

## **Lancashire County Council**

### **Cabinet**

**Thursday, 13th July, 2017 at 2.00 pm in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston**

### **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 15 June 2017** (Pages 1 - 6)

#### **Matters for Decision:**

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

- 4. Revisions to the 2017/18 Budget** (Pages 7 - 16)
- 5. Procurement Report - Request Approval to Commence Procurement Exercises** (Pages 17 - 26)

##### **The Deputy Leader of the County Council - County Councillor Albert Atkinson**

- 6. Local Initiative Fund 2017/18** (Pages 27 - 32)

##### **The Cabinet Member for Highways and Transport - County Councillor Keith Iddon**

- 7. Preston City Centre Traffic Management** (Pages 33 - 46)
- 8. Review of Tendered Bus Services in Skelmersdale** (Pages 47 - 58)
- 9. Preston Park & Ride – Walton-le-Dale** (Pages 59 - 64)

10. **Highways and Transport Capital Programmes - Proposed Amendments** (Pages 65 - 74)

**The Cabinet Member for Children, Young People and Schools - County Councillor Susie Charles**

11. **The Future of Central Lancaster High School's Post 16 Provision** (Pages 75 - 104)
12. **Recommendation of the Edward Stocks Massey Bequest Fund Joint Advisory** (Pages 105 - 110)

**The Cabinet Member for Adult Services - County Councillor Graham Gooch**

13. **Mental Health Partnership Agreement with Clinical Commissioning Groups for Jointly Funded Rehabilitation Services** (Pages 111 - 136)

**The Cabinet Member for Community and Cultural Services - County Councillor Peter Buckley**

14. **Proposals relating to Library Buildings which were closed/proposed for closure as part of the Property Strategy (Neighbourhood Centres)** (Pages 137 - 146)

**Miscellaneous Matters:**

**15. 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.

**16. Date of Next Meeting**

The next meeting of the Cabinet will be held on Thursday 10 August 2017 at 2.00 pm at County Hall, Preston.

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

The meeting is likely to move into private session to consider the following reports, and the public will be excluded from that part of the meeting. The reason for this is that those reports will involve the disclosure of confidential and/or exempt information as defined within S100A(3) and Schedule 12A of the Local Government Act 1972. A final decision on whether the meeting shall move into private session will be taken during the meeting.

A notice was published in accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. No representations have been received in response to this notice.

**18. Exclusion of Press and Public**

The Committee 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 Highways and Transport - County Councillor Keith Iddon**

**19. Public Footpath along Culbeck Lane, Euxton (ref. 09-14-FP37/38/39) (Pages 147 - 160)**

(Not for Publication - Exempt information as defined in Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A to the Local Government Act, 1972. It is considered that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interests in disclosing the information.)

**The Cabinet Member for Adult Services - County Councillor Graham Gooch**

**20. Commissioning of Services for Homeless People with Complex Needs (Pages 161 - 200)**

(Not for Publication – Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act, 1972. 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.)

Jo Turton  
Chief Executive

County Hall  
Preston



## **5. Procurement Report - Request Approval to Commence Procurement Exercises**

Cabinet received a report in line with the County Council's procurement rules, setting out recommendations to approve the commencement of two procurement exercises for:

- (i) Apprenticeship Levy Training and Assessment Providers and;
- (ii) The Supply of Liquid Fuels

**Resolved:** The commencement of the procurement exercises as set out for the Apprenticeship Levy training and assessment providers and the supply of liquid fuels be approved

## **6. Report on the Outcome of the Office of Surveillance Commissioner's Triennial Inspection**

Cabinet received a report on the outcome of the triennial inspection of the Council's use of covert surveillance in accordance with the Regulation of Investigatory Powers Act 2000 (RIPA) by the Office of Surveillance Commissioners (OSC) on 28 February 2017. It was noted that the report was largely positive.

**Resolved:** That

- i. the OSC Inspection Report be noted
- ii. the amended corporate policies on RIPA and Shadow RIPA be approved
- iii. a policy for the use of social media in connection with investigations be developed for appropriate services and presented to Cabinet for approval.

