitability of footway, highway safety, current guidance and recommendations, and the needs of other road users and residents.

## **Consultations**

A formal advertising process was undertaken in January 2020.

Lancashire Constabulary has been consulted and has raised no objections.

The local bus operator has agreed to serve the bus stop and has no objections to the proposal.

A number of objections have been raised and these are summarised below along with our responses.

## **Objections**

- a. There is a concern that the proposed location will cause a danger as there is the possibility of buses blocking driveways causing access difficulties and it is near a bend with limited view.
- b. The potential loss of on street parking.
- c. There is already sufficient provision of bus stops in the area.
- d. Disturbance due to noise (buses accelerating and decelerating).
- e. Attracting anti-social behaviour and vandalism.
- f. Loss of privacy with buses parking outside and people looking into the property.
- g. Devaluation of property.

## **Responses**

- a. The proposed location has been fully assessed in terms of highway safety and the needs of other road users and residents. A Stage 2 Road Safety was carried out on the bus stop proposal in June 2020 and no significant safety concerns were raised.

In terms of the concerns about buses stopping and blocking the driveway, access to driveways will still be available. The dwell time of a bus at a bus stop is short and not every bus will stop and so there will be a very limited impact.

- b. The county council's standard, in line with national standards, and preferred bus stop box length is 37 metres enabling a bus to pull in parallel to the raised kerb allowing level access. However, where there are competing demands for roadside space, the bus stop box can be reduced to a minimum of 29 metres still maintaining an acceptable approach to the kerb. In this location the bus stop box length will be reduced to 29 metres to keep the loss of roadside parking to a minimum.
- c. The proposed location of the bus stop is midway between the two existing ones which are over 500 metres apart along a relatively steep incline. The county council aims to keep the distance between bus stops to a maximum of 400m.

The reduced distance between stops will improve access for all to the bus services but particularly for the elderly or mobility impaired.

- d. Dwell time by a bus at a bus stop is short and not every bus will stop so noise or visual disturbance, if any, is likely to be minimal and needs to be balanced against the wider public benefits.
- e. There is no direct evidence to support the view that vandalism is likely and experience has shown that perceptions and fears raised about similar proposals elsewhere have rarely materialised.
- f. Noted
- g. The powers under which the proposed works would be provided contain no statutory right to compensation.

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

N/A

### **Human Rights**

The view has been expressed that the installation of a bus stop could interfere with residents' Article 8 Convention Rights, namely right to respect for home private and family life, contrary to the provisions of the Human Rights Act. There could also be a possibility of infringing the rights of quiet enjoyment of property, which could extend to the rights of businesses affected. Whilst these rights under the Act are recognised, they need to be balanced against the general rights and interests of the wider

community, including the users of public transport. Taking into account all relevant factors, these latter rights are considered to prevail.

### **Financial**

The total estimated construction cost is £4,000. This will be funded from the Public and Integrated Transport revenue budget.

### **List of Background Papers**

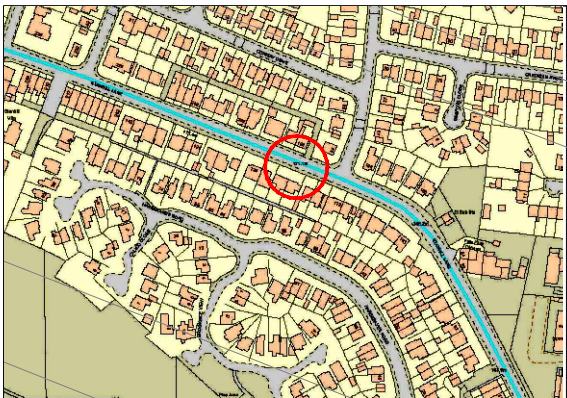
Paper	Date	Contact/Tel
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None

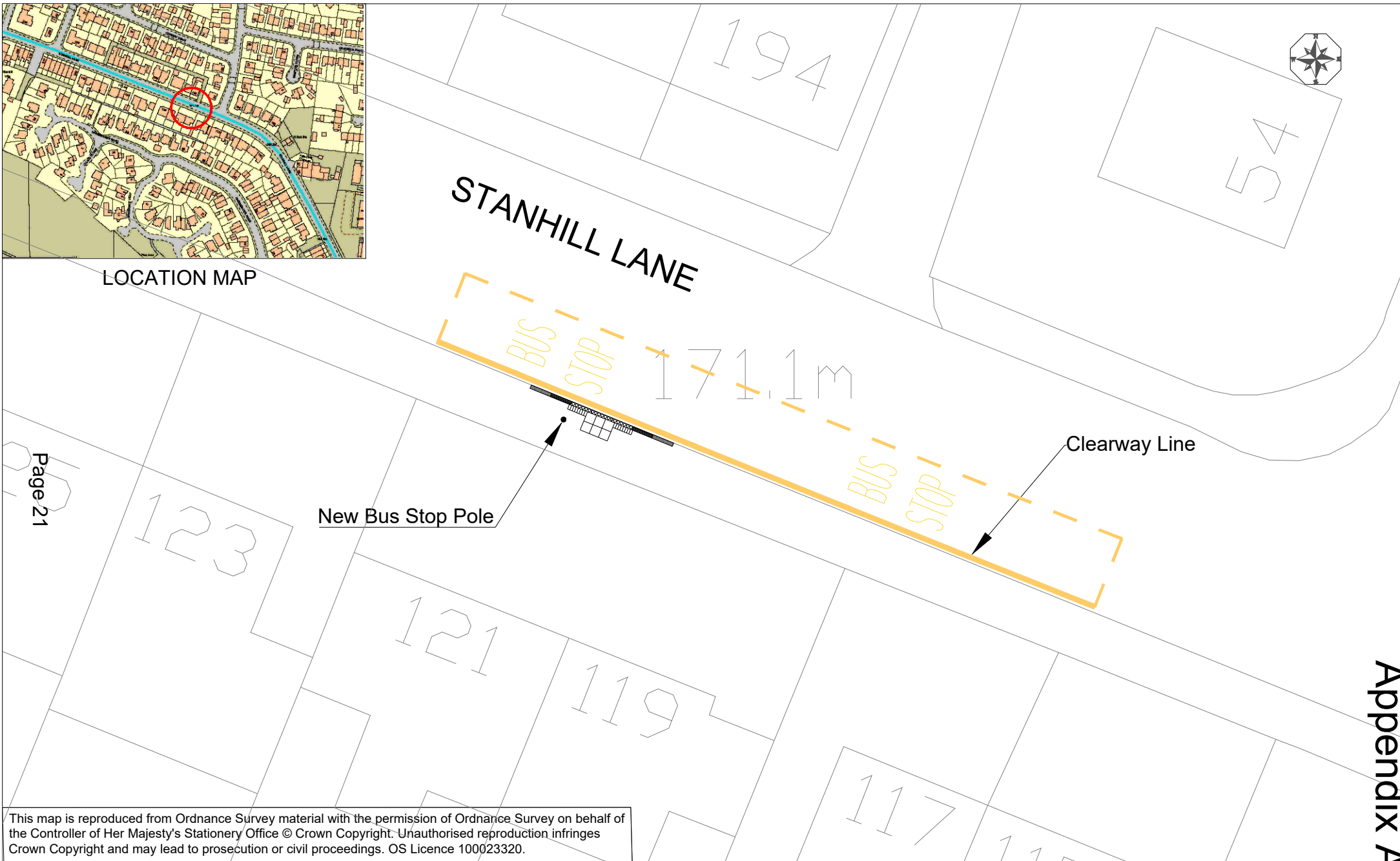
Reason for inclusion in Part II, if appropriate

N/A





LOCATION MAP



Page 21

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Appendix A

	<b>Design and Construction</b>	PROJECT TITLE <b>Stanhill Lane, Oswaldtwistle          Bus Stop Improvement Scheme</b>	DRAWN BY <b>Z UKADIA</b>	CLIENT No. <b>5320</b>	<table border="1"> <tr> <td>NO.</td> <td>Date</td> <td>Amendment Details</td> <td>Drawn by:</td> <td>Checked by:</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>	NO.	Date	Amendment Details	Drawn by:	Checked by:					
	NO.	Date	Amendment Details	Drawn by:		Checked by:									
<p>SCALE BAR (PLOTTED mm)</p>	DRAFT	DRAWING TITLE <b>CONSULTATION PLAN</b>	CHECKED BY <b>K HOLLIDAY</b>	SCHEME NO. <b>5320</b>											
ISSUE PURPOSE	DRAFT	DRAWING TITLE <b>CONSULTATION PLAN</b>	DATE <b>FEB 2020</b>	DRAWING No. <b>5320-SL-102</b>	<b>REVISIONS</b>										
			SCALE @ A4 <b>1:200</b>	SHEET No. <b>1</b>											



**Report to the Cabinet**

Meeting to be held on Thursday, 3 December 2020

**Report of the Head of Service - Planning and Environment****Part I**

Electoral Divisions affected:  
Preston South West; Preston  
West;

**Cottam Parkway - Approval for Use of Powers and Preparation of Various Orders and Schemes including Compulsory Purchase Order**

(Appendix 'A' refers)

Contact for further information:

Joanne Hudson, Tel: 07772 112959, Project Manager,  
joanne.hudson@lancashire.gov.uk

**Executive Summary**

Design work and the progression of the planning application has commenced for the Cottam Parkway railway station and new access road. In order to maintain programme milestones and to ensure the scheme can be delivered, it is essential that the county council has possession of all the necessary land. Negotiations have commenced with landowners however, agreement may not be achievable in time or at all. Consequently, it may be necessary to use Compulsory Purchase powers available to the county council, in particular under the Highways Act 1980 and Town and Country Planning Act 1990, to acquire the land.

Additionally a Side Roads Order under the Highways Act 1980 will also be required to enable alterations to be made to the existing highways and private means of access. Other Schemes and Orders under the Highways Act will also be required to enable the construction of a bridge over the canal navigable waters.

This is deemed to be a Key Decision and the requirements of Standing Order C19 have been complied with.

**Recommendation**

Cabinet is asked to:

- (i) Approve the use of the county council's powers of Compulsory Purchase contained in the Town and Country Planning Act 1990, Highways Act 1980, and all and any other enabling legislation, to acquire all the necessary land and rights for the construction/improvement and future maintenance of a new station and associated highway and access infrastructure at Cottam, referred

to as Cottam Parkway.

- (ii) Authorise both the preparation of Compulsory Purchase and Side Road Orders for the scheme and other appropriate Notices, Orders and Schemes under the relevant statutes and the taking of all other procedural steps in connection with the making of the Orders and Schemes, prior to approval and sealing and making of the formal Orders and Schemes; and approve the acquisition by agreement in advance of Compulsory Purchase powers of all rights, interests, enabling arrangements to facilitate the scheme
- (iii) Approve the acquisition by agreement in advance of Compulsory Purchase powers of all rights, interests, enabling arrangements to facilitate the scheme.
- (iv) Authorise the taking of procedural steps to facilitate the delivery of the scheme utilising Network Rail land and property.

## **Background and Advice**

The Central Lancashire Highways and Transport Masterplan was published in March 2013 and provided the basis for determining future transport investment priorities across Preston, South Ribble and Chorley. A new railway station at Cottam was identified in the masterplan and provided direct access from the Preston Western Distributor which is currently under construction.

A parkway station at Cottam would meet the strategic aims of the Lancashire area relating to growth and increased connectivity, as set out in local planning documents and masterplans. It would also support national policy objectives relating to delivering growth in housing and jobs and improving access to public transport.

The scheme comprises a two-platform station with pedestrian overbridge, ticketing facilities and car park east of the Preston Western Distributor. Highway access is likely to be via Cottam Link Road and the Preston Western Distributor involving a bridge over the Lancaster Canal.

The new station will improve travel connections between the Cottam and North West Preston developments to Preston, Blackpool, Manchester and London, and remove traffic from the Strategic Road Network and in central Preston. It will be facilitated by the recently completed electrification of the Preston – Blackpool North line accompanied with ongoing provision of new or improved rolling stock and additional capacity. The station will maximise the benefits of investment in the rail network and services and contribute to the aims and objectives of Transport for the North and the Northern Franchise.

As a result of the above, the scheme is expected to directly support and unlock the following outputs and benefits:

- Enhance local rail connectivity to west Preston.

- Support delivery of 5,000+ new dwellings in the North West Preston Strategic Housing Location, a local delivery priority, linked to the requirement for additional housing in support of national housing and economic objectives;
- Support long distance and business travel to Manchester and other northern towns and cities to support the Northern Powerhouse by improving access to labour.
- Via the Preston Western Distributor improve access to existing and new employment opportunities at the Enterprise Zone at Warton, a centre of advanced manufacturing and high productivity;
- Reduction of traffic at key congestion pinch-points on the highway network, especially in terms of access to the Strategic Road Network and on radial and arterial routes to/from Preston and other regional economic centres.

### **Cottam Parkway Station and access road location**

Cottam Parkway is a new station proposed as part of the Central Lancashire Transport Masterplan, which represents a fully integrated, multi-modal plan to deliver major housing and employment growth to the north and west of Preston.

Funding was approved in 2020 through the government's Transporting Cities Fund award for Preston with a local funding contribution secured through the Preston, South Ribble and Lancashire City Deal.

The Cottam area, sited to the north west of Preston City centre, will soon benefit from the construction of a major link road in the form of the Preston Western Distributor Road running north-south between the M55 and the A583. Due to be opened in 2023, the road will include a connecting link to Cottam Way, known as Cottam Link Road, providing direct access to/from the Strategic Road Network via a new junction on the M55.

Significant housing growth in and around Cottam, as prescribed in the adopted Preston Local Plan 2012-2026, is well under way with over 6,600 units outlined for delivery within the local plan period (Policy MD1 of the Preston Local Plan allocates 1,300 units in Cottam; Policy MD2 allocates 5,322 units in North West Preston in this plan period).

New connections to the wider highway network and housing developments in the area are anticipated to provide a stimulus for rail demand in Cottam.

The new parkway station is proposed on the existing South Fylde Line (Preston to Blackpool), on the north side of the line with platform north and south of the line, approximately 3.5 miles to the west of Preston and 2 miles to the east of Salwick Station. The eastern end of the site was occupied by Lea Road railway station between 1840 and its closure in 1938.

The planned Cottam Parkway station will serve existing communities on the western side of Preston as well as catering for extensive planned residential developments in the area. Highway connections to/from the M55 and A583 via the Preston Western Distributor will also attract Park & Ride demand at the station. A feasibility and options study undertaken by Network Rail (Governance for Railway Investment Projects stage 2 reporting) identified five initial station siting location options within the study area between Lea Road and the Preston Western Distributor.

Within the GRIP2 report, rail engineering feasibility consideration was given to the relationship between the station location and existing rail infrastructure; principally, track, signalling, and electrification and power.

Lancashire County Council undertook a further assessment of the stations access arrangements. The assessment identified four feeder-road route options and considered the challenges in bridging the canal for vehicular access and forming links for walking and cycling access and bus-rail interchange at the station.

The outcome of the options report favoured the new station location in the parcel of land west of Lea Road and east of Sidgreaves Lane, near to the former site of Lea Road Station. The main access to the station and its associated car park is to be north of the railway line, on the eastbound line side, with a footbridge providing access to the westbound platform south of the line.

Environmental constraints, landscape impacts, accessibility for sustainable travel modes, buildability as well as local access requirements were considerations in determining the preferred route of the access road to the station.

The station and 0.76km station access is shown for illustrative purposes only at Appendix 'A'. A new roundabout is proposed on Cottam Link Road at its junction with Sidgreaves Lane. The road proceeds south on the western side of the Sidgreaves Lane and bridges the canal with a three arched structure. The access road continues south briefly parallel to Sidgreaves Lane before re-joining Sidgreaves Lane along a widened highway alignment. Before joining Cottam Parkway Station car park, the access road traverses the existing highway alignment and heads east bisecting Sidgreaves Lane. At this point a new 'T' junction is proposed. At the new junction, the existing Sidgreaves Lane, which becomes Darkinson Lane south of the railway line, will operate as the minor road. It should be noted that the PWD scheme results in severance of Darkinson Lane with access or walking, cycling and equestrian activity retained therefore vehicle turning movements to/from Darkinson Lane at the junction are expected to be low.

The road continues east parallel to the new station car park and culminates in a turning area for station pick up and drop off. A bus and cycle 'gate' link is proposed to join the turning area to the existing Lea Road, preventing through traffic between Lea Road and Sidgreaves Lane.

The remaining sections of the existing Sidgreaves Lane running parallel to the new road and its bridge over the canal will be retained as a segregated route solely for non-motorised users. This provides enhancements to National Cycle Route 62 through the segregation of cyclists and vehicles and also forms cycling and walking

connections between Cottam Parkway Station, Cottam Link Road, the Lancaster Canal towpath and onward.

### **Support for the scheme in regional and local policy**

The Central Lancashire Core Strategy was adopted in July 2012. Policy 3 of the Core Strategy proposes Cottam Parkway railway station to improve public transport in the area.

The Preston Local Plan 2012-2026 was adopted on 2 July 2015. In section 3 Delivering Infrastructure, Cottam Parkway Railway Station is named as a new transport infrastructure scheme that would serve the Cottam area and act as a Park and Ride station.

The Central Lancashire Transport Masterplan was published in March 2013 and provides the basis for determining future transport investment priorities across Preston, South Ribble and Chorley. Preston Western Distributor and a parkway station are major schemes in this Masterplan.

The Preston City Transport Plan was approved in October 2019 and is intended to create a 20 year vision for movement and connectivity in the city. Within this Transport Plan, a proposed New Station: Cottam Parkway is mentioned in 'Key Proposal 7' and is intended to serve around 6,500 new homes in North West Preston and would link in with the Preston Western Distributor and East West Link Road.

A successful bid to the Transforming Cities fund has secured £22.31m towards the construction of the Cottam Parkway station. A local contribution of £2.13m has been confirmed which includes funding secured through the Preston, South Ribble and Lancashire City Deal in July 2020.

### **Consultations**

The scheme has been the subject of public consultation as part of the preparation of the Central Lancashire Core Strategy and Central Lancashire Highways and Transport Master Plan.

Whilst the county council's Head of Estates has been proactive in approaching land owners regarding the required land and other enabling arrangements, there is no guarantee that they would be prepared to conclude negotiations by agreement. To ensure progression of the scheme, it is therefore recommended that the county council progresses a Compulsory Purchase Order to acquire the land and rights and prepares and progresses the other associated Orders and Schemes.

### **Side Roads Order and other Orders and Schemes**

A Side Roads Order, under the Highways Act 1980, would also be required. It is proposed to progress this and prepare the Order at the same time as the preparation of the Compulsory Purchase Order. A Side Roads Order gives the County Council, as Highways Authority, the power to stop-up, divert, improve or otherwise alter a side road, public right of way or private means of access. Without this power, the county

council could not carry out the necessary alterations to the existing accesses. Scheme(s) made by the county council may be required to make provision for the construction of a bridge over the navigable canal.

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

Should the recommendations in this report be approved, draft Orders and other documents will be drafted in accordance with relevant regulations and procedures and be produced in order to maintain the delivery programme for this scheme.

### **Financial**

The Cottam parkway station and associated access road will be funded from money secured from Transforming Cities Fund with additional local contributions confirmed including a contribution from the Preston, South Ribble and Lancashire City Deal.

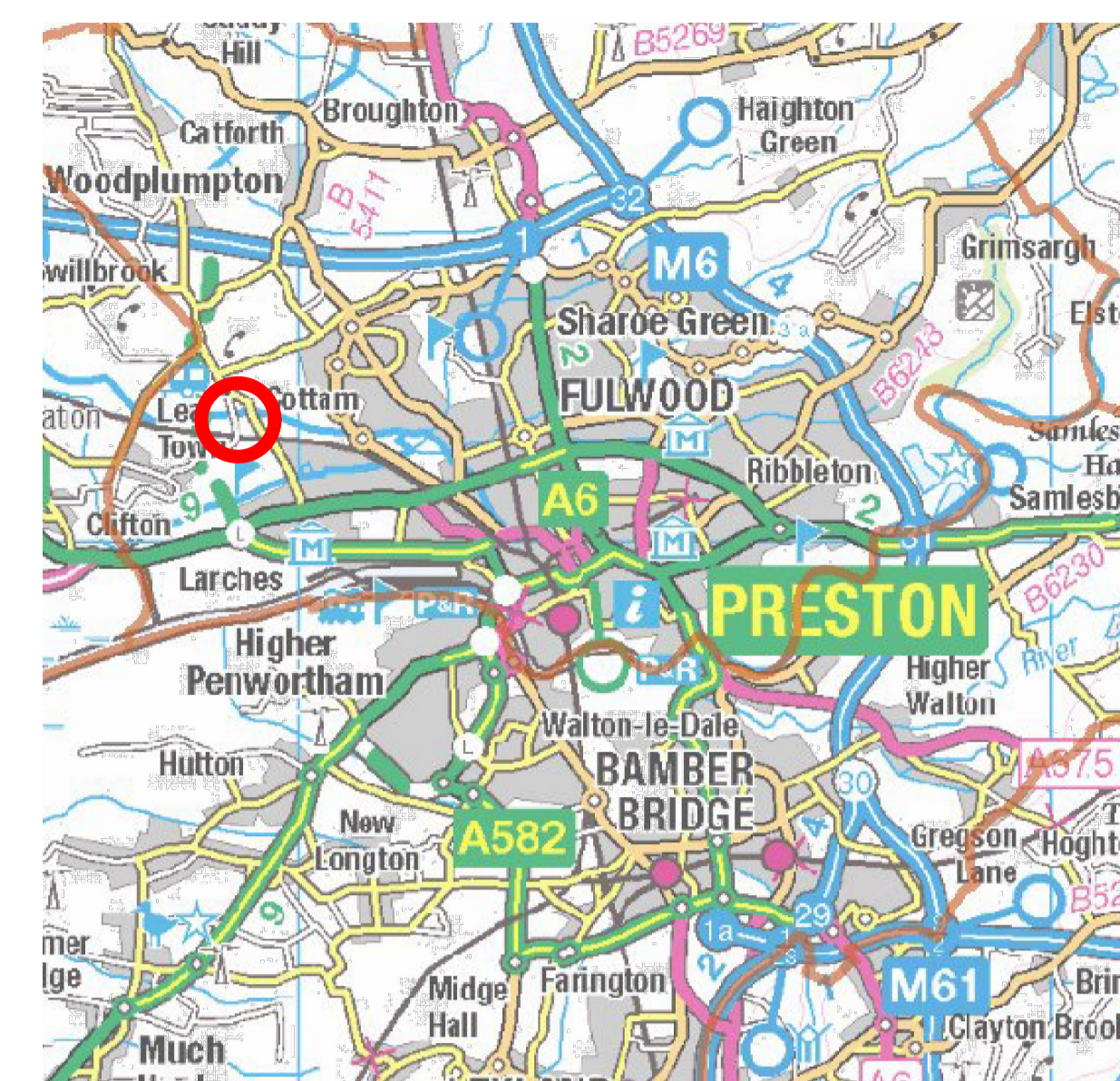
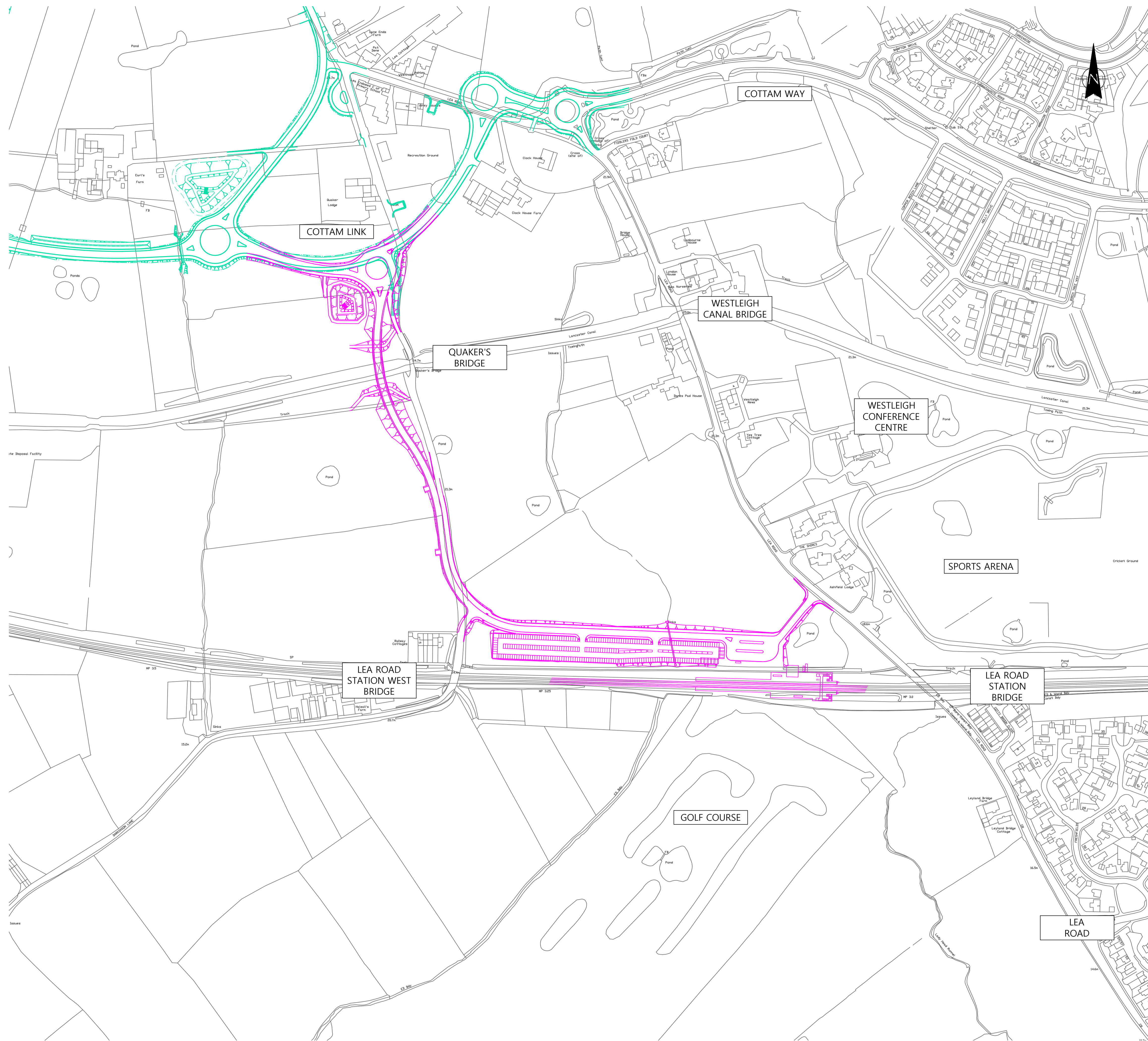
### **Human Rights**

Every person has the right to peaceful enjoyment of his or her possessions under Article 1 of the First Protocol on Human Rights and no one shall be deprived of his possessions except in the public interest. If there is to be an interference with this right, this must be done as provided for by the law and the interference must strike a fair balance between the interests of the community and the protection of the rights of the individual. The scheme has been designed to minimise the interference necessary and, although a balance is required to be achieved, the county council believes that the greater good is in promoting the scheme for the benefit of the people of Preston and the wider public, and that this outweighs the harm caused by the use of compulsory purchase powers to acquire third party land and rights for the scheme.

### **List of Background Papers**

Paper	Date	Contact/Tel
None		
Reason for inclusion in Part II, if appropriate		
N/A		





- COTTAM LINK (UNDER CONSTRUCTION)
- COTTAM PARKWAY STATION AND ACCESS ROAD

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		<b>Planning &amp; Environment</b>	
<b>Infrastructure Delivery Team</b>			
PROJECT TITLE: COTTAM PARKWAY TRAIN STATION AND ACCESS ROAD			
DRAWING TITLE: APPENDIX A GENERAL ARRANGEMENT			
DRAWING No. CLM07-LCC-DR-0100-1013			
SCALE @ A1	1:2000	PROJECT No.	CLM07
DATE:	DRAWN BY:	CHECKED BY:	SHEET No.
NOV 2020	PF	NOS	1 OF 1
			REVISION:
			0





**Report to the Cabinet**

Meeting to be held on Thursday, 3 December 2020

**Report of the Head of Service - Design and Construction****Part I**Electoral Division affected:  
West Lancashire East;**Ormskirk Highway Improvements, St Helens Road, Ruff Lane**

(Appendices 'A' - 'D' refers)

Contact for further information:

Kieran Holliday, Tel (01772) 534389, Design and Construction

kieran.holliday@lancashire.gov.uk

**Executive Summary**

Proposals have been developed to improve journeys for non-motorised road users between Ormskirk town centre and the nearby Edge Hill University. This includes an improved signal controlled junction of St Helens Road with Ruff Lane, designed to provide a safer and more convenient junction for cyclists and pedestrians.

This report summarises the results of the public consultation and formal advertising of the junction improvement proposals.

**Recommendation**

Cabinet is asked to approve the proposals to improve the traffic signal controlled junction of St Helens Road with Ruff Lane, Ormskirk, as detailed in Appendices 'A' and 'B' and to make the Traffic Regulations Orders set out at Appendices 'C' and 'D'.

**Background and Advice**

The proposed scheme at St Helens Road/Ruff Lane junction, as shown on Appendix 'A' is the first phase of an overall project for this area of Ormskirk. The wider project is commonly referred to as Ormskirk Eastern Gateway and is made up of multiple schemes that aim to make it easier to walk or cycle between Ormskirk town centre, bus and railway stations and the Edge Hill University campus.

The existing layout of St Helens Road/Ruff Lane junction hinders access for cyclists and therefore acts as a barrier to encouraging cycle journeys from the Ruff Lane entrance of Edge Hill University towards the town centre.

Improvements to the existing layout will include a dedicated right-turn for cyclists leaving Ruff Lane onto St Helens Road, a manoeuvre that is not currently permitted. In addition a cycle lane will be provided for eastbound cyclists on Ruff Lane, however access from St Helens Road will no longer be permitted for eastbound motor vehicles. These measures will help to improve cycle access through the junction and encourage more people to cycle and walk between the town centre, bus and rail station and the university campus.

## **Consultations**

A formal public consultation was carried out between 6 October and 4 November 2020, which included an advertisement in the local newspaper and posting of notices on site. The traffic regulation orders advertised as part of the junction improvement are shown on Appendix 'B'.

## **Reponses**

The proposals received one supporting response and 8 responses from objectors.

Support for the proposals was offered by a cyclist who regularly commutes to Edge Hill University and uses the junction concerned.

The issues raised by the objectors, some of which reside along Ruff Lane or use the route, are summarised as follows;

1. The proposals are not extensive enough, and only address 25% of the route to the university from the bus station (raised by 4 objectors).

As described above, the proposals at St Helens Road/Ruff Lane junction are the first phase of a multi-phase project. Taken in isolation, the proposals are beneficial to cyclists and pedestrians. The benefits will increase further once other associated measures that form part of the Ormskirk Eastern Gateway are implemented.

2. The current road layout of Ruff Lane and vehicle speeds are not conducive to cycling (raised by 6 objectors).

The proposals detailed in this report are focused on improvements at the St Helens Road/Ruff Lane junction. An initial assessment of the remainder of Ruff Lane, towards the university entrance, has been carried out to determine what measures may be necessary to provide a safer and more enjoyable environment for cycling. Should a suitable package of measures be determined, and funding be available for implementation, further consultation with stakeholders will follow.

3. The proposals are a waste of money as few cyclists use Ruff Lane (raised by 3 objectors).

The scheme is designed to encourage more cyclists to access the university via Ruff Lane. The St Helens Road/Ruff Lane junction currently acts as a barrier to cyclists who are not confident in using the junction in its current layout. The improved

signalised junction, with separate independent bicycle phases, and dedicated cycle lanes, is designed to encourage more cyclists to use this route.

4. Preventing south-east bound access from St Helens Road into Ruff Lane for motor vehicles will lead to more drivers having to use the St Helens Road junction with Knowsley Road. This may cause more congestion, collisions and inconvenience to pedestrians at this junction which is already difficult to use. The existing Electric Vehicle charging points located on Ruff Lane will require either a hazardous turning or reversing manoeuvre once the vehicle has been charged (raised by 1 objector).

There will be minor inconvenience to drivers who previously accessed the north-western end of Ruff Lane but whom would be prevented from doing so by the proposals detailed in this report. The alternative route via St Helens Road and Knowsley Road is not considered to be hazardous. Closing the end of Ruff Lane to motor vehicles allows for provision of a dedicated cycle lane through the St Helens Road/Ruff Lane junction, thereby helping to encourage non-motorised journeys and hence reduce congestion. There will be no need for turning or reversing on Ruff Lane following use of the existing Electric Vehicle charging points.

5. The neighbouring towns of Skelmersdale and Burscough have received a considerable amount of traffic calming measures, cameras and the like and yet Ormskirk has been neglected in comparison (raised by 1 objector).

As described above, additional measures to improve the environment for cyclists along the length of Ruff Lane towards the University entrance are under separate consideration. Traffic calming features are one of a series of traffic management measures that will be considered.

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

Without implementation of the proposals detailed, using the St Helens Road/Ruff Lane junction will remain potentially hazardous to cyclists and will continue to act as a barrier to sustainable transport journeys between Ormskirk town centre and Edge Hill University.

### **Financial**

The estimated cost of the proposals detailed in this report is £254,000. This will be funded via a £150,000 contribution from the county council's Integrated Transport Block and £104,000 of S106 funding associated with a development at Edge Hill University. Should the S106 funding not be received, this will need to be a first call on future Integrated Transport Block grants received. It is not proposed to increase borrowing for these proposals.

## Legal

If approved the county council would make the Traffic Regulation Orders as set out in Appendices 'C' and 'D' pursuant to the Road Traffic Regulation Act 1984.