## **7. Appointments to Outside Bodies 2017/18**

The Cabinet received the annual report on the appointment of County Council representatives to various outside bodies.

**Resolved:** That

- i. the representation and appointments listed in Appendix 'A' for outside bodies for 2017/18 be approved
- ii. Political Group Secretaries be requested to co-ordinate the nomination of members to fill any vacancies and any in-year changes; and in consultation with Democratic Services and the Deputy Leader of the Council notify the Director of Governance, Finance and Public Services.

## **8. Residential Strategy**

Cabinet received a report proposing a revised Children Looked After (CLA) Residential Strategy, building on the actions relating to residential care identified in Lancashire's CLA Sufficiency and Commissioning Effective Placements Strategy (2014-2017). The report identified that, whilst there were some additional set up costs, the changes would overall result in net savings to the authority of £2.7m, as well as better outcomes for children and young people.

**Resolved:** That the strategy as set out be approved

## **9. Department for Transport (DfT) 2017/18 Highway Incentive Fund**

Cabinet considered a report setting out proposals for allocating the Highway Maintenance Incentive Element funding in 2017/18 of £1.973m awarded by the Department for Transport (DfT).

It was noted that the incentive payments received by the County Council were based on the council being assessed as achieving "Band 3", the highest possible band, securing the maximum incentive funding.

**Resolved:** That the schemes set out for funding from the Highway Maintenance Incentive Element funding in 2017/18 totalling £1.973m be approved.

## **10. Accrington Townscape Heritage Initiative – Proposed Public Realm Improvements to the Town Square, Blackburn Road and Peel Street**

A report was presented on the Accrington Townscape Heritage Initiative (THI), promoted by Hyndburn Borough Council (HBC), a public realm improvement scheme proposed for the town square and adjacent sections of Blackburn Road and Peel Street. The THI also makes provisions for the regeneration of some of Accrington's key historic buildings and the non-highway area adjacent to the Town Hall to provide a defined town square dedicated to the memorial and celebration of the Accrington Pals regiment. Planning permission for the THI was granted in February 2017.

**Resolved:** That

- i. the award of the tender to the winning contractor be approved subject to the S278 agreement being in place and the County Council having received and added the necessary resources from Hyndburn Borough Council to the 2015/16 Highways block of the capital programme;
- ii. the County Council will accept staged payments totalling £1,704,751 from Hyndburn Borough Council together with any other additional financial resources for the project that may be agreed, on the condition that payments are received and added to the Highways block of the 2015/16 capital programme in advance of any application for payment from the appointed contractor.
- iii. the expenditure be phased across the financial years 2017/18 and 2018/19 in line with the receipt of income.

## **11. 40mph Speed Limit Revocation Order Branch Road, Mellor Brook, Mellor**

Cabinet received a report setting out a proposal to revoke a 40mph Speed Limit Order (SLO) along the entire length of Branch Road, Mellor Brook, Mellor.

**Resolved:** That the making of a 40mph Revocation Order which revokes the existing 40mph Speed Limit Order along the whole length of Branch Road, Mellor Brook be approved

**12. Upgrade of Existing Zebra Crossing to Puffin Crossing - Broadway, Haslingden**

Cabinet considered a report setting out a scheme to upgrade the existing Zebra Crossing on Broadway, Haslingden, to a Puffin crossing. The proposal had an approved capital allocation of £58,000 in the 2015/16 Road Safety Programme.

**Resolved :** That existing Zebra Crossing be removed and that construction of a new Puffin crossing and associated road markings on Broadway Haslingden, from a point 5.5m east of the centreline of Devon Crescent for a length of 41 metres eastwards be approved.

**13. Burnley Road and Goodshawfold Road, Loveclough - Prohibition and Restriction of Waiting**

Cabinet received a report setting out a proposal to introduce a Traffic Regulation Order to Prohibit Waiting at Burnley Road and Goodshawfold Road, Loveclough and to Restrict Waiting at Burnley Road, Loveclough.

**Resolved:** That the making of a Traffic Regulation Order which prohibits waiting and restricts waiting as set out be approved

**14. Report of Key Decisions taken by the Leader of the County Council, the Deputy Leader of the County Council and Cabinet Members**

**Resolved:** That the report of the key Decisions taken by the Leader, Deputy Leader and Cabinet Members be noted

**15. Report of the Waiver of Procurement Rules by the Deputy Leader of the County Council**

**Resolved:** That the report of the waiver of procurement rules by the Deputy Leader be noted.

**16. Urgent Business**

There was no urgent business.

**17. Date of Next Meeting**

It was noted that the next meeting of Cabinet would take place on Thursday 13 July at County Hall, Preston.

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

The Notice of Intention to Conduct Business in Private was noted, no representations having been received.



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

**Resolved:** That Cabinet considered that, under Section 100A(4) of the Local Government Act 1972, 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.

## **20. Acquisition of Household Waste Recycling Centre Infrastructure**

(Not for publication – Exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. 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.)

A report was considered on the acquisition of the Household Waste Recycling Centre Infrastructure.

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

## **21. National productivity Investment Fund - Approval to Submit a Funding Bid**

(Not for publication – Exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. 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.)

A report was considered on the approval of the submission of a funding bid to the National Productivity Investment Fund

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

## **22. Fleetwood to Knott End Ferry Service**

(Not for publication – Exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. 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.)

A report was considered on the Fleetwood to Knott End Ferry Service

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

## **23. Relocation of Youth Offending Team (Preston and South)**

(Not for publication – Exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. 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.)

A report was considered on the relocation of the Youth Offending Team (Preston and South)

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

Jo Turton  
Chief Executive

County Hall  
Preston

**Report to the Cabinet**

Meeting to be held on Thursday, 13 July 2017

**Report of the Director of Financial Resources****Part I**

Electoral Divisions affected:  
All

**Revisions to the 2017/18 Budget**

(Appendices 'A' and 'B' refer)

Contact for further information:

Neil Kissock, (01772) 534286, Director of Financial Resources

[neil.kissock@lancashire.gov.uk](mailto:neil.kissock@lancashire.gov.uk)

**Executive Summary**

At Budget Full Council on 9 February 2017 the Conservative Group moved an Amendment to the Administration's 2017/18 budget proposals, the Amendment being lost.

Following the County Council elections in May 2017 the new Administration have confirmed that they wish to amend the budget agreed by Full Council in line with the earlier Amendment. This report provides details to Cabinet of the implementation of the Amendment (revised to incorporate the most up to date budget information) that was proposed in February 2017 and the impact on the 2017/18 budget and beyond.

**Recommendation**

The Cabinet is recommended to consider the proposed Budget Amendment at Appendix 'B' and agree:

- (i) To recommend Full Council to add an additional £3.995m to the 2017/18 revenue budget.
- (ii) To recommend Full Council to agree to add an additional £7.071m to the 2017/18 capital budget as per the Budget Amendment (Appendix 'B').
- (iii) To request the Director of Financial Resources to incorporate the impact of the Budget Amendment within the Medium Term Financial Strategy from 2018/19 onwards which will be reported to Cabinet in September 2017.

## **Background and Advice**

At Full Council in February 2017 the Conservative Group moved an Amendment to the 2017/18 budget proposals. The Amendment was however lost and therefore not implemented.

The detailed Amendment is included at Appendix 'A' and included proposals to increase the revenue budget in a number of service areas such as subsidised bus routes, libraries, promoting sustainable employment for young people and enhancing the Apprentices and Graduate programme. In addition the Amendment included changes to the Capital Programme which included increases in the highways and libraries funding.

All proposals were validated as being deliverable financially in 2017/18 with funding sources identified although it was highlighted that the Amendment would affect savings areas (and increase the capital programme) and would lead to a widening resource gap in 2018/19, and future years.