## List of Background Papers

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

NA



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No.	DATE	AMENDMENT DETAILS	CHECKED BY	DRAWN BY
REVISIONS				

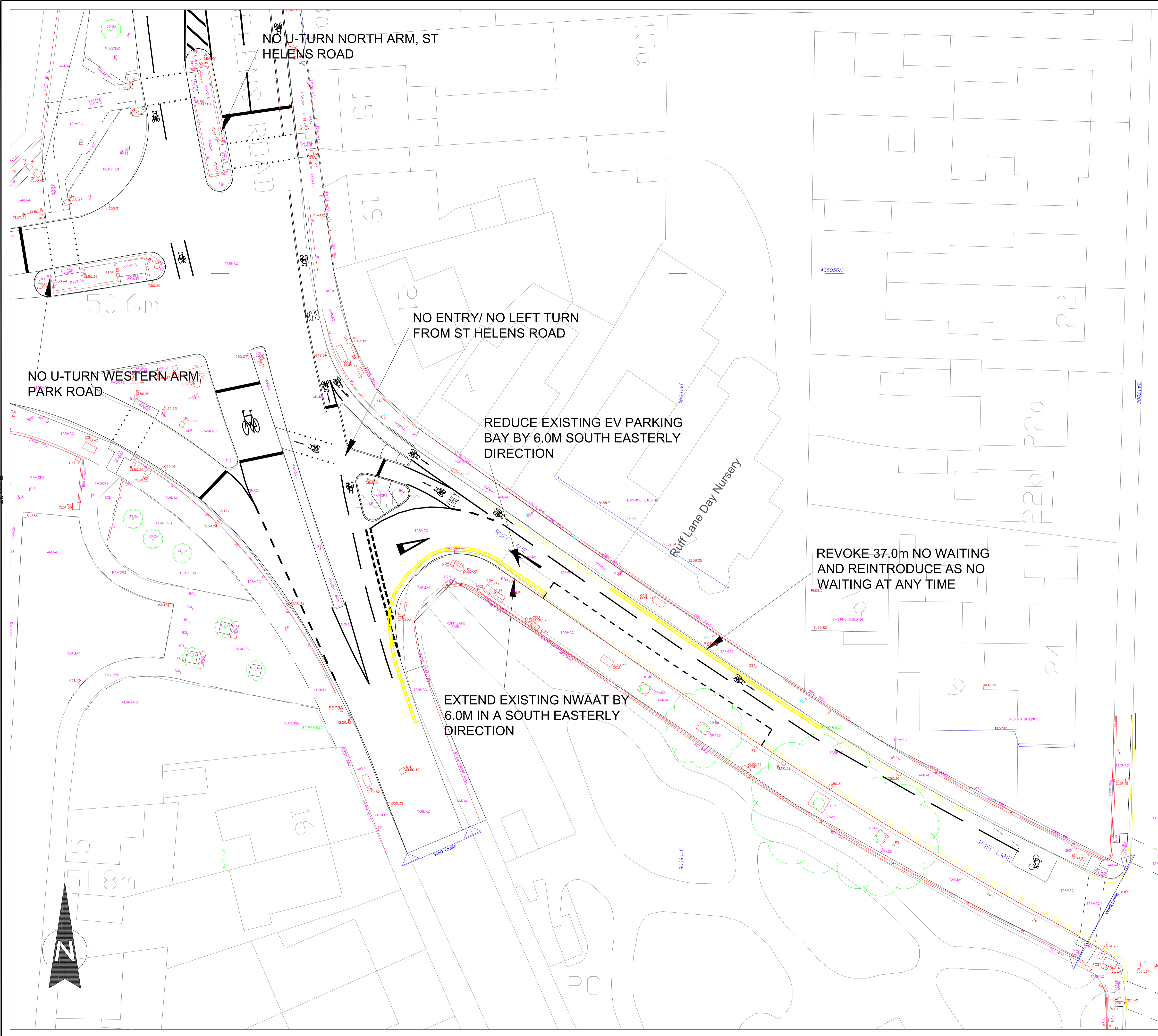
**Lancashire County Council** Design and Construction

0 5 10 20 30 40 50 60 70 80 90 100  
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PROJECT TITLE		ORMSKIRK EASTERN GATEWAY ST HELENS ROAD	
DRAWING TITLE		CYCLE IMPROVEMENTS & LINK TO UNIVERSITY OVERALL LAYOUT	
DRAWN BY	K.Holliday	DATE	AUG 2020
CHECKED BY	D.Davies	DRAWING No.	1662-SHR-100-001
PROJECT No.	1662	SHEET No.	1 of 1. REVISION 0
SCALE @ A1	SCALE 1:200	ISSUE PURPOSE	DRAFT







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No.	DATE	AMENDMENT DETAILS	CHECKED BY	DRAWN BY
REVISIONS				

**Lancashire County Council** Design and Construction



PROJECT TITLE		ORMSKIRK EASTERN GATEWAY ST HELENS ROAD	
DRAWING TITLE		CYCLE IMPROVEMENTS & LINK TO UNIVERSITY TRO ARRANGEMENT	
DRAWN BY	K.Holliday	DATE	AUG 2020
CHECKED BY	D.Davies	DRAWING No.	1662-SHR-TRO-001
PROJECT No.	1662	SHEET No.	1 of 1.
SCALE @ A1	SCALE 1:200	REVISION	0
		ISSUE PURPOSE DRAFT CONSULTATION	

Appendix B



**ROAD TRAFFIC REGULATION ACT 1984**  
**LANCASHIRE COUNTY COUNCIL**  
**(RUFF LANE, ORMSKIRK, WEST LANCASHIRE BOROUGH) (REVOCATION,  
PROHIBITION OF WAITING AND ELECTRIC VEHICLE CHARGING PLACE) ORDER  
202\***

The County Council of Lancashire ("the Council") in exercise of its powers under Sections 1, 2, 4, 45 and 46 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984, as amended ("the Act") and of all other enabling powers, after consultation with the Chief Officer of Police hereby make the following Order: -

## **1. Definitions and Interpretations**

For all the purposes of this Order the terms described in this Article shall have the meanings specified:

- a) "**Centreline**" means the centre line of a highway as shown on Ordnance Survey graphical information systems at the time that the Order was prepared;
- b) "**Civil Enforcement Officer**" means a person authorised by or on behalf of Lancashire County Council in accordance with Section 76 of the Traffic Management Act 2004;
- c) "**Disabled Person's Vehicle**" means a Vehicle displaying a Disabled Person's Badge in the circumstances prescribed in Regulations 13, 14, 15 or 16 of The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;
- d) "**Disabled Person's Badge**" means a badge which was -
  - i) issued, or has effect as if issued, to a disabled person or an institution under The Disabled Persons (Badges for Motor Vehicles) (England) Regulations or under regulations having effect in Scotland or Wales under Section 21 of the Chronically Sick and Disabled Persons Act 1970; and
  - ii) has not ceased to be in force.
- e) "**Electric Vehicle**" means any Vehicle which uses one or more electric motors for propulsion;
- f) "**Parking Disc**" means a device which -
  - i) is 125 millimetres square and coloured blue, if issued on or after 1<sup>st</sup> April, 2000 or orange if issued before that date;
  - ii) has been issued by a local authority and has not ceased to be valid; and
  - iii) is capable of showing the quarter hour period during which a period of waiting has begun.
- g) "**Parking Place**" means any length of road subject to restriction in accordance with Article 4;
- h) "**Penalty Charge Notice**" means a notice served by a Civil Enforcement Officer pursuant to the provisions of section 78 of the 2004 Act and supporting regulations.
- i) a Vehicle displays a Disabled Person's Badge or Parking Disc in the "**Relevant Position**" if –

- i) the badge/disc is exhibited on the dashboard or fascia of the Vehicle; or
  - ii) where the Vehicle is not fitted with a dashboard or fascia the badge/disc is exhibited in a conspicuous position on the Vehicle, so that the front of the badge/disc is clearly legible from the outside of the Vehicle.
- j) **"The Council's Duly Authorised Officer"** means a person appointed by the council or its local agent, or authority, to administer the powers conferred on the said Council by the 1984 Act, with respect to this and other Traffic Regulations;
- k) **"Vehicle"** means a motor vehicle, a passenger vehicle, a dual-purpose vehicle, a goods vehicle, a motorcycle or an invalid carriage or any other vehicle of any description whether drawn or propelled along a road by animal or mechanical power.

## **2. Revocations**

- a) Those parts of the "Lancashire County Council (West Lancs Area) (On Street Parking Places, Prohibition And Restriction Of Waiting) Consolidation Order 2009", as set out in Schedule 1A to this Order, are hereby revoked.
- b) Those parts of the "Lancashire County Council (Various Locations, Burnley, Chorley, Hyndburn, Lancaster, Pendle, Preston, Ribble Valley, South Ribble, West Lancashire And Wyre) (Revocation, Amendment To Permit Parking Provisions, Various Parking Restrictions And Electric Charging Point Parking Places (No1)) Order 2020", as set out in Schedule 1B to this Order, are hereby revoked.

## **3. Prohibition of Waiting**

Save as is hereinafter provided, no person shall, except upon the direction or with the permission of a police constable in uniform, or a Civil Enforcement Officer, cause or permit any Vehicle to wait at any time, on any day, in the lengths of road set out in the Schedule 2 to this Order.

## **4. Electric Vehicle Charging Place 3 Hours No Return Within 2 Hours**

Save as is hereinafter provided, no person shall, except upon direction or with the permission of a Police Constable in uniform or a Civil Enforcement Officer cause or permit any Vehicle, other than an Electric Vehicle plugged in and being recharged via a Charging Unit, to wait for a period exceeding three hours, with no return within two hours, on any day, at any time, in the Parking Place referred to in Schedule 3.

## **5. General Exemptions**

Nothing in Articles 3 and 4 of this Order shall render it unlawful to cause or permit any Vehicle to wait in the lengths of road referred to therein for so long as may be necessary to enable :-

- a) a person to board or alight from the Vehicle;
- b) if it cannot conveniently be used for such purpose in any other road to be used in connection with any of the following:-
  - i) building, industrial or demolition operations;
  - ii) the removal of any obstruction to traffic;
  - iii) the maintenance, improvement or reconstruction of the said lengths of road;
  - iv) the laying, erection, alteration or repair in, or in land adjacent to the said lengths of road of any sewer or of any main, pipe or apparatus or the exercise of any other statutory power or duty for the maintenance and supply of gas, water or electricity or of any telecommunications system as defined in Section 4 of the Telecommunications Act 1984.
- c) the Vehicle to be used for the purposes of a local authority in pursuance of statutory powers or duties if it cannot conveniently be used for such purpose in any other road;
- d) the Vehicle to be used for fire brigade, ambulance or police purposes in pursuance of statutory powers or duties.

## **6. Exemptions to Article 3**

Nothing in Article 3 of this Order shall render it unlawful to cause or permit any Vehicle to wait in the lengths of road referred to therein for so long as may be necessary to enable:-

- a) goods to be loaded onto or unloaded from the Vehicle;
- b) a Royal Mail liveried Vehicle engaged in the collection and/or delivery of letters in accordance with the statutory provisions as defined in the Postal Services Act 2000;
- c) the Vehicle to wait at or near to any premises situated on or adjacent to the said length of road for so long as such waiting by the Vehicle is reasonably necessary in connection with any wedding or funeral.

## **7. Exemption for Disabled Person's Vehicle**

- a) Nothing in Article 3 of this Order shall render it unlawful to cause or permit any Vehicle to wait in the lengths of road referred to therein for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same Vehicle in the same length of road on the same day) if the Vehicle is a Disabled Person's Vehicle which displays in the Relevant Position both a Disabled Person's Badge and a Parking Disc marked to show the quarter hour period during which the period of waiting began.



**8. Additional Exemptions**

Nothing in Article 3 and 4 of this Order shall render it unlawful to cause or permit any Vehicle to wait, in the lengths of road referred to therein when the person in control of the Vehicle:

- a) is required by law to stop;
- b) is obliged to stop in order to avoid an accident; or
- c) is prevented from proceeding along the road due to circumstances beyond his/her control.

**9. Manner of standing in a Parking Place**

- a) The driver of a motor Vehicle using a Parking Place shall stop the engine as soon as the Vehicle is in a position in the Parking Place and shall not start the engine except when about to change the position of the Vehicle in or, or depart from, the Parking Place.
- b) Every Vehicle left in a Parking Place in accordance with the foregoing provisions of this Order shall be left so that every part of the Vehicle is within the limits of the Parking Place.
- c) A driver of a Vehicle shall not use a Parking Place so as unreasonably to prevent access to any premises adjoining a road or the use of a road by other persons or so as to be a nuisance.

**10. Alteration of position of a Vehicle in a Parking Place**

Where any Vehicle is left standing in a Parking Place in contravention of the provisions of Article 9 of this Order, a police constable in uniform or a Civil Enforcement Officer may alter or cause to be altered the position of the Vehicle in order that its position shall comply with those provisions.

**11. Removal of a Vehicle from a Parking Place**

Where a police constable in uniform or a Civil Enforcement Officer is of the opinion that any of the provisions contained in Article 9 of this Order have been contravened or not complied with in respect of a Vehicle left in a Parking Place, he/she may remove or cause to be removed the Vehicle from the said Parking Place, and where it is so removed, shall provide for the safe custody of the said Vehicle.

**12. Movement of a Vehicle in a Parking Place in an Emergency**

- a) A police constable in uniform or a Civil Enforcement Officer may in case of emergency move or cause to be moved any Vehicle left in a Parking Place to any place he thinks fit and shall provide for the safe custody of the Vehicle.
- b) A person causing or permitting a Vehicle to wait in a Parking Place by virtue of the provisions of this Order shall take all such steps as are necessary to ensure that in the case of a Parking Place it shall stand in accordance with Article 9 so that every part of the Vehicle is within the limits of the Parking Place.

### **13. Power to suspend use of Parking Places**

- a) The Council's Duly Authorised Officer may suspend the use of a Parking Place or any part thereof whenever he/she considers such suspensions reasonably necessary and make such charge for the administration of this service, as may from time to time be determined by the Council.
- b) A police constable in uniform may suspend for not longer than 7 days the use of a Parking Place or any part thereof whenever he/she considers such suspension reasonably necessary for the purpose of mitigating congestion or obstruction of traffic or a danger to or from traffic in consequence of extraordinary circumstances.
- c) Any persons suspending the use of a Parking Place or any part thereof in accordance with the provisions of paragraph a) or b) of this Article shall thereupon place or cause to be placed in or adjacent to any part of that Parking Place the use of which is suspended, an authorised Traffic Sign or cone indicating that waiting by Vehicles is prohibited.
- d) No person shall cause or permit a Vehicle to be left in any part of a Parking Place during such period when an authorised Traffic Sign or cone is placed in or adjacent to that part of the Parking Place pursuant to paragraph c) of this Article provided that this paragraph shall not apply to a Vehicle:
  - i) being used by the respective Fire or Police Authority or Ambulance Health Trust to deal with an emergency; or
  - ii) being used for any purpose specified in Article 8; or
  - iii) left in such Parking Place with the permission of the person suspending the use of the Parking Place.

### **14. Restriction of use of a Vehicle in a Parking Place**

While any Vehicle is in the lengths of road set out in the schedule to this Order no person shall use the said Vehicle in connection with the sale of any article to any person in or near the Parking Place or in connection with the selling of or offering for sale of his/her skills or services.

### **15. Miscellaneous**

The Restriction imposed by this Order shall be in addition to and not in derogation of any restrictions or requirements imposed by any regulations made, or having effect as if made, under the Act or by or under any other enactment.

### **16. Effect of Contravention**

Failure by a person to comply with any prohibition or restriction contained within this order or any subsequent orders shall constitute a contravention of the same and shall result in the issue by the Council and/or its agents of a Penalty Charge Notice which shall be payable by such persons in accordance with the legislation.

## **17. Commencement of Order**

This Order shall come into force on the XX day of XX 202X and may be cited as the “Lancashire County Council (Ruff Lane, Ormskirk, West Lancashire Borough) (Revocation, Prohibition Of Waiting And Electric Vehicle Charging Place) Order 202\*”.

Dated this XX day of XXX 202X.

THE COMMON SEAL of the Lancashire County Council was hereunto affixed pursuant to the Scheme of Delegation to Chief Officers **OR** following a decision made on \*\*/\*\*/\*\*\*\* by The Cabinet

Authorised Signatory

### **Schedule 1A – Revocation**

- a) Items (155)a) and (155)b) of Schedule 10.01.
- b) Item (16) of Schedule 11.075.

### **Schedule 1B - Revocation**

- a) Item p) of Schedule 2.
- b) Item m) of Schedule 16.

### **Schedule 2 – Prohibition of Waiting**

- a) Ruff Lane, Ormskirk, the north side, from its junction with St Helens Road to its junction with Knowsley Road.
- b) Ruff Lane, Ormskirk, the south side, from a point 80.5 metres north-west of its junction with the Centreline of Knowsley Road in a north-westerly, then westerly direction, to its junction with St Helens Road.
- c) Ruff Lane, Ormskirk, the south side, from its junction with the Centreline of Knowsley Road for a distance of 49.5 metres in a north-westerly direction.

### **Schedule 3 – Electric Vehicle Charging Place 3 Hours No Return Within 2 Hours**

Ruff Lane, Ormskirk, the south side, from a point 49.5 metres north-west of its junction with the Centreline of Knowsley Road for a distance of 31 metres in a north-westerly direction.



# Appendix D

**ROAD TRAFFIC REGULATION ACT 1984**  
**LANCASHIRE COUNTY COUNCIL**  
**(PARK ROAD, RUFF LANE AND ST HELENS ROAD, ORMSKIRK, WEST LANCASHIRE**  
**BOROUGH) (REVOCATION, PROHIBITION OF LEFT TURN EXCEPT PEDAL CYCLES,**  
**PROHIBITION OF RIGHT TURN, PROHIBITION OF U TURN AND PROHIBITION OF ENTRY)**  
**ORDER 202\***

The County Council of Lancashire ("the Council") in exercise of its powers under Sections 1, 2 and 4 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984, as amended ("the Act") and of all other enabling powers, after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act, hereby make the following Order: -

## **1. Definitions and Interpretation**

For all the purposes of this Order the terms described in this Article shall have the meanings specified:

- a) "**Pedal Cycle**" means a unicycle, bicycle, tricycle, or cycle having four or more wheels, not being in any case mechanically propelled unless it is an electrically assisted pedal cycle of such class as is to be treated as not being a motor vehicle for the purposes of the 1984 Act;
- b) "**Vehicle**" means a motor vehicle, a passenger vehicle, a dual-purpose vehicle, a goods vehicle, a motorcycle or an invalid carriage or any other vehicle of any description whether drawn or propelled along a road by animal or mechanical power.

## **2. Revocations**

Those parts of the "The Lancashire County Council (St Helens Road Link/Park Road Improvement Scheme, West Lancashire District) (Prohibition and Restriction of Waiting, Prohibition of Driving, No Right Turn and Revocation) Order 1992", as set out in Schedule 1 to this Order, are hereby revoked.

## **3. Prohibition of Left Turn Except Pedal Cycles**

Save as is hereinafter provided, no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any Vehicle, except a Pedal Cycle, to turn left at the Junction set out in Schedule 2 to this Order.

## **4. Prohibition of Right Turn**

Save as is hereinafter provided, no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any Vehicle, to turn right at the Junctions set out in Schedule 3 to this Order.

## **5. Prohibition of U-Turn**

Save as is hereinafter provided, no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any Vehicle to make a U -Turn manoeuvre in the lengths of road as set out in Schedule 4 to this Order.

## **6. Prohibition of Entry**

Save as is hereinafter provided, no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any Vehicle to proceed in the length of road referred to in Schedule 5 of this Order.

## **7. Exemptions**

Nothing in Articles 3, 4, 5 and 6 of this Order shall render it unlawful to cause or permit any Vehicle to travel along any part of the lengths of road referred to therein for so long as may be necessary to enable:

- a) the Vehicle to be used for fire brigade, ambulance or police purposes in pursuance of statutory powers or duties;
- b) the Vehicle to be used for the purposes of a local authority in pursuance of statutory powers or duties if it cannot conveniently be used for such purpose in any other road;
- c) the Vehicle, if it cannot conveniently be used for such purpose in any other road to be used in connection the removal of any obstruction to traffic.