### **2017/18 Revised Budget Amendment**

The Amendment was costed on the basis of information available at a point in time and on the assumption that it was agreed in February and implemented thereafter. To reflect the fact that we are now partway through the 2017/18 financial year the Amendment has been reviewed and re-costed based on the most up-to-date information available and incorporating the part year position for 2017/18.

Appendix 'B' contains the revised Amendment to the 2017/18 budget, further details of each line are contained below:

#### **1) Proposed Additions to the Budget for 2017/18**

- **Subsidised Bus Routes**

**Of the £1.000m included within the original Amendment it is estimated that £0.333m can be spent in the current financial year.**

This additional funding will be spent on forming new links between communities and enhancements to existing services. It is anticipated that reviewing contracts and possibly extending them will result in better value for money. It is estimated that £0.333m can be spent in 2017/18 with a further report to be provided to Cabinet setting out proposals in due course. .

- **Promoting sustainable employment for young people and enhancing the Apprentices and Graduate programme**

**Of the £1.000m included within the original Amendment it is estimated that £0.433m can be spent in the current financial year.**

This additional funding would provide employability support to the County Council's Children Looked After (CLA) and Care Leavers, increasing the ability to support these young people. In addition the funding will be used to support additional graduates and apprentice placements and specific key skills gaps across the County Council which will also support the use of the apprentice levy.

- **Remove proposed cuts to Library Service and re-open all libraries**  
**Of the £2.177m included within the original Amendment it is estimated that £1.654m is required in the current financial year.**  
 This funding allows Cabinet to agree to rescind decisions to close libraries that have not yet been implemented and reopen library facilities which have already closed. A separate report on the agenda for this meeting of Cabinet sets out the details of what is proposed including the financial implications.
- **Additional support for new community libraries**  
**Of the £0.050m included within the original Amendment it is estimated that £0.000m is required in the current financial year.**  
 This funding is no longer required due to the reduced number of Community Asset Transfers (CATs) that are currently proposed to take place compared to those at the time of the Budget Amendment. This additional funding was to provide additional resource to support community libraries, however with a reduced amount of transfers of facilities to the community the current resource will be able to provide more support to the remaining CATs.
- **Increase the level of Local Member Grants by 50%**  
**Of the £0.084m included within the original Amendment it is estimated that £0.084m can be spent in the current financial year.**  
 This funding allows grants to be agreed and paid out by Local Members to support community groups and organisations providing services to local communities in Lancashire.
- **Increase the funding to the Flood Risk budget and increase the frequency of gully cleaning**  
**Of the £0.300m included within the original Amendment it is estimated that £0.300m can be spent in the current financial year.**  
 This funding will be used to support the pressurised flood risk budget and enable more reactive work to be completed when reported by the general public or Members relating to gully cleaning.
- **Cost of prudential borrowing to fund increased investment in the Capital Programme**  
**Of the £0.199m included within the original Amendment it is estimated that £0.181m is required in the current financial year.**
- **Supporting Economic Growth, particularly small businesses**  
**Of the £1.000m included within the original Amendment it is estimated that £0.500m is required in the current financial year.**  
 This funding will be used to support economic growth with a further report to be presented to Cabinet providing the details of the application of this funding.
- **Retain the Subsidy to Knott End Ferry to ensure continued operation**  
**Of the £0.085m included within the original Amendment it is estimated that £0.100m is required in the current financial year.**  
 This was agreed at Cabinet in June 2017 to be funded temporarily from the Transitional Reserve. This Budget Amendment would remove the need for

funding from the reserve. This is an estimated cost based on 2016/17 expenditure whilst negotiations are ongoing.

- **Funding to keep Hornby Swimming Pool open for community use**  
**Of the £0.080m included within the original Amendment it is estimated that £0.080m can be spent in the current financial year.**

On 31 March 2017 Lancaster City Council took the decision to end its relationship with the community pool at Hornby with officers exploring the possibility of transferring the pools to community ownership. The County Council estimated the costs to be £0.080m and will need to discuss with Lancaster City Council how this identified funding could be utilised to potentially support the reopening of this facility.