## **8. Miscellaneous**

The prohibitions imposed by this Order shall be in addition to and not in derogation of any restrictions or requirements imposed by any regulations made, or having effect as if made, under the Act or by or under any other enactment.

## **9. Commencement of Order**

This Order shall come into force on the \*\*\*\*\* 202\* and may be cited as the "Lancashire County Council (Park Road, Ruff Lane And St Helens Road, Ormskirk, West Lancashire Borough) (Revocation, Prohibition Of Left Turn Except Pedal Cycles, Prohibition Of Right Turn, Prohibition Of U Turn And Prohibition Of Entry) Order 202\*"

Dated this \*\* day of \*\*\*\*\* 202\*.

THE COMMON SEAL of the Lancashire County Council was hereunto affixed pursuant to the Scheme of Delegation to Chief Officers **OR** following a decision made on the \*\* day of \*\* 202\* by The Cabinet

Authorised Signatory

### **Schedule 1 – Revocations**

Items 1 and 3 of Schedule 5.

### **Schedule 2 - Prohibition of left Turn Except Pedal Cycles**

St Helens Road, Ormskirk, southbound Vehicles on St Helens Road to be prohibited from turning left onto Ruff Lane.

### **Schedule 3 - Prohibition of Right Turn**

- a) St Helens Road, Ormskirk, northbound Vehicles on St Helens Road to be prohibited from turning right onto Ruff Lane.
- b) Ruff Lane, Ormskirk, Vehicles on Ruff Lane to be prohibited from turning right onto St Helens Road.

### **Schedule 4 - Prohibition of U-Turn**

- a) St Helens Road, Ormskirk, from its southern carriageway at the junction with Park Road/Ruff Lane turning into its northern carriageway.
- b) St Helens Road, Ormskirk, from its northern carriageway at the junction of park road turning into its southern carriageway.
- c) Park Road, Ormskirk, from its western carriageway at the junction with St Helens Road turning into its eastern carriageway.
- d) St Helens Road, Ormskirk, from its northern carriageway at its junction with Park Road into its southern carriageway.
- e) St Helens Road, Ormskirk, from its southern carriageway at the junction with Ruff Lane turning into its northern carriageway.
- f) Park Road, Ormskirk, from its eastern carriageway at the junction with St Helens Road turning into its western carriageway.

### **Schedule 5 - Prohibition of Entry**

Ruff Lane, Ormskirk, Entry onto Ruff Lane to be prohibited at its junction with St Helens Road.



**Report to the Cabinet**

Meeting to be held on Thursday, 3 December 2020

**Report of the Head of Service - Asset Management****Part I**

Electoral Division affected:  
(All Divisions);

**Transport Asset Management Plan - Phase 2 2020/21 - 2024/25**

(Appendices 'A' and 'B' refer)

Contact for further information:

Paul Binks, Tel: (01772) 532210, Highways Asset Manager

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**Executive Summary**

Phase 2 of the Transport Asset Management Plan started in April 2020 and runs until March 2025. Using the condition of the assets at the end of Phase 1, along with results of Lifecycle Modelling, the original Transport Asset Management Plan assumptions have been reviewed and have been used to produce revised standards and funding proposals for the period 2020/21 to 2024/25. This report sets out the revised standards and recommended approach for the apportionment of future highway funding.

This is deemed to be a Key Decision and the provisions of Standing Order C19 have been complied with.

**Recommendation**

Cabinet is asked to:

- (i) Approve the approach to funding of Phase 2 of the Transport Asset Management Plan, as laid out in this report and in Appendix 'A'.
- (ii) Approve the revised standards for Phase 2 of the Transport Asset Management Plan, as laid out in this report and in Appendix 'B'.
- (iii) Authorise the Director of Strategy & Performance to approve and publish the Transport Asset Management Plan - Phase 2 2020/21 - 2024/25 in consultation with the Deputy Leader and Cabinet Member for Highways and Transport.

## **Background and Advice**

Phase 2 of the Transport Asset Management Plan started in April 2020 and runs until March 2025. The purpose of the document was to move away from the 'worst first' approach and embed an asset management lead approach to maintaining assets to utilise funds in the most cost effective way. Using the condition of the assets at the end of Phase 1, along with results of Lifecycle Modelling, the original plan assumptions have been reviewed and have been used to produce revised standards and funding proposals for the period 2020/21 to 2024/25.

The Transport Asset Management Plan End of Phase 1 Review report, presented to Cabinet in November 2020, showed that the preventative maintenance approach has delivered an improvement in the condition of the A, B, C road network, whilst the condition of the other asset groups has remained approximately static.

It is suggested that the county council will continue with the risk based approach to managing highway assets based on the principles set out in the 'Well Managed Highways Infrastructure: Code of Practice' produced by the UK Roads Liaison Group, which all Highway Authorities have had to adhere to since October 2018 but with the revisions outlined below.

### Transport Asset Management Plan Phase 2 approach:

In line with the original Transport Asset Management Plan it is proposed that the focus of Phase 2 of the plan be to improve the condition of the urban unclassified (residential) and rural unclassified roads through increased investment, whilst maintaining the current condition of the A, B, C road network. Lifecycle modelling has shown that rural unclassified roads do not require the original level of funding assumed but that the A, B, C roads require more investment; it is proposed to adjust the apportionment of funds accordingly.

The original Transport Asset Management Plan assumed that the condition of bridges and street lights would remain static with traffic signals improving with relatively low levels of investment. Introduction of the national Well Managed Highway Infrastructure: A Code of Practice in 2016 put the emphasis on Highway Authorities to develop a risk based approach to managing assets; these have been developed for a number of asset types, including street lighting, traffic signals, vehicle restraint barriers and also the management of inspections and resilience assessment for bridges. It is proposed that these approaches continue into phase 2 of the plan in order to manage risk until Phase 3 of the plan when investment may be able to be directed to improving these assets.

### Target Condition Standards:

Appendix 'B' refers.

The original Transport Asset Management Plan set standards for each of the main asset groups in order to measure progress and set targets for the end of each plan phase.

It is proposed to review the standards for the different road classes and set new ones that reflect national changes in how asset condition data is gathered and to reflect national benchmarking data. Appendix 'B' sets out the original Transport Asset Management Plan standards and the proposed revised standards for Phase 2.

For A, B & C roads it is proposed to use the comparative SCANNER condition data through the county council benchmarking networks to set the standards.

Detailed Video Inspections are used to determine condition for the unclassified network and the footway network. As this approach is relatively new no nationally recognised way of expressing condition is available. Lancashire is leading the work through various benchmarking groups to determine an acceptable standard. These figures will be published in the Transport Asset Management Plan refresh document at the end of the first year of Phase 2. In the meantime it is proposed to continue measuring defects as one of the measures of condition for footways.

At present the condition standards for bridges uses one score for all bridges. It is proposed to have separate scores for the 3 maintenance categories (Planned Targeted, Planned Preventative, Planned Do Minimum) in the bridges lifecycle plan to put greater emphasis on the more strategic bridges which will support the investment strategy going forwards.

The Transport Asset Management Plan set the street lighting service standard based on the Institute of Lighting Professionals Technical Report 22 and places the column in a number of risk bands which are then grouped into one of the three risk categories of low, medium or higher. Whilst there are no plans to change the service standard in Phase 2, it is proposed to change how the standard of service is determined. The condition of lighting assets will continue to be assessed and to ensure that columns do not reach too great an age the new methodology will proactively consider the number of columns that are aged over 40 years old. It is felt that changing to this methodology will make it not only easier to calculate and easier to understand but will give a better indication as to the actual condition of our aging street lighting assets.

It is proposed that Traffic Signal condition will now measure the number of obsolete and vulnerable traffic signal sites that are older than their 20 year design life and that have obsolete controllers.

### Revised funding proposals

Appendix 'A' sets out the proposed funding for each asset group for 2021/22 based on the revised approach. £22.4m per annum Department for Transport Funding which the county council has been receiving over the last few years is considered likely to continue but is not yet clear as explained below. Should additional funding be made available the funding will be apportioned to the various assets using the Capital Strategy acceptable risk approach, lifecycle modelling and condition assessment. Should less money be available the priorities will need to be reassessed.

The Government has recently announced that the delayed Spending Review will only cover one year and will be announced shortly. There is currently no indication from the Department for Transport of level of funds that would be available for 2021/22 and beyond. The original Transport Asset Management Plan capital allocations were designed with the expected Department for Transport grant settlement of £25m per annum. Actual Maintenance Block and Incentive Fund allocations fell short of this at around £22.4m per annum. In recent years Cabinet has provided additional funds to support the Transport Asset Management Plan approach and additional funds have also been available from the Department for Transport in the form of Pothole Action Fund and Challenge Fund monies.

## **Consultations**

N/A

## **Implications:**

This item has the following implications, as indicated:

## **Risk management**

### Financial Risks

Not considering the impact of current condition and funding scenarios on asset condition and reviewing Phase 2 assumptions, would lead to inefficiencies in the allocation of capital funds, increased costs due to preventative maintenance not being undertaken at the correct life cycle of the asset and anticipated asset condition deterioration.

The Transport Asset Management Plan phase 2 document is also supporting evidence for the Department for Transport Self-Assessment which is carried out annually. The use of outdated condition information could result in the county council failing to achieve a band 3 ranking which in turn would reduce the level of funding received from the Department for Transport by approximately £2.707m.

Phase 2 of the Transport Asset Management Plan will need to link with the Capital Strategy 2020 and subsequent updates and fit within the financial envelopes available, to ensure the overall capital strategy is deliverable and sustainable.

### Legal

The Transport Asset Management Plan is an important document explaining and justifying work done and expectations. That it is reviewed and updated is important and it informs the authority's position vis a vis challenges and priorities.



## List of Background Papers

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A



**Appendix A: Transport Asset Management Plan - Phase 2 2020/21 - 2024/25**  
**Apportionments for 21/22**

Programme	2014 Outline Capital Allocations - TAMP Phase 2	21/22 Basic TAMP requirement	21/22 Capital Strategy: Acceptable risk managed	21/22 Balanced Budget TAMP:
<b>Non-Core TAMP</b>				
<b>Risk based condition assessments</b>				
Structures: Principle Bridge Inspections		£600,000	£900,000	£579,420
Structures:Risk Based Assessments		£315,000	£350,000	£304,196
Street Lighting Risk Based Inspection and Replacement		£500,000	£750,000	£482,850
Vehicle Restraint Barriers		£350,000	£400,000	£337,995
<b>Planned Maintenance:</b>				
Preventative (Jet patching)			£500,000	£500,000
Moss Roads	£700,000	£750,000	£750,000	£724,275
Safety Camera Maintenance		£50,000	£50,000	£48,285
Planned additional maintenance of ad-hoc or other highway assets		£990,000	£990,000	£640,000
<b>Commitments</b>				
Safer Roads Resurfacing Contribution 21/22		£230,000	£230,000	£230,000
<b>Non-Core Sub Total</b>		<b>£3,785,000</b>	<b>£4,570,000</b>	<b>£3,847,021</b>
	<b>2014 Outline Capital Allocations - TAMP Phase 2</b>	<b>21/22 Basic TAMP requirement</b>	<b>21/22 Capital Strategy: Acceptable risk managed</b>	<b>21/22 Balanced Budget TAMP:</b>
<b>Core TAMP</b>				
ABC	£3,000,000	£4,500,000	£9,700,000	£4,145,475
Rural Unclassified	£5,500,000	£1,750,000	£2,591,000	£1,602,475
Urban Unclassified	£5,500,000	£3,750,000	£6,400,000	£3,433,875
Footways	£1,000,000	£1,000,000	£2,000,000	£965,700
Surveys & Coring for Capital programme		£750,000	£750,000	£724,275
Street Lighting	£2,000,000	£1,000,000	£1,000,000	£965,700
Bridges & Structures	£3,000,000	£3,500,000	£3,500,000	£3,379,950
Drainage	£2,000,000	£500,000	£1,000,000	£482,850
Retaining Walls	£500,000			£0
Future design\ site investigations		£300,000	£300,000	£289,710
Structural Defects	£1,500,000	£2,000,000	£2,000,000	£1,931,400
Traffic Signals	£300,000	£1,225,000	£2,400,000	£600,000
Geotech\ surveys		£100,000	£100,000	£96,570
<b>Core TAMP Sub Total</b>	<b>£25,000,000</b>	<b>£20,375,000</b>	<b>£31,741,000</b>	<b>£18,617,980</b>
<b>TOTAL</b>	<b>2014 Outline Capital Allocations - TAMP Phase 2</b>	<b>21/22 Basic TAMP requirement</b>	<b>21/22 Capital Strategy: Acceptable risk managed</b>	<b>21/22 Balanced Budget TAMP:</b>
<b>Programme</b>				
<b>Non - core</b>		<b>£3,785,000</b>	<b>£4,570,000</b>	<b>£3,847,021</b>
<b>Core TAMP</b>		<b>£20,375,000</b>	<b>£31,741,000</b>	<b>£18,617,980</b>
<b>Total</b>		<b>£24,160,000</b>	<b>£36,311,000</b>	<b>£22,465,000</b>
<b>Anticipated Total Grant</b>		<b>£22,465,000</b>	<b>£22,465,000</b>	<b>£22,465,000</b>
<b>unallocated/ over spend</b>		<b>£1,695,000</b>	<b>£13,846,000</b>	<b>£0</b>



Appendix B i: TAMP Phase 1 – Original Standards and Progress Yearly Breakdown 2014/15 to 2019/20

Asset Category	Condition Measure	Service Standards					Asset Condition					
		POOR	ACCEPTABLE	FAIR	GOOD	EXCELLENT	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
							Start Year 1	End Year 1	End Year 2	End Year 3	End Year 4	End Year 5
A Roads	% RED / AMBER	>25%	25% - 16%	15% - 11%	10% - 6%	≤5%	30.37%	23.92%	23.08%	22.29%	21.51%	23.13%
B Roads		>40%	40% - 21%	20% - 16%	15% - 6%	≤5%	36.01%	28.10%	26.27%	24.65%	23.97%	26.26%
C Roads		>50%	50% - 31%	30% - 21%	20% - 11%	≤10%	38.59%	30.62%	34.26% <sup>6</sup>	32.04%	29.80%	31.03%
Residential Unclassified	% RED / AMBER	>40%	40% - 29%	28% - 19%	18% - 14%	<14%	Condition data not collected – new service standard to be set in Phase 2					
Rural Unclassified	% RED / AMBER	>40%	40% - 29%	28% - 19%	18% - 14%	<14%						
Footways	Number of defects	>50,000	50,000 - 40,000	40,000 - 15,000	15,000- 10,000	<10,000	22,171	13,533	13,037	7,142	5,430	10,585
	Number of claims	>600	500-400	400-250	250-150	<150	298	259	130	Not Available	Not Available	Not Available
Bridges and similar Structures	Bridge Condition Index (Ave.)	<40	40-60	60-79	80-90	>90	89.99	90.19	89.75	89.67	89.78	89.60
Street Lighting	% of high & medium risk columns	>35%	25%-35%	20%-25%	10%-20%	5%-10%	23.15%	17.72%	20.01%	16.15%	15.66%	22.67%
Traffic Signals	% of units beyond design life	>40%	30%-40%	20%-30%	10%-20%	<10%	32.80%	30.31%	30.31%	46.73%	47.79%	36.36%

Appendix B ii: TAMP Phase 2 – A, B, C Road Revised Standards 2020/21 – 2024/25 [PROVISIONAL – subject to APSE\DMG Benchmarking final figures]

Asset Category	Condition Measure (SCANNER)	Service Standards: Based on APSE\DMG 19/20 Shire Council Benchmarking data					Asset Condition		
		POOR (Quartile 4)	ACCEPTABLE (Quartile 3)	FAIR (Quartile 2)	GOOD (Quartile 1)	EXCELLENT (top 10 Percentile)	2019/20	2024/25 End Year 5 - Target	
							Base	Current Funding Levels	Capital Strategy: Acceptable Risk Managed Funding
A Roads	% RED	>4.32%	4.32% - 2.88%	2.88% - 2.01%	2.01% - 1.53%	≤1.53%	2.1%	2.88% - 2.01%	2.01% - 1.53%
	% AMBER	>35.72%	35.72% - 25.06%	25.06% - 20.47%	20.47% - 18.86%	≤18.86%	20.47%	25.06% - 20.47%	20.47% - 18.86%
B Roads	% RED	>6.04%	6.04% - 3.73%	3.73% - 2.19%	2.19% - 1.95%	≤1.95%	3.09%	3.73% - 2.19%	2.19% - 1.95%
	% AMBER	>31.90%	31.90% - 29.13%	29.13% - 22.73%	22.73% - 19.63%	≤19.63%	22.73%*	29.13% - 22.73%	22.73% - 19.63%
C Roads	% RED	>6.02%	6.02% - 5.1%	5.1% - 3.54%	3.54% - 3.24%	≤3.24%	5.23%	6.02% - 5.1%	5.1% - 3.54%
	% AMBER	>32.78%	32.78% - 28.87%	28.87% - 24.92%	24.92% - 22.38%	≤22.38%	28.87%*	31.40% - 27.77%	28.87% - 24.92%

- The condition scores of these two assets are on the exact grade boundary between two service standards – hence why they have two colours associated with them

**Appendix B iii TAMP Phase 2 – Bridges Revised Standards 2020/21 – 2024/25**

Asset Category	Condition Measure	Service Standards:					Asset Condition	
		POOR	ACCEPTABLE	FAIR	GOOD	EXCELLENT	2019/20	2024/25 End Year 5 - Target
							Base	Current Funding Levels
Bridges: Planned Targeted	Bridge Condition Index (Critical)	<40	40-60	60-79	80-90	>90	78.89	FAIR (60-79)
Planned Preventative		<40	40-60	60-79	80-90	>90	80.59	FAIR (72 – 79)
Planned Do Minimum		<40	40-60	60-79	80-90	>90	83.01	FAIR (65 – 72)

**Appendix B iv: TAMP Phase 2 – Street Lighting Revised Standards 2020/21 – 2024/25**

Asset Category	Condition Measure	Service Standards					Asset Condition			
		POOR	ACCEPTABLE	FAIR	GOOD	EXCELLENT	2019/20	2024/25 End Year 5 - Target		2029/30 End Phase 3 Target
							Base	Current Funding Levels	Capital Strategy: Acceptable Risk Managed Funding	Capital Strategy: Acceptable Risk Managed Funding
Street Lighting	No. of columns aged over 40 years old	>16,000	16,000 – 12,001	12,000 - 8,001	8,000 – 4,001	<4,000	13,639	>16,000	>16,000	12,000 -8,001

**Appendix B v: TAMP Phase 2 – Traffic Signals Revised Standards 2020/21 – 2024/25**

Asset Category	Condition Measure	Service Standards					Asset Condition			
		POOR	ACCEPTABLE	FAIR	GOOD	EXCELLENT	2019/20	2024/25 End Year 5 - Target		
							Base	Current Funding Levels	Basic TAMP	Capital Strategy: Acceptable Risk Managed Funding
Traffic Signals	No. of obsolete and vulnerable traffic signal sites*	>270	270 - 201	200 -135	134 - 70	<70	337	313	289	241

\*Obsolete sites refers to sites that are older than their 20 year design life. Vulnerable sites refers to additional sites that have obsolete controllers



**Report to the Cabinet**

Meeting to be held on Thursday, 3 December 2020

**Report of the Head of Legal and Democratic Services****Part I**

Electoral Division affected:  
(All Divisions);

**Lancashire Religious Education Agreed Syllabus Conference**

(Appendix 'A' refers)

Contact for further information:

Misbah Mahmood, Tel: (01772) 530818, Senior Democratic Services Officer,  
misbah.mahmood@lancashire.gov.uk

**Executive Summary**

The appointment of an Agreed Syllabus Conference to commence on the 16 December 2020 for the purpose of reviewing the Lancashire Agreed Syllabus for Religious Education.

**Recommendation**

Cabinet is asked to approve that an Agreed Syllabus Conference be convened and that any person who sits on the representative groups on the Lancashire Standing Advisory Council for Religious Education, excluding the Co-opted Members, can be appointed as members of the Agreed Syllabus Conference.

**Background and Advice**

By law, every local education authority is required to have a Standing Advisory Council on Religious Education. The purpose of the Standing Advisory Council on Religious Education is to advise and support the provision of religious education and collective worship in schools and to consider any requests for determinations.

The Standing Advisory Council on Religious Education is also responsible for forming an Agreed Syllabus Conference every 5 years to set the religious education syllabus for schools. It is a statutory requirement that the Authority should convene an Agreed Syllabus Conference for the purpose of reviewing the Religious Education syllabus. The syllabus sets out what should be taught to pupils in all key stages and the standards expected of them at the end of each key stage. The syllabus must be reviewed within five years from the date on which it was adopted. The current Lancashire Agreed Syllabus of Religious Education was last reviewed in November 2015 and adopted in 2016, and is therefore now due for review. It is proposed that

the Authority convenes an Agreed Syllabus Conference to produce an agreed syllabus for Religious Education. It is proposed that the first meeting of the Agreed Syllabus Conference will be held on 16 December 2020.

The composition of the Conference is very similar to that of the Lancashire Standing Advisory Council on Religious Education with committees of persons representing the same four groups that constitute the representative groups on the Standing Advisory Council on Religious Education, namely:-

- (a) Such Christian and other Religious Denominations as, in the opinion of the Authority, would appropriately reflect the principal religious traditions in the area;
- (b) The Church of England;
- (c) Such Associations, representing teachers as, in the opinion of the Authority, ought having had regard to the circumstances of the area be represented; and
- (d) The Authority.

The current membership of the Standing Advisory Council on Religious Education is set out at Appendix 'A'. There is however, unlike the Standing Advisory Council on Religious Education, no provision for Co-opted Members on the syllabus conference. The conference may ask for contributions and advice from anyone who will be useful in reviewing the syllabus.

### **Consultations**

The Lancashire Standing Advisory Council on Religious Education has been consulted.

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

Schedule 31 of The Education Act 1996 requires the Authority to convene a conference to reconsider the agreed syllabus for Religious Education by bringing together an Agreed Syllabus Conference. Failure to do so would mean that the Authority was in breach of the requirement and the Secretary of State could intervene to take over that role and appoint a body of persons to prepare the syllabus.

## List of Background Papers

Paper	Date	Contact/Tel
Lancashire Religious Education Agreed Syllabus Conference	5 November 2015	Alison Lloyd/01257 516166
Reason for inclusion in Part II, if appropriate		
N/A		



## LANCASHIRE STANDING ADVISORY COUNCIL ON RELIGIOUS EDUCATION (SACRE) – MEMBERSHIP

Christian and other Religious Groups appropriately reflecting  
The Principal Traditions in the Area

<b><u>The Roman Catholic Church (3)</u></b>	-	Mr Ben McMullen
	-	Vacancy
	-	Vacancy
<b><u>The Free Churches Group (3)</u></b>	-	Mr Alan Gillies
	-	Vacancy
	-	Vacancy
<b><u>Islam (5)</u></b>	-	Mufti Javid Pathan
	-	Mufti Khalid Ibrahim
	-	Mrs Tibret Safraz
	-	Vacancy
	-	Vacancy
<b><u>Hinduism (2)</u></b>	-	Mr Ishwer Taylor
	-	Mrs Harsha Shukla
<b><u>Judaism (1)</u></b>	-	Mr Robert Ash
<b><u>Sikhs (1)</u></b>	-	Vacancy
<b><u>Buddhism (1)</u></b>	-	Mr Kelsang Pagpa
<b><u>Teacher Associations (4)</u></b>	-	Mr Peter Martin (ASCL, Chair)
	-	Mrs Karen Stephens (NAHT)
	-	Mrs Jordon Gordon (NEU)
	-	Mrs Julie Roper (NASUWT)
<b><u>Church of England (5)</u></b>	-	Mrs Joan O'Rourke (Liverpool)
	-	Miss Lisa Horobin (Blackburn)
	-	Mrs Helen Sage (Blackburn)
	-	Mr John Wilson (Bradford and Ripon & Leeds)
	-	Vacancy

**Local Authority** (5)

- Mr Francis Williams
- CC Azhar Ali
- CC Anne Cheetham
- CC Yusuf Motala (Vice Chair)
- CC Peter Steen

**Co-opted Members** (5)

- Joanne Harris (Teachers in the Secondary Sector)
- Mrs Karen Cooper (Lancashire Association of School Governing Bodies)
- Mrs Sally Elton-Chalcraft and Mrs Carolyn Reade (Teachers in the Higher Education Sector)

**Observers** (2)

- Dr Malcolm Craig (Bahá'í Faith)
- Mr Keith Pennington (Humanists)
- Mr Darren McMinn (Buddhism)

**Lancashire County Council Support Officers** (3)

- Mrs Alison Lloyd (Special Support Advisor)
- Mrs Misbah Mahmood (Senior Democratic Services Officer)
- Mr Garth Harbison (Committee Support Officer)

16 November 2020

**Report to the Cabinet**

Meeting to be held on Thursday, 3 December 2020

**Report of the Head of Fostering, Adoption, Residential and Youth Offending Services****Part I**

Electoral Division affected:  
(All Divisions);

**Recruitment and Retention of Foster Carers**

Contact for further information:

Heidi Fliegau, Tel: (01772) 534592, Fostering and Adoption Senior Manager,  
[heidi.fliegau@lancashire.gov.uk](mailto:heidi.fliegau@lancashire.gov.uk)

**Executive Summary**

Nationally there is a shortage of foster carers. The more foster carers Lancashire is able to recruit and retain, the more able we are to place Lancashire children with Lancashire foster carers. This not only results in a financial saving, but also allows our most vulnerable children to be cared for by foster carers assessed and supported by Lancashire County Council. This report sets out a strategy to support the recruitment and retention of foster carers in Lancashire County Council including:

- (i) Support to Lancashire foster carers who are also employees of Lancashire County Council Fostering Wellbeing Activity Programme;
- (ii) Retainer fees;
- (iii) Word of mouth referrals;
- (iv) Welcome recommendation for new applicants.

**Recommendation**

Cabinet is asked to approve the recommendations set out in the report for a strategy to support the recruitment and retention of foster carers in Lancashire.

**Background and Advice**

Every week we have children that need placing in foster care. There is a real and urgent need for Lancashire to continue recruiting and retaining our own foster carers. Lancashire County Council's fostering service has reviewed the support available to foster carers, and what impact this has on the retention of our foster carers. By increasing support and initial incentives, this increases the opportunity to recruit and retain more foster carers. Lancashire has looked at different local authorities to

consider what recruitment and retention schemes they offer and how we can learn from this. Following on from this, we have recently developed, and are now in the process, of launching three new initiatives to support the recruitment and retention of our foster carers.

The first initiative is a Foster Care Academy which supports the learning and development of foster carers during the initial approval stage. Secondly, we developed a Mentoring Scheme which supports newly approved foster carers to be mentored by an experienced foster carer. Thirdly, we developed the Fostering Communities project, which allows an experienced foster carer to offer advice, guidance and support to four fostering families, to minimise isolation and develop a support network. There is a national shortage of foster carers and we continuously need to develop and enhance the way we attract new foster carers.

**(i) Support to Lancashire foster carers who are also employees of Lancashire County Council**

It is proposed that the county council introduces a scheme that is based upon the Fostering Network "Fostering Friendly" programme. The "Fostering Friendly" programme helps its member organisations to support their employees who foster. The Fostering Network have reported that nearly 40% of foster carers combine fostering with other work, and that having a supportive employer who allows them to balance work with caring for a child can make a significant difference to an employee. A simpler format for Lancashire has initially been suggested, based on the Fostering Network initiative, which would enable county council staff to foster and continue with their own employment. This is a good opportunity for Lancashire to support its own employees who, in turn, support our valuable children in care.

The basic premise is to allow employees of Lancashire County Council to have five days special leave that will allow them to undertake training and meetings specific to the fostering role or for the care of the child.

Lancashire County Council already offers additional paid leave for the following extraneous duties:

- Three weeks for parliamentary elections.
- Two weeks for reservists attending summer camp.
- Election duty.
- Employees who are appointed to serve on School Governing Bodies.

**Recommendations for support to Lancashire County Council's foster carers who are also employees of Lancashire County Council:**

Lancashire County Council to adopt the policy of five days special leave (or 37 hours) paid leave, per year for staff undertaking training or meetings related to their role as a Lancashire foster carer (including applicant foster carers).

The policy to be incorporated into the County Council's Human Resources guidance.

To explore which other benefits could be offered and applied.



To engage with partners to encourage businesses in Lancashire to adopt similar support arrangements for their employees.

### **Fostering Wellbeing Activity Programme**

The Wellbeing Activity Programme will allow fostering families to access activities in the community at a complimentary or reduced rate.

The basic premise is for Lancashire's local businesses to work collaboratively with the Fostering Service, to identify and develop wellbeing opportunities, activities and events for our foster carers, children and fostering families. This will include activities related to art, culture, sport, and self-care. This initiative is intended to offer the following benefits:

- Building a network of support.
- Enhanced retention.
- Support more family friendly activities to help nurture and build positive relationships.
- Allow foster carers some self-care opportunities.
- Increase children's self-confidence, aspirations and create positive memorable experiences.

It is hoped that the programme would include free access to leisure centres, gyms, theatres, cinemas, zoos, football matches, indoor play and activity centres, extracurricular clubs, weekend holidays, spa days and the sponsoring of the summer and winter parties and the awards evening. The expectation is that local businesses will recognise and support our collective corporate parenting responsibility.

The organisation and administration of the Fostering Wellbeing Activity programme will be contained within the fostering service.

### **Recommendation for the Fostering Wellbeing Activity Programme:**

Lancashire County Council, at a corporate level, to support the Fostering Wellbeing Activity Programme. This will enable further discussions with local businesses, borough councils and local enterprises to offer free or discounted activities/goods for our children and fostering families.

#### **(ii) Retainer fees**

Fostering applicants will often apply to become foster carers with the intention of giving up their current employment to become full time foster carers. Due to the number of children in care there is always a high likelihood that, if they are suitable, a foster carer will be matched to children. Should an allegation be made against a foster carer, the foster child/children would be removed from the home whilst an investigation takes place. The investigation period varies from case to case and, at times, continues for an extended time period. During this time, the child or children would continue to reside elsewhere until the investigation had been concluded. Following the investigation, if the county council can be satisfied that no risk has been identified that would prevent the foster carer from caring for our children, then

the foster carer would be able to resume their foster carer responsibilities. However, during the investigation period, the foster carer would receive no income from fostering, which could lead to significant financial pressure.

Where a child or children had been removed from a foster family due to an allegation, a sliding scale of payment of the skill fee element of the allowance would enable the foster carer to make alternative arrangements or to seek temporary employment until the investigation is concluded. After three months, there would be no further payment made to the foster carer, with the expectation that the foster carer would make alternative arrangements, pending the conclusion of the investigation.

#### **Recommendation for retainer sliding scale:**

Lancashire County Council to pay a retainer to approved foster carers who have had children removed from their care, due to an allegation that has not yet been substantiated. The payment made during this period would relate to the skill fee only and would be paid on the following basis:

- 100% during the first month.
- 60% during the second month.
- 40% during the third month.

#### **(iii) Word of mouth referral**

Another way to increase the foster carer cohort is through word of mouth. Lancashire County Council currently pays £250 to any Lancashire approved foster carer, who encourages family member(s) or friend(s) to apply to foster with Lancashire, resulting in an approval. Increasing the amount of this payment would make this a much more attractive offer and we are aware that some other local authorities and independent fostering agencies have implemented similar strategies. Although these strategies seem to be successful, there is no significant evidence base to indicate the level of success. A trial period for a similar scheme in Lancashire is therefore proposed. In addition, it is proposed that the fee would be payable to both approved foster carers and Lancashire County Council employees making the successful referrals.

#### **Recommendation for word of mouth referrals:**

It is suggested that the amount is increased from £250 to £1,500, to make it more attractive to the current foster carers and to introduce it for employees.

It is further suggested that this proposal is trialled for 12 months, at which point it will be reviewed and, if successful, permanently implemented.

#### **(iv) Welcome**

Applicants interested in becoming a foster carer often make enquiries with many fostering agencies before selecting who they want to foster with. In order to attract

more foster carers, a 'golden hello' welcome could be a further incentive to attract applicants to apply to Lancashire County Council.

### **Welcome recommendation:**

It is proposed that £1,000 is offered to any new applicants applying to Lancashire County Council if the application results in approval. This is likely to also attract experienced foster carers. It is proposed that the incentive fee will be paid two months after the new fostering family has been caring for a child in care.

It is further suggested that this proposal is trialled for 12 months, at which point it would be reviewed and, if successful, permanently implemented.

### **Consultations**

N/A

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

No significant risk management implications have been identified; the direct cost of the proposals outlined in this report will be met from within the Fostering Service Budget, as set out below.

### **Financial**

Foster care services support the council to meet its statutory Sufficiency Duty, under which it must ensure that there are a range of placements sufficient to meet the needs of the children and young people in their care. Under its Duty, the council seeks to improve the quality and choice of placements, ensure value for money and minimise the likelihood of suitable placements not being available locally. As at 30th September 2020, 1,051 (50%) of our looked after children were accommodated with non-connected foster carers.

Two key objectives of the Fostering Service are to recruit and retain foster carers in Lancashire, to keep children closer to home, and to provide more cost effective care than independent fostering agencies and children's homes. Whilst independent fostering agencies can provide essential and value-for-money services, placements are on average c£390/week per child more expensive than in-house provision.

The proposals set out in this report seek to address recruitment, retention and wider budget pressures by enhancing the service offer to foster carers.

Not all elements of the proposal have a direct budget implication.

(a) The support to Lancashire County Council's foster carers who are also employees of Lancashire County Council's initiative, in most instances, is not

expected to have a direct cost as a staff member would be entitled to additional leave rather than additional pay. However, there may be a cost if a particular service must backfill a member of staff, so that service delivery is not affected when the individual takes their special leave entitlement. The impact of this policy change is expected to be minimal but will be subject to regular monitoring.

(b) The Fostering Wellbeing Activity Programme will initially need staff resource to build a network of local businesses who are willing to support the Programme. The Programme will only be successful through collaborative working and, because activities and events will be provided on an on-going basis throughout the year, there will be a commitment required from the Fostering Service to regularly communicate with businesses and foster carers. The additional commitment will be managed by the Fostering Service within its existing resources.

(c) The additional cost of increasing the word of mouth referral incentive by £1,250 on a permanent basis, and the proposal to offer £1,000 welcome payments for new carers for a 6-month period - both of which will become payable after two months' of placement - will be mitigated by the lower fee from placing in-house, rather than with an independent fostering agency. No additional pressure on the existing budget provision is anticipated from these proposals.

The proposal to continue to pay the skill fee element of the fostering allowance, to a foster carer who is subject to an allegation for up to the first three months during which an investigation is underway, has a direct budget implication. Payment will be on a reducing scale: 100% in the first month, 60% in the second month and 40% in the third month, after which time payment will cease entirely. During the 12 months to August 2020, thirteen foster carers were placed on hold for this reason, for periods varying from one week to over six months. Applying the proposed sliding payment scale, payments totalling £20,490 would have been made over the 12 months. The potential fee payments during any given financial year will vary depending on the number and duration of investigations underway. In the context of the overall in-house fostering budget (2020-21: £18.1m) the 12-month evidenced figure of £20,490 is considered to be a small amount in comparison to the funding envelope, therefore the Fostering Service will endeavour to manage retainer fees within the existing budget provision, but will monitor and report the impact through the regular budget monitoring process.