- **Reinstate the cuts made to the Public Realm Budget, to improve grass verge cutting, weed control, leaf sweeping & tree maintenance**  
**Of the £0.600m included within the original Amendment it is estimated that £0.330m can be spent in the current financial year.**

This funding will be used to increase the frequency of grass cutting on inner core and outer core areas. As we are already partway through the grass cutting season there will be a part implementation of this additional funding in 2017/18 and full implementation in 2018/19. A further report to Cabinet in September will provide more details surrounding the implementation of this Amendment following discussions with District Councils and contractors (if required). The introduction of cyclic weed control in all areas and the increase of reactive leaf clearance to supplement the existing cyclic sweeping.

## **2) Financing the proposed additions to the budget**

The financing proposals have been adjusted to reflect the revised budget requirement in 2017/18 and are detailed in Appendix 'B'.

## **3) Proposed Additions to the Capital Programme**

- **Additional funding to carry out Highways Maintenance - £5.000m**

It is proposed that this funding will be utilised as follows:

- Responsive/Reactive Maintenance (Minor works) - £1.000m
- Early intervention defect repairs - £1.000m
- Highways projects and resources - £3.000m

A further report to Cabinet will provide proposals for how this funding will be spent and the forecast spend profile.

- **Additional funding for the Productivity Investment Fund to reduce Congestion - £0.500m**

This funding would support the County Council's match funding requirement as part of its bid to the National Productivity Investment Fund.

- **Additional Road Safety Schemes**

This was agreed at Full Council in February 2017 as part of an additional Amendment to the 2017/18 budget therefore no longer required as part of the Amendment.

- **Libraries – Essential Condition Costs P1 and P2 - £1.571m**

As a result of the decision to re-open libraries all will require some capital investment to ensure the building is maintained at an acceptable standard. Condition surveys are currently taking place with a further report to be provided to Cabinet detailing the revised costs based on most recent information available.

#### **4) Proposed Amendments to the Capital Programme**

The amendments required to fund the revised capital requirement in 2017/18 and are detailed in Appendix 'B'.

#### **Consultations**

N/A

#### **Implications:**

This item has the following implications, as indicated:

#### **Financial**

The budget amendment is fully costed and funded as shown in Appendix 'B' however it is important to note that this will lead to a widening resource gap in 2018/19.

#### **List of Background Papers**

Paper	Date	Contact/Tel
The County Council's Budget	9 February 2017	Neil Kissock/(01772) 536154

Reason for inclusion in Part II, if appropriate

N/A

**BUDGET COUNCIL: 9<sup>TH</sup> FEBRUARY 2017**

**AMENDMENT PROPOSED BY THE CONSERVATIVE GROUP TO THE 2017/18 BUDGET**

**(1) Proposed Additions to the Budget**

	Additional Proposals	Cost of £m
1. Subsidised Bus Routes Retain all existing subsidised routes and increase the level of subsidies by 50%, to support additional services:		1.000
2. Promoting sustainable employment for young people and enhancing Apprentices & Graduates programme:		1.000
3. Remove proposed cuts to Library Service and re-open all libraries on 1 <sup>st</sup> July 2017 which are currently closed due to cuts by Lancs County Council in 2016/17, to include all costs of re-opening, staff & running costs and replacing funding for County Book Fund:		2.177
4. Additional support for the new community libraries established in 2016/17 in response to the cuts made by Lancashire County Council:		0.050
5. Increase the level of Local Member Grants by 50%, to provide support to Charities providing services to our local communities in Lancashire:		0.084
6. Increase the funding in the Flood Risk budget by £50k and increase the frequency of gully cleaning:		0.300
7. Cost of prudential borrowing to fund increased investment in the Capital Programme of £3.319m:		0.199
8. Supporting Economic Growth, particularly Small Businesses:		1.000
9. Retain the Subsidy to the Knott End Ferry, to ensure its continued operation, if required, up to a maximum value of £85k:		0.085
10. Funding to keep Hornby Swimming Pool open for community use, to allow consultation with interested parties on the most appropriate means of providing this facility, up to maximum £80k:		0.080
11. Reinstate the cuts made to the Public Realm Budget, to improve grass verge cutting, weed control, leaf sweeping & tree maintenance		0.600
<b>Total Cost of Proposed Amendments:</b>		<b><u>£6.575</u></b>