### **List of Background Papers**

Paper	Date	Contact/Tel
None		
Reason for inclusion in Part II, if appropriate		
N/A		

**Report to the Cabinet**

Meeting to be held on Thursday, 3 December 2020

**Report of the Head of Legal and Democratic Services**

<b>Part I</b>
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Electoral Division affected: (All Divisions);
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**Statutory Social Care Annual Report for 2019/20 – Complaints and Customer Feedback**

(Appendix 'A' refers)

Contacts for further information:

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angela.esslinger@lancashire.gov.uk

Paul Bond, Tel: (01772) 534676, Head of Legal and Democratic Services,  
paul.bond@lancashire.gov.uk

**Executive Summary**

Lancashire County Council has a legal obligation to publish a complaints and customer feedback report on social care statutory complaints on an annual basis. There are two statutory procedures, both different: one for children and young people's social care complaints and one for adult social care complaints. The report is therefore divided into separate sections for both adult and children and young people's services.

The Statutory Social Care annual report on complaints and customer feedback is set out at Appendix 'A'.

**Recommendation**

Cabinet is asked to accept and comment on the statutory social care complaints and customer feedback annual report for children and young people and adults, acknowledging the associated learning in 2019-2020, and approve its publication so that the county council can meet its legal obligations.

**Background and Advice**

Complaints are used by the county council as an opportunity to learn and improve. As a direct result of complaints made in 2019-2020, the county council has learnt lessons and improved services as detailed within the annual reports.

Because complaints are an important tool to access customer satisfaction, the complaints team regularly reports on statistics and trends, attends management team meetings and also links in with managers to ensure that complaints which are upheld, result in continuous improvements for the council. It is, of course, vital to learn the lessons from complaints and spot early trends if service delivery is going wrong. This is particularly important in order to embed learning, if new council processes are being implemented which impact negatively on the public.

Complaints represented just 1.2% of all active adult social care and children's social care cases throughout Lancashire in 2019-2020. This is therefore a very small percentage of the overall total of activity.

The trajectory of rising adult social care complaints, year after year has levelled off. There were 536 complaints about adult social care in 2019-2020, which is broadly the same as in 2018-2019 (538). Included in this figure were 34 complex joint complaints with the NHS.

Children's social care complaints have shown a welcome decrease of 13% for the first time in 4 years from 289 complaints in 2018-2019 to 252 in 2019-2020. Non-statutory children's complaints decreased from 142 in 2018/19 to 139 in 2019/20.

The numbers of adult social care complaints that went to the ombudsman in 2019-2020 remained the same as the previous year (62). For children's social care and education complaints, the figure increased slightly from 66 complaints in 2018-2019 to 74 in 2019-2020. The ombudsman findings and decisions are outlined within the annual report at Appendix 'A' in sections 2.7 and 3.9 respectively.

The learning from complaints, which includes many individual lessons learnt and training needs identified and met, are detailed within Appendix 'A' in sections 2.4 and 3.5 respectively.

The statutory report is made publically available and shared with other interested agencies such as Ofsted, the Care Quality Commission and Healthwatch Lancashire.

## **Consultations**

Operational social care teams, managers and directors have been consulted on the annual report and the learning from complaints that has been identified.

## **Implications:**

No financial or other issues are identified.

## **Risk management**

If an annual report on social care complaints and customer feedback is not published, the county council would be in breach of its statutory duties.

## List of Background Papers

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A





# Statutory Social Care Annual Report

## Complaints and Customer Feedback

For the period 1 April 2019 to 31 March 2020

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## Introduction

### i. Background

Local authorities are legally required to establish complaints procedures to deal with complaints about their social care functions. The complaints procedure for children and young people is covered by the Children Act 1989 and the Department for Skills and Education produced guidance, 'Getting the Best from Complaints' (2006), which outlines the procedures which local authorities must have in place. For adult social care, this report is also produced in accordance with the requirements of the Local Authority Social Services and National Health Service Complaints Regulations (2009).

Lancashire County Council is the Vice Chair of the National Complaints Managers Group (England) and the Vice Chair of the North West Complaints Managers Group which comprises 23 local authorities. The aim of this group is to provide a forum where complaints staff can learn and share best practice, develop and implement local practice standards, discuss performance and problem solve. These groups are also consulted on proposed changes to legislation and learning from complaints by the Association of Directors of Adult Social Services and the Association of Directors of Children's Services.

### ii. Purpose

The purpose of the Annual Report is to review the operation of the complaints process over a 12 month period, including statistical data, and to provide the local authority with the means by which it keeps itself informed about complaint themes and how effective its current arrangements are for handling customer complaints. It offers an analysis of what the information obtained from the operation of the complaints process means for the council.

This report also includes information on compliments and comments received by the council.

### iii. Period covered and data

The report covers the period 1 April 2019 to the 31 March 2020. The report makes extensive use throughout of data available from the Customer Feedback System which records all statutory social care complaints and feedback for the council. The statistical information presented within this report can be verified by reference to this database and is based on the date feedback is received. All percentages and costs are rounded to the nearest whole number.

Section One	<b>Summary and Overview</b> highlights the key messages from the report and gives the overall picture across the council
Section Two	Statistical data, analysis and learning in relation to <b>Adult Social Care Services.</b>
Section Three	Statistical data and further information and analysis and learning in relation to <b>all Children's Services.</b>

If you require any additional information please contact Lancashire County Council Complaints Team on 01772 539414 or email your request to [complaintsandfeedback@lancashire.gov.uk](mailto:complaintsandfeedback@lancashire.gov.uk)

## Section One: Summary and Overview of all Social Care Complaints and Feedback

### 1.1 Executive Summary

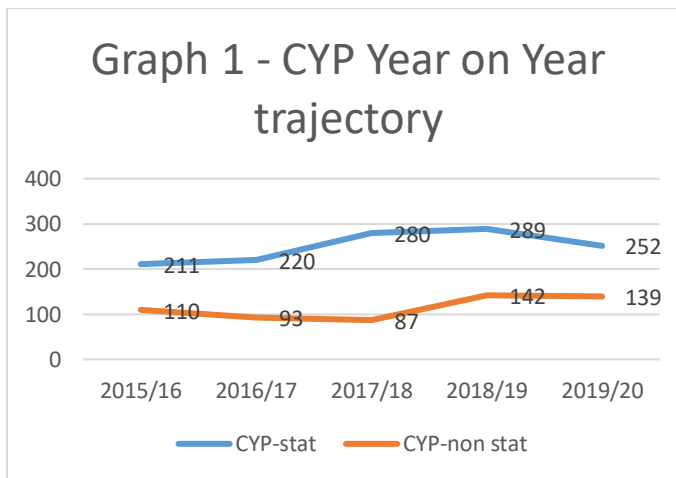
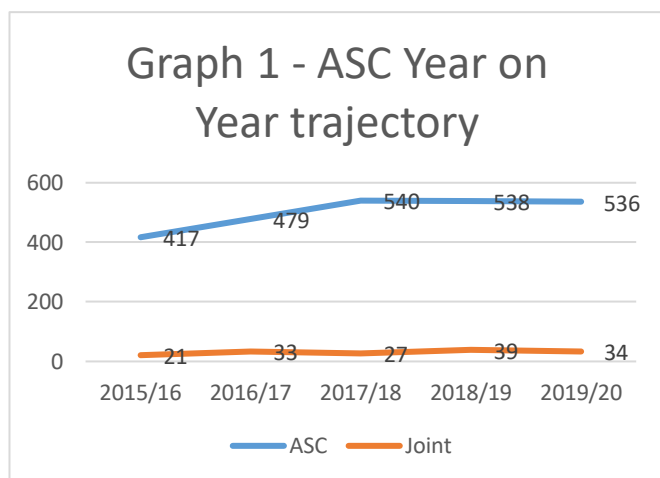
Complaints are used by the council as an opportunity to learn and improve. As a direct result of complaints in 2019/20 the council has made improvements to processes and procedures, it has improved communication with the NHS, customers and their families, issued guidance to staff and commissioned extra training for staff and managers.

Complaints represented just over 1% of all active adult social care and children's social care cases throughout Lancashire in 2019/20. Statutory complaint totals have decreased overall by 5% (827 in 2018/19 to 788 in 2019/20).

Graph 1 below shows that there were 536 complaints about adult social care (ASC) which is broadly the same as in 2018/19. Included in this figure were 34 complex joint complaints with the NHS, which is a decrease of 13% from 2018/19 (39).

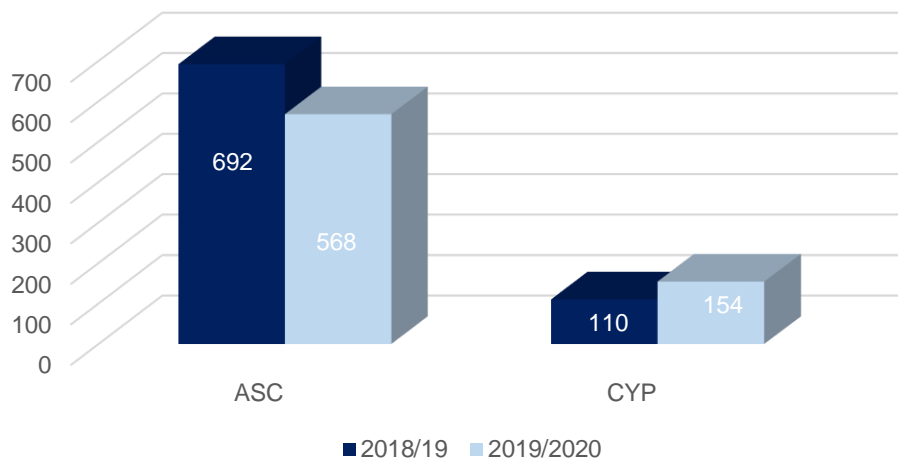
Graph 1 also shows a welcome decrease in statutory children's social care (CSC) complaints totals by 13% (289 in 2018/19 to 252 in 2019/20). Non statutory CSC complaints decreased slightly from 142 in 2018/19 to 139 in 2019/20.

Although the overall numbers of statutory complaints received by the Ombudsman has increased by 11% from 128 to 142, the overall percentage of complaints upheld has gone down, which is positive news.



Graph 2 overleaf shows a 24% decrease in **compliments** from 802 2018/19 to 722 in 2019/20 mainly due to a decrease in adult social care feedback. The totals for CYP positive feedback have increased from 110 in 2018/19 to 154 in 2019/20, mainly due to an increase in the capture of compliments for the inclusion service.

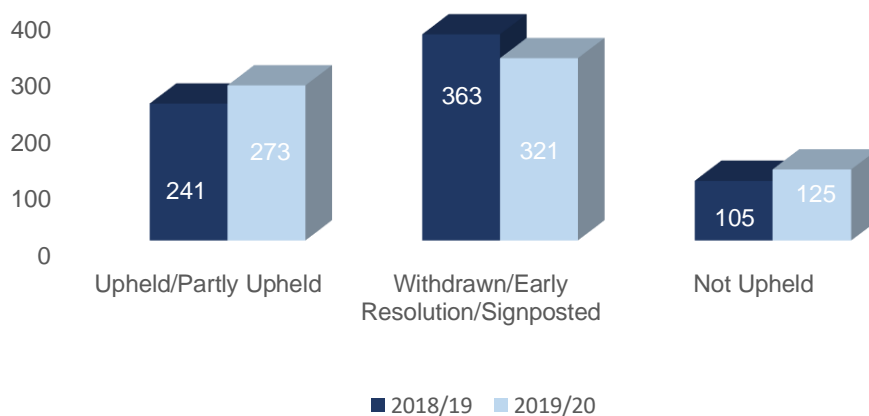
Graph 2 - Compliments



**1.2 Statutory complaint trends and outcomes**

Social care complaints represented 1.2% of all CSC and ASC active cases. Adult social care complaints have levelled over the last 3 years and CSC complaints have decreased. The number of complaints continues to rise as a percentage of total customer feedback. In 2019/20 it represented 57% of all feedback compared to 50% in 2018/19. Increasingly people are therefore contacting the council to complain rather than to compliment staff.

Graph 3 - Statutory Complaints by Final Outcome



Graph 3 above shows a breakdown in the number of statutory complaints by final outcome for all 719 closed complaints during 2019/20. 15% of all complaints were not upheld in 2018/19 and this proportion has gone up to 17% of all complaints in 2019/20. Just over a third (38% of complaints) were justified by being upheld or partly upheld. Over 40% of complaints have also been 'nipped in the bud' or withdrawn at an early stage in the complaints process.

In 2019/20 the total amount spent on investigations for statutory adult social care complaints was nil because all complaints in ASC were investigated internally and for children's social care it was £5084.88.

### **1.3 Local Government and Social Care Ombudsman (LGSCO) complaints received**

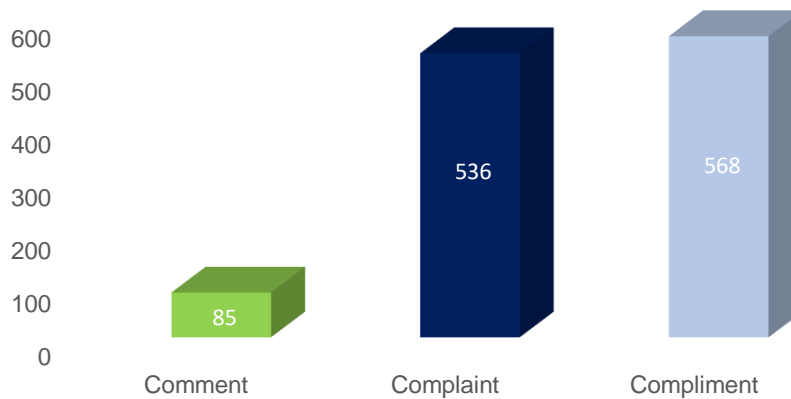
142 Local Government and Social Care Ombudsman (LGSCO) social care and education final decisions were received during 2019/20. This is an increase of 11% on 2018/19 figures (128). The amounts paid in social care local settlements as a result of these decisions added up to a total £40,854.38. (It was £35,594.93 in 2018/19)

**Section Two: Adult Social Care Feedback**

**2.1 Summary of ASC feedback in 2019/20**

Graph 4 shows a breakdown of ASC by feedback type. A total of 536 complaints were received in 2019/20 which is similar to the previous financial year (538). However it should be noted that people are still more likely to compliment adult social care rather than to complain.

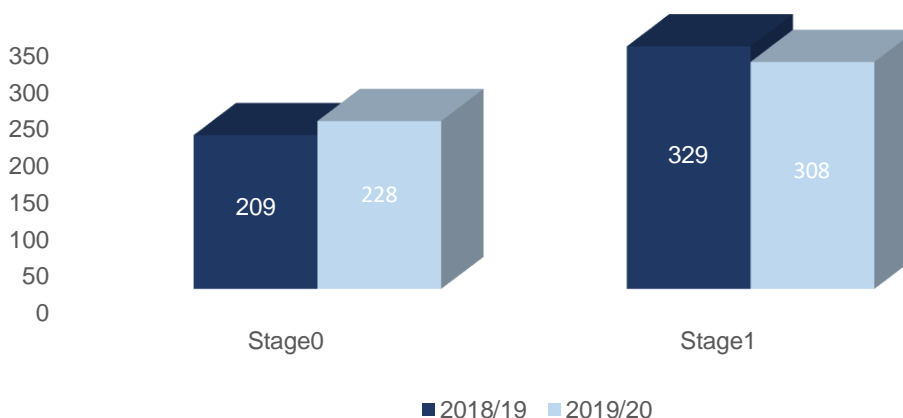
Graph 4 - Feedback Type



**2.2 Breakdown of complaints by stage**

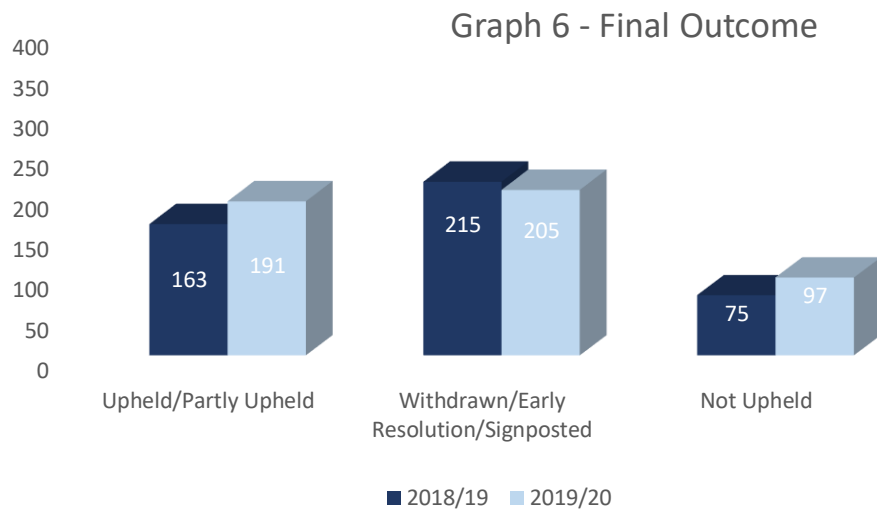
The breakdown of ASC complaints is shown in Graph 5. Stage 0 is the early resolution of complaints. It can be seen that a significant proportion of complaints (43%) continue to be 'nipped in the bud' with and this is more than in 2018/19 when the figure was 39% (209). This has resulted in a welcome slight drop in 'formal investigations'.

Graph 5 - Complaint Stage



The outcomes of 493 closed complaints that commenced in this financial year, and had outcomes recorded against them at the year-end, are shown in Graph 6. Of all closed complaints, 205 were either withdrawn

or resolved early, 191 had at least one aspect upheld and only 97 were not upheld. These are similar proportions to the figures for 2018/19.



A total of 308 Stage 1 internal complaint investigations were undertaken. The breakdown of these was 27% upheld (84), 34% partly upheld (106) and 31% not upheld (97). 7% (21) were withdrawn throughout the complaint process. When the upheld and partly upheld figures are considered together, it can be seen that in just over 60% of all cases, when an investigation is undertaken, an aspect is found to be justified.