## (2) Financing the Proposed Additions to the Budget

	Revenue Savings
	£m
1. Continue the policy of financing Capital Expenditure by borrowing rather than charging to Revenue or Reserves:	
• Asset Maintenance	0.727
• School Playing Fields	<u>1.036</u>
Total:	1.763
Less: Revenue Charges	0.106
	<u>1.657</u>
2. Reduction in the number of paid trade union officials:	0.061
3. 25% reduction in the number of Vacant Posts which don't Relate to service areas with future savings targets:	0.200
4. Reduce the County Fund by 16.67%:	6.000
<b>Total Revenue Savings:</b>	<b><u>£7.918</u></b>

**Therefore, an amount of £1.343m would be available to transfer to the County Council's Transitional Reserve.**

### (3) Proposed Additions to the Capital Programme

ADD:

	£m
• Additional funding to carry out Highways Maintenance:	5.000
• Additional funding for the Productivity Investment Fund, to reduce Congestion:	0.500
• Additional Road Safety Schemes:	0.500
• Libraries – Essential Condition Costs P1 and P2	1.571
<b>Total Additions to Capital Programme:</b>	<b><u>£7.571</u></b>

### (4) Proposed Amendments to the Capital Programme

	£m
1. Re-profile the upgrade of Fire Suppression systems at the waste recovery parks, to move £2.268m from 2016/17 to 2017/18 and £1.552 from 2017/18 to 2018/19:	1.552
2. Re-profile the PPR Neighbourhood Centres Suitability Investment, to move £1.5m from 2017/18 to future years:	1.500
3. Re-profile Vehicle replacements, to move £1m from 2017/18 to 2018/19:	1.000
4. Delete funding from the parish bus scheme, as there has been no take-up by any parish councils in Lancashire:	0.200
<b>Total Reductions from 2017/18 Capital Programme:</b>	<b><u>£4.252</u></b>

#### View of the Section 151 Officer

The proposals have been validated as being deliverable financially in 2017/18. However it must be stressed that the affected savings areas (and increase to the capital programme) will lead to a widening resource gap in 2018/19, and future years, if they are not ultimately delivered in full as per the existing plans.

## Appendix 'B'

### AMENDMENT TO THE 2017/18 BUDGET

#### (1) Proposed Additions to the Budget

	2017/18	2018/19
	£m	£m
1.Subsidised Bus Routes: Retain all existing subsidised routes and increase the level of subsidies by 50%, to support additional services:	0.333	1.000
2. Promoting sustainable employment for young people and enhancing Apprentices & Graduates programme	0.433	1.000
3. Remove proposed cuts to Library Service and re-open all libraries on 1st July 2017 which are currently closed due to cuts by Lancs County Council in 2016/17, to include all costs of re-opening, staff & running costs and replacing funding for County Book Fund:	1.654	1.770
4. Additional support for the new community libraries established in 2016/17 in response to the cuts made by Lancashire County Council:	0.000	0.000
5. Increase the level of Local Member Grants by 50%, to provide support to Charities providing services to our local communities in Lancashire:	0.084	0.084
6. Increase the funding in the Flood Risk budget by £50k and increase the frequency of gully cleaning:	0.300	0.300
7. Cost of prudential borrowing to fund increased investment in the Capital Programme of £3.019m:	0.181	0.181
8. Supporting Economic Growth, particularly Small Businesses:	0.500	1.000
9. Retain the Subsidy to the Knott End Ferry, to ensure its continued operation, if required, up to a maximum value of £85k:	0.100	0.100
10. Funding to keep Hornby Swimming Pool open for community use, to allow consultation with interested parties on the most appropriate means of providing this facility, up to maximum £80k:	0.080	0.080
11. Reinstate the cuts made to the Public Realm Budget, to improve grass verge cutting, weed control, leaf sweeping & tree maintenance	0.330	0.600
<b>Total Cost of Proposed Amendments</b>	<b>3.995</b>	<b>6.115</b>