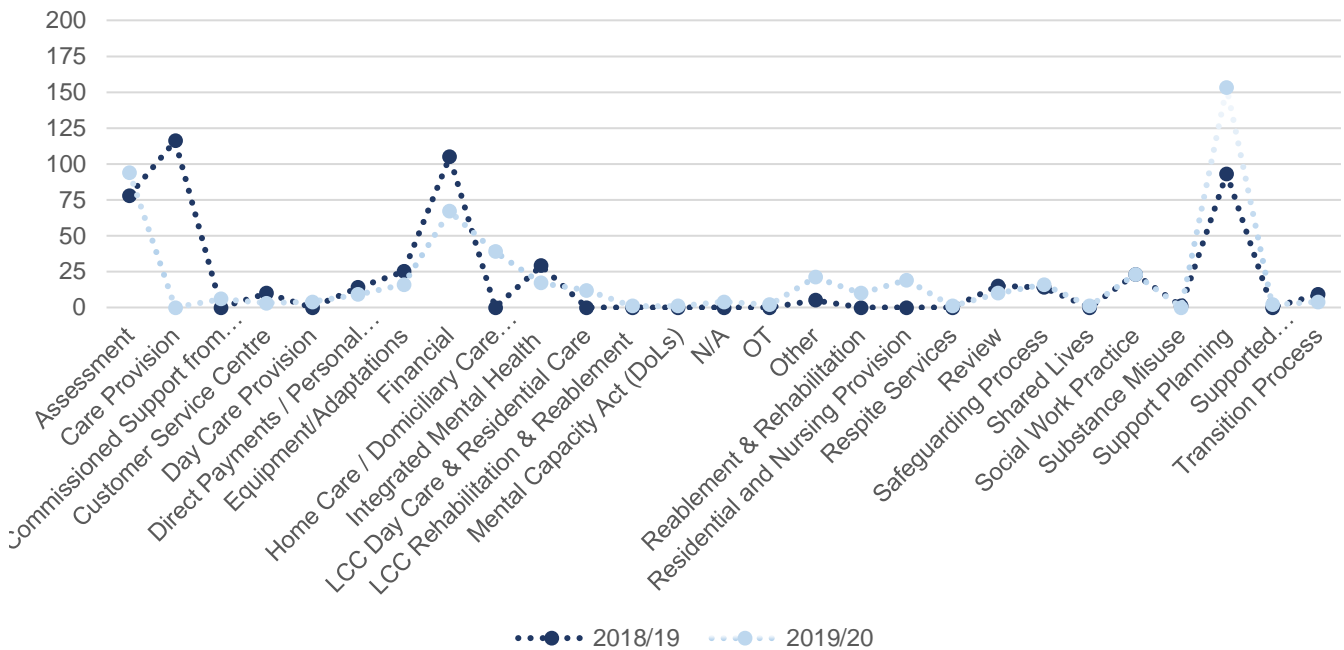
Of the total number of complaints received in 2019/20, 5% (28) exceeded the 6 month statutory maximum timescale. This is mainly due to the complexity of the cases.

**2.3 What do people complain about?**

Graph 7 shows complaints by service type for the last 2 financial years.



Graph 7 - Complaints By Service Type



There appears to have been a big drop in Care Provision complaints which received 22% of the total number of complaints in 2018/19, but this is because it was such a general category, that it was dropped for 2019/20. For 2019/20, the most frequent subject of complaint was Support Planning (153) which received 29% of the total number of complaints (93 in 2018/19). The lost 'Care Provision' complaints for 2019/20 probably account for the increases in complaints about support planning as well as in the categories of Home and Domiciliary Care, Residential and Nursing Care and Reablement / Rehabilitation provision.

Assessment and financial related complaints have seen a welcome decrease of 36% from the previous year. This indicates that the new financial process, which requires social workers to ensure that a customer signs a document to confirm they have received and understood the financial implications of receiving care, is now making a difference.

**2.4 Learning for adult social care**

**Summary of learning for Adult Social Care 2019/20**

Area	Learning point for adult social care
<b>Social Care and Support Planning</b>	<p>Managers have discussed and reminded social workers of the following matters:</p> <ul style="list-style-type: none"> <li>• To ensure that training needs are identified.</li> <li>• To ensure that regular updates are provided.</li> <li>• To provide the correct respite renewal details to service users and family members.</li> <li>• To ensure that information contained within support plans is accurate and correct.</li> </ul>

	<ul style="list-style-type: none"> <li>• To ensure that all care options are discussed at the point of review with service users and/or their family members and that this is recorded accurately.</li> <li>• To ensure that Care Act assessments are responded to in a timely manner.</li> <li>• To ensure that the focus is on the individual and their needs</li> <li>• The importance of completing their write ups of assessments and tasks accurately and in a timely manner to ensure that correct priorities are given to each case.</li> </ul>
<b>Complaints about communication</b>	<p>Managers have reiterated to all staff the importance of accurate recording and good communication when changes are made to a commissioned services that result in a higher charge applied.</p> <p>Managers identify staff training needs through supervision to ensure that social workers have good communication skills and a good working knowledge of policies and procedures.</p> <p>Managers invited Lancashire Independent Living Service (LILS) to team meetings to share information and facilitate a better understanding with staff, in order to improve support to families.</p> <p>All social work students were reminded of the correct procedures for introducing themselves to service users and the importance of accurate recording.</p> <p>Managers reminded social workers to improve communication with service users, surrounding the cancellation of meetings.</p> <p>Managers reminded social workers of the importance of returning calls to the service user and/or their family members in a timely manner.</p> <p>Managers responsible for reviewing workload, role and level of responsibilities, considered how staff and teams communicate with service users.</p> <p>Managers have liaised with Telecare to investigate ways that staff can be reassured that their referrals have been received.</p>
<b>Complaints about invoicing</b>	<p>In a complaint about incorrect invoicing, staff were reminded to ensure all relevant departments are notified when they become aware of a Power of Attorney or change of address.</p> <p>Managers have reviewed the personal budget process, to ensure that delays are minimised and that the service reflects the high standards expected</p> <p>In a number of complaints about invoicing, social workers were reminded of the importance of accurate and timely record keeping. Specifically the lessons learnt were that:</p> <ul style="list-style-type: none"> <li>• If end dates are not inputted, backdated charges and large debts can be wrongly applied to account.</li> <li>• Further invoices can be wrongly issued to the service user.</li> </ul>

	<ul style="list-style-type: none"> <li>The care provider can be overpaid for a service that has been cancelled.</li> </ul> <p>In a number of complaints about people stating that they were not informed of the financial implications of care (or did not understand these, particularly prior to being discharged), managers implemented a new process whereby social workers ensure that a customer signs a document to confirm they have received and understood the financial implications of receiving care.</p>
<b>Residential and Nursing Provision</b>	<p>Managers ensure that daily records are clear and accurate with the correct time and date of entry.</p> <p>All residential homes were reminded of the importance of contacting ASC when a nursing assessment is required and care needs change.</p>
<b>Personal Budgets</b>	<p>Managers have reminded social workers to make sure that the account is running smoothly and that advice given during personal budget reviews is followed up and acted upon.</p> <p>Financial assessors have been reminded to complete financial assessments with the appropriate named person and ensure key questions are asked.</p>
<b>Exchequer Services</b>	<p>The Finance Team have undertaken a check of the primary addresses for correspondence to ensure letters are sent to the correct address.</p> <p>Finance managers have reminded staff that following an initial financial assessment, emails from the service user regarding their financial status must be responded to and an appropriate financial assessment should be completed.</p> <p>Finance managers have reminded staff to ensure clear explanations are provided for amendments to invoices by the care navigation team and income team.</p>
<b>Older Peoples Service</b>	<p>Managers have notified business support officers to ensure that equipment is not required by another family member before arranging to remove items.</p> <p>Managers have reminded staff to ensure daily records are clear and indicate the correct time and date of entry.</p>
<b>Safeguarding</b>	<p>Managers have reminded staff that if a health professional has made a statement, the social worker should ensure that they document the source of this statement for any referencing purpose at a later date.</p> <p>Managers undertake regular audits of lessons learnt from complaints and safeguarding work with MASH social workers and this forms part of the supervision record.</p> <p>Managers regularly highlight in operational team meetings the importance of statutory responsibility, including making safeguarding personal.</p> <p>Managers have reminded social workers of the importance of issuing outcome letters on completion of safeguarding enquiries.</p>

	<p>Managers have ensured that the closure letter has included more detail, particularly relating to separating the allegations of abuse and complaints.</p> <p>Social workers now consult LILS to explore available support arrangements in place for managing personal budgets, particularly when things go wrong.</p> <p>Social workers now record the consideration of sharing findings with the disclosure and barring service.</p> <p>Social workers now record the complainant's desired outcome following a safe guarding alert. This is line with Making Safeguarding Personal and helps to ensure that outcomes are realistic and achievable.</p> <p>Social workers have been advised by their managers in their supervision that all reasonable attempts should be made to engage a person in the safeguarding process.</p>
<b>Reablement</b>	<p>Managers have emphasised the importance of providing both written and verbal information on the financial implications to people who use the service.</p> <p>The frequency of training in the application of personal budget options is being reviewed by all managers as part of the regular mandatory training for staff in the reablement service.</p>

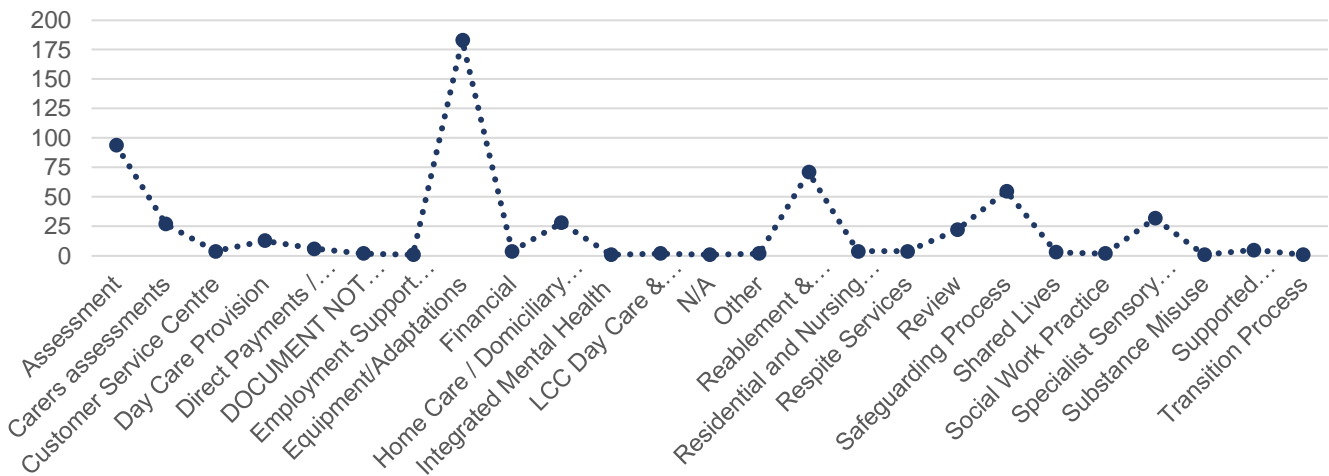
## 2.5 ASC services which were the subject of compliments

Graph 8 shows the number of compliments received by service type for 2019/20.

The number of statutory compliments has decreased by 18% from 692 in 2018/19 to 568 in 2019/20. In 2018/19, 28% of all compliments were because of equipment and adaptations received and this has increased slightly by 4% in 2019/20. This remains the most frequent reason for a compliment. Compliments for the safeguarding process have increased significantly by 94% in 2019/20 to 55 as direct result of a new follow up process. Compliments for reviews have also doubled this year.

Reablement compliment figures have however decreased by 42% from 122 in 2018/19 to 71 in 2019/20. There has also been a 24% decrease in the proportion of compliments in relation to service user assessments (123 in 2018/19 down to 94 in 2019/20).

Graph 8 - Compliments By Service Type



**2.6 Joint Complaints**

A Joint Complaints Protocol is in place with the NHS. Complaints investigations increasingly involve many different parts of the Council as well as health services and contracted service providers therefore adding much more complexity which the complaints team coordinates.

There was a decrease in joint complaints during 2019/20 to 31 compared with 39 in 2018/19. These complaints are sometimes complex and take longer to resolve as they involve ASC and the NHS, typically Hospital Trusts and/or Clinical Commissioning Groups. Nine joint complaints were still open at the close of 2019/20. Of the resolved complaints 8 were not upheld, 15 partly upheld and 6 were fully upheld. Two were withdrawn by the complainants. Integrated Mental Health and Support Planning were the biggest themes.

**2.7 LGSCO Complaints**

The Local Government and Social Care Ombudsman (LGSCO) provides the final stage for complaints about local authorities and some other organisations providing local public services. Their service is provided free of charge. Complainants approach the LGSCO when all other options for pursuing their complaint are closed by the Council, after it is considered that a proportionate response has already been provided. The LGSCO will only consider complaints that have already been through the Council's complaints procedures, although sometimes an early referral will be made to the LGSCO when complainants continue to be dissatisfied and the council considers that it has not done anything wrong or it has done all it can to resolve the matter.

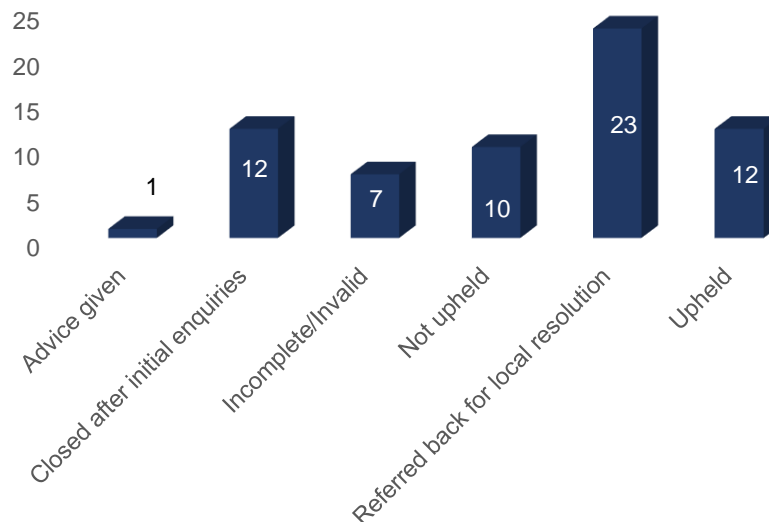
In 2019/20, the LGSCO received total of 62 separate enquiries in relation to ASC in Lancashire (in 2018/19 it was also 62). With the carry-over from the previous year, there were a total of 65 decisions made by the LGSCO in 2019/20 for ASC.

Graph 9 below shows of the 65 LGSCO ASC decisions received in 2019/20, 15% were not upheld, 66% were not investigated and 19% were upheld. The number of enquiries referred back to us for local resolution represent 35% of the number of decisions made by the LGSCO. This is good news as it shows confidence in the council's own internal complaints management processes.

It should be noted that the LGSCO will also uphold complaints that the council has already upheld. Of the 12 complaints that were either upheld or partly upheld, just 4 were not upheld by ASC originally, **making an actual uphold rate of just 6% when all 65 enquiries for the year are considered.**

The final decisions resulted in a total of £7145.02 being paid out by the council.

Graph 9 - Final Outcome



There have not been any ASC public reports in 2019/20.

The main learning from the 12 upheld complaints is outlined below.

## 2.8 LGSCO ASC identified learning

- a) In a complaint about how the Council carried out a social care assessment and its administration of the Direct Payments process, the Council had to:
  - arrange for the direct payments panel to consider the service user's request for her mother to be her personal assistant; and
  - remind social workers completing assessments of the need to issue a support plan following completion of an assessment, of the need to follow the direct payments flowchart when considering setting up direct payments and to ensure advice on use of direct payments is given particularly when it is clear the person has not accessed most of their funds.
- b) Another upheld complaint by the LGSCO centred on the care someone received at a Care Home run by the Council and the incidence of them not receiving all the pain relief they were entitled to. The council had to:
  - consider what action the Care Home needed to take to improve its management of medication; and
  - share the upheld final decision with the Care Quality Commission.
- c) There were procedural faults by a care home during a complainant's stay, in a placement commissioned by the Council identified by another LGSCO investigation. The council had to:
  - undertake a safeguarding investigation which highlighted this, and work with the care home to make several improvements.

- d) In a complaint about the Council not providing autism support, the council took steps to reduce delays in the completion of care assessments.
- e) In a complaint about the way the Council carried out an initial financial assessment and then failed to respond to an email from the complainant, financial processes and communication with customers has been improved.
- f) In a complaint about the time it took the Council to find a homecare agency and the financial injustice caused, the Council agreed to apologise and pay back the money owed.

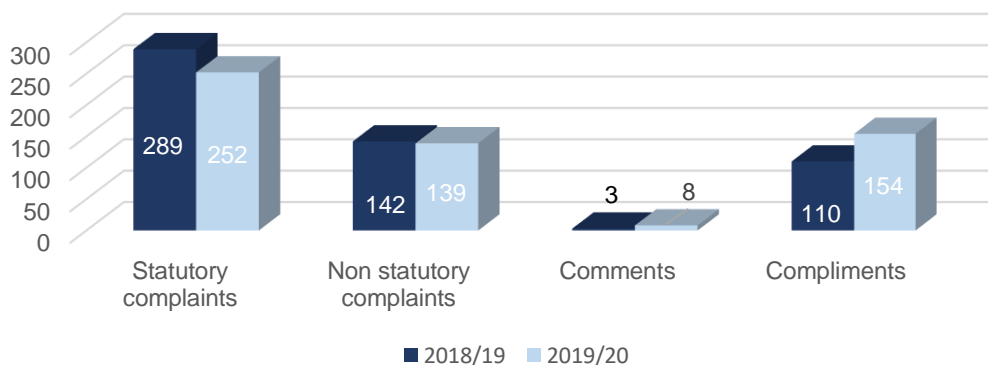
### Section Three: Children and Young People Feedback

#### 3.1 Summary of CYP and CSC feedback in 2018/19

There is a statutory and non-statutory process for complaints about CYP services. The statutory process involves three stages for social care complainants, who are eligible to complain. The Stage 1 initial response is always compiled by the service manager involved. If the person complaining is still unhappy, they can request a Stage 2 independent investigation. If the complainant remains unhappy, a Stage 3 review panel, which reviews the way the stage 2 was investigated, can be requested. The non-statutory process applies to non-social care complaints (for example education or Special Educational Needs and Disabilities SEND) or for people complaining about CSC who do not have parental responsibility for a child (for example grandparents). In 2019/20 the total amount spent on investigations for children's complaints was £4714.67. This is less than the cost spent on investigations in 2018/19 which was £5084.88.

Graph 10 shows a decrease in CSC statutory complaints by just over 13%, to make an overall total of 252 for 2019/20. The vast majority of CSC complaints are made by parents or guardians. Only 21 complaints were made by children or their advocates in 2019/20.

Graph 10 - Feedback Type



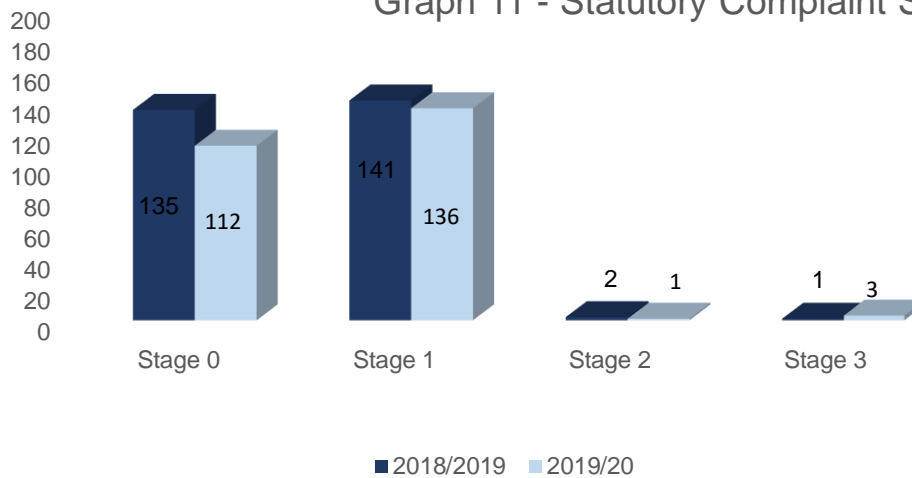
#### 3.2 Breakdown of complaints by stage

The breakdown of complaints with outcomes recorded against them can be seen in Graph 11. Stage 0 is the early resolution of complaints. It can be seen that there has been an increase in complaints responded to at the formal stages rather than at in the early stages (Stage 0).

The number of complaints resolved locally at Stage 1 is marginally less than it was in 2018/19 (a decrease of 5). Four independent complaints investigations were commissioned and one was resolved at Stage 2 and the other three required a Stage 3 panel to be held. The reason for the increase in Stage 3 panels is that the ombudsman now insists on this action, whilst before he was more willing to take early referrals without the expense of a panel being held.



Graph 11 - Statutory Complaint Stage

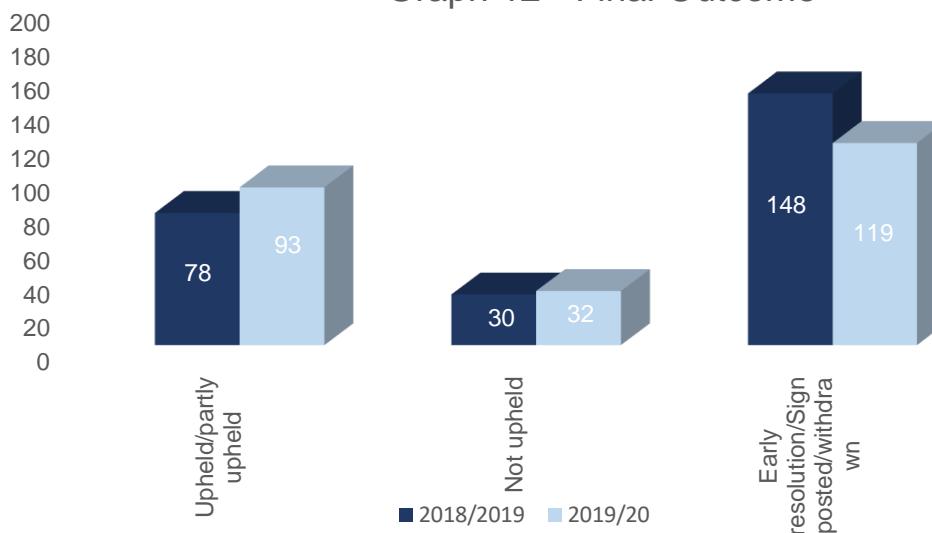


**3.3 Breakdown of complaints by outcome**

Graph 12 shows a breakdown of the 244 closed statutory complaints which had a final outcome recorded at the time of writing this report. Of these 13% were not upheld, 38% were upheld or partly upheld and most complaints (49%) were signposted, resolved early or withdrawn (a similar proportion for the last two financial years). Local and early resolution of complaints is a better outcome for everyone, as escalation is time-consuming and expensive.

More complaints were upheld or partially upheld during 2019/20 than the previous financial year with the proportions increasing from 30% of all closed complaints in 2018/19 to 38%. Therefore complaints are found to be justified in 38% of all cases.

Graph 12 - Final Outcome

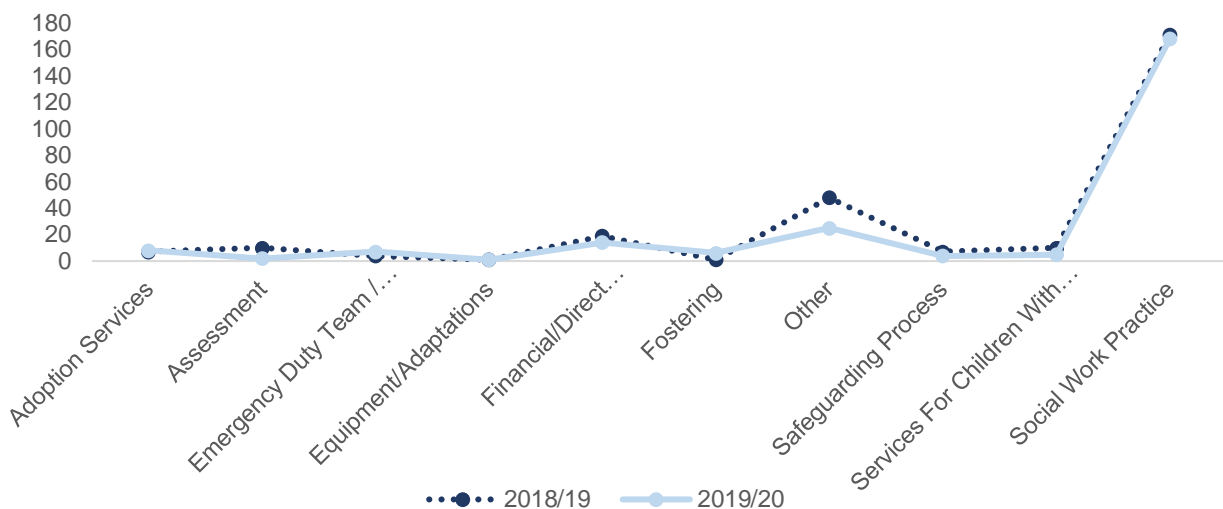


Of the total number of statutory CSC complaints received in this financial year, 61% (148) exceeded the statutory timescale (20 working days). Last year this was a rate of 50%. The main reason for this is considered to be social work staff capacity.

### 3.4 What do people complain about in the statutory process?

Graph 13 below shows a breakdown by service type for the last 2 financial years. It can be seen that the proportions are similar and social work practice continues to be the most frequent subject of complaint covering 70% of all statutory CYP complaints.

Graph 13 - Complaints By Service Type



### 3.5 Learning for CSC

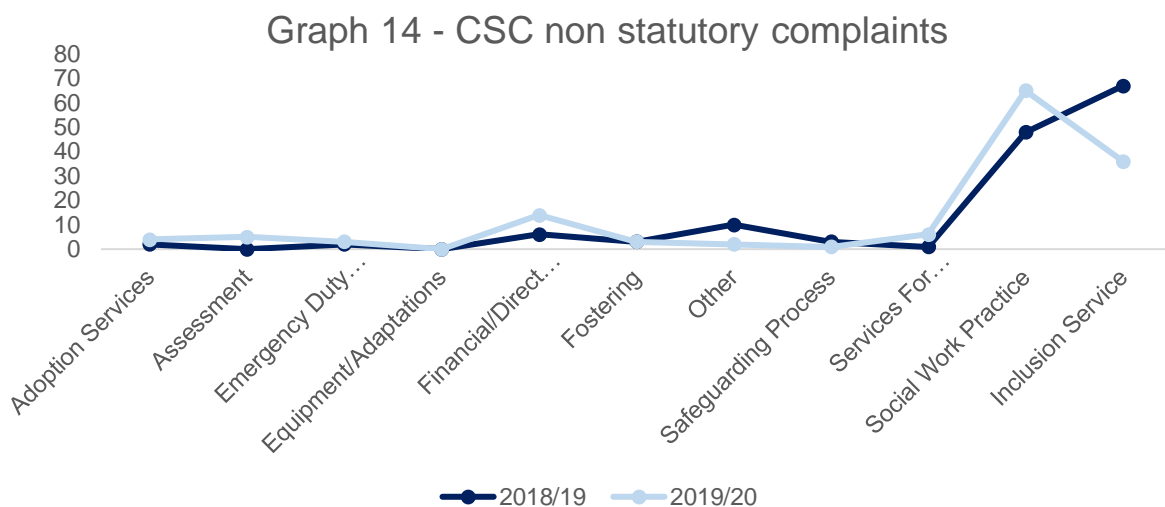
Area	Internal learning point for CYP social care
Social Care	<p>Social workers have been reminded by their managers:</p> <ul style="list-style-type: none"> <li>To take care when speaking with service users or their family and be mindful of how it may affect them;</li> <li>To follow through with tasks within the timescales they have provided;</li> <li>To improve communication especially surrounding cancelling of meetings;</li> <li>That calls are recorded by Customer Access and saved on the children's recording system; and</li> <li>Of the importance of responding to parents, carers &amp; partner organisations that the council works with.</li> </ul> <p>A reminder has been issued to all workers of the importance of returning calls to the service user and / or their family members in a timely manner.</p> <p>Managers have reviewed and improved the service practices and approaches to working with children and families.</p> <p>In a specific complaint about communication with a complainant, we have clarified how best it is for the worker to contact the person.</p>

	<p>In a specific complaint, the social worker and the complainant now have weekly contact so that updates can be provided.</p> <p>In another complaint, we have improved communication to ensure that the individual has a better understanding of the rationale behind council decisions.</p> <p>A team manager has revisited the absence from work policy and the importance of maintaining online diaries with other members of staff, including other managers.</p>
<b>Adoption Services</b>	The adoption team now ensures that newly qualified staff attend extra training, to provide the right information and give the right messages.
<b>Financial</b>	<p>Practice managers have now been made fully aware of the complaints procedures to help prevent delays in financial complaints being dealt with.</p> <p>Additional training has been provided to social care in relation to financial issues.</p>
<b>Partnership Working</b>	<p>Additional checks have been implemented with Business Support to ensure records are kept up to date.</p> <p>All staff are now required to take part in yearly training on Information Governance matters and managers get reports of uptake.</p> <p>In a specific complaint, involving a number of partner agencies, contact was made with all services that were involved to avoid the same reasons for the young person's complaint happening again.</p>
<b>Safeguarding</b>	<p>In a specific complaint, the social worker gave the complainant the dates for core group meetings and the review meeting and the parents were approached for their consent to enable them to attend.</p> <p>In another complaint, the matters arising from a meeting were shared with the group of staff who are responsible for chairing allegations strategy meetings.</p>
<b>Assessment</b>	<p>In a complaint about involvement, it was made clear to the social workers that both parents were to be involved. Staff within assessment teams engaged in a training &amp; development session in relation to this issue.</p> <p>In a complaint about the accuracy of assessment information, a family support worker got in touch with the complainant to ensure that information was accurately recorded.</p>

### 3.6 Summary of non-statutory CSC complaints

Non CSC statutory complaints are made by a people who are **not** entitled to complain under the Children Act procedures (for example a family friend or a relative without parental responsibility) or if the complaint is about something that cannot be complained about under the Children Act (for example adoption or fostering matters/complaints by members of the public: please see further categories below). Complaints about the Inclusion Service are also non-statutory, if CSC is not involved.

### 3.7 What are CSC non-statutory complaints about?



Graph 14 above shows that non statutory complaints have slightly decreased overall, but particularly for the for the inclusion service which showed a welcome reduction by 46% from 67 in 2018/19 to 36 in 2019/20.

Identifying themes and learning from all CSC complaints – non statutory or statutory - is valuable. Senior managers are informed of the themes on a regular basis through quarterly reporting and regular attendance at team meetings or senior management meetings.

### 3.8 Services which were the subject of compliments and comments in 2018/19

Due to the nature of CSC, not many compliments are received (5). However, with the addition of compliments for the Inclusion Service, a total of 154 compliments were received for 2019/20, which is a welcome rise of 40%, from 110 for the previous year.

### 3.9 LGSCO Complaints

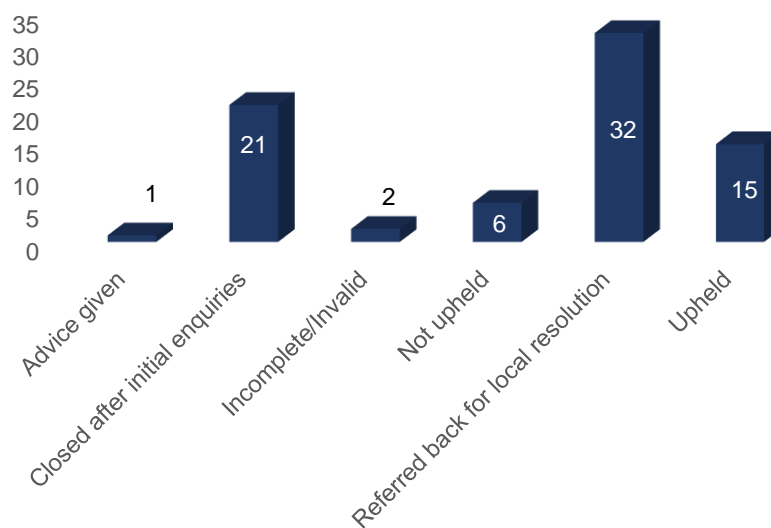
The Local Government Ombudsman (LGSCO) acts as the regulator and provides the final stage for complaints about local authorities and some other organisations providing local public services. Their service is provided free of charge. Complainants approach the LGSCO when all other options for pursuing their complaint are closed, after a proportionate response has been provided. The LGSCO will only consider complaints that have already been through the council complaints procedures. Sometimes the council will make early referrals to the LGSCO when complainants continue to be dissatisfied and the council considers that it has not done anything wrong or it has done all it can to resolve the matter.

In 2019/20, the LGSCO received total of 74 separate enquiries in relation to CSC, Inclusion and Education Services in Lancashire (in 2018/19 it was 66). This is a rise of 10% in enquiries. With the carry-over from the year before, there were a total of 77 decisions made by the LGSCO in 2019/20 for CSC.

Graph 15 below shows of the 77 LGSCO CSC decisions received in 2019/20, 35% were either not upheld or closed after initial enquiries. The number of enquiries referred back to us for local resolution represent 42%. This is good news as it shows confidence in the council's own internal complaints management processes. Only 19% of decisions were upheld.

As the LGSCO will also uphold complaints that the council has already upheld and of the 15 complaints, 7 had already been upheld or partly upheld, **this makes an actual uphold rate of 10%**. A total of £33,709.36 was paid out in final decisions (mainly due to the remedy in one complaint), a significant increase when compared with settlement amounts paid out for 2018/19 (£2,100).

Graph 15 - Final Outcome



The LGSCO was satisfied with the actions and the continuous improvement undertaken as a direct result of the complaints upheld by their investigations in 2019/20. There were 2 public reports.

The complaint centred on a couple (father and step-mother to the child) who had a Supervision Order in place for their son. They said the council failed to provide them with necessary help and support and failed to consider the father's complaint at stage 2 of the statutory children's complaints procedure. The council paid £550 for the distress and time and trouble caused. The report was taken to Full Council and a full apology was made.

The second public report was about a grandmother who looks after her two grandchildren under a fostering arrangement and the council failing to act in line with a Care Order regarding funding for an extension to her home and for a people carrier vehicle. We paid a total of £25,359.36 to cover distress, uncertainty and storage costs.

### 3.10 LGSCO Children's Social Care identified learning

The identified learning from the other upheld social care and education complaints is as follows:

- a) Due to the Council's poor administration, wrong information was included in paperwork and assumptions were presented as facts. The Council had to apologise, pay a financial remedy, and amend the wrong information.
- b) The Council failed to accurately reflect a young person's care and health needs in his Education, Health and Care Plan and delayed making provision to meet his personal care needs. The Council had to:
  - Remind staff of the need to ensure EHC plans for post 16 provision are amended by 31 March. This should include the name of the provision and ensuring relevant health and social care advice is included within the plan by this date; and
  - Ensure it had relevant quality monitoring systems in place to comply with its duty to review and amend post 16 plans by 31 March.
- c) Due to the Council's failure to make proper arrangements for a young person, who has special education needs, when he moved to post 16 education, it had to:
  - Review its procedure to ensure all secondary school pupils in years 9,10 and 11 with EHCPs have a Transition Plan in place, that these are reviewed as required and that appropriate support is provided to pupils in transition planning.
- d) The Council failed to provide a complainant with his 'approved list' or inform him which children he could have contact with so it had to:
  - Ensure social workers were aware that assessments needed to be carried out before contact can be agreed.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972. It is considered that all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Document is Restricted