## (2) Financing the Proposed Additions to the Budget

	2017/18
	£m
Reduce the County Fund Reserve	3.995
<b>Total Cost of Proposed Amendments</b>	<b>3.995</b>

## (3) Proposed Additions to the Capital Programme

	2017/18 £m
Additional funding to carry out Highways Maintenance	5.000
Additional funding for the Productivity Investment Fund, to reduce Congestion	0.500
Additional Road Safety Schemes	0.000
Libraries – Essential Condition Costs P1 and P2	1.571
<b>Total additions to the Capital Programme</b>	<b>7.071</b>

## (4) Proposed Amendments to the Capital Programme

	2017/18
	£m
Re-profile the upgrade of Fire Suppression systems at the waste recovery parks, to move £2.268m from 2016/17 to 2017/18 and £1.552 from 2017/18 to 2018/19	1.552
Re-profile the PPR Neighbourhood Centres Suitability Investment, to move £1.5m from 2017/18 to future years	1.500
Re-profile Vehicle replacements, to move £1m from 2017/18 to 2018/19	1.000
Delete funding from the parish bus scheme, as there has been no take-up by any parish councils in Lancashire	0.000
<b>Total Cost of Proposed Amendments</b>	<b>4.052</b>

**Report to the Cabinet**

Meeting to be held on Thursday, 13 July 2017

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

Electoral Divisions affected:  
All

**Procurement Report - Request Approval to Commence Procurement Exercises**  
(Appendix 'A' refers)

Contact for further information:

Rachel Tanner, (01772) 534904, Head of Service - Procurement

[rachel.tanner@lancashire.gov.uk](mailto:rachel.tanner@lancashire.gov.uk)

**Executive Summary**

In line with the County Council's procurement rules, this report sets out recommendations to approve the commencement of four procurement exercises for:

- (i) Lancashire 0-19 Healthy Child Programme;
- (ii) Services for Homeless households with Complex Needs;
- (iii) M55 Heyhouses Link Road; and

The procurement exercises are deemed to be Key Decisions and the provisions of Standing Order No. 25 have been complied with.

**Recommendation**

The Cabinet is recommended to approve the commencement of the procurement exercises as set out in Appendix 'A' for the areas highlighted above.

**Background and Advice**

Appendix 'A' of this report sets out the details of the individual procurement exercises, and the basis upon which it is proposed to carry out the processes including:

- the description of the service being procured;
- the estimated annual contract value and the funding position;
- the contract duration and;
- 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 a Key Decision and can be approved by the relevant Head of Service or Director.

On the conclusion of the procurement exercises, the award of the contracts will 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 exercises included within this report.

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

Failure to take steps to lawfully procure new contracts and, where relevant, continuing with current arrangements would contravene the Council's procurement rules and the Public Contract Regulations 2015. Furthermore, failure to award the contracts may result in the county council facing difficulty in delivering these services.

### **List of Background Papers**

Paper	Date	Contact/Tel
Procurement Rules	July 2016	Rachel Tanner (01772 534904)

Reason for inclusion in Part II, if appropriate

N/A

## Appendix A

<b>Cabinet Member</b> Cabinet Member for Health and Wellbeing		
<b>Procurement Title</b> Lancashire 0-19 Healthy Child Programme (HCP)		
<b>Procurement Option</b> OJEU – Open Tender		
<b>New or Existing Provision</b> Existing. Current contract(s) end date of 31/03/2018.		
<b>Estimated Annual Contract Value and Funding Arrangements</b> Potential total annual spend £21,470,000 (capped budget, inclusive of all lots) costed from the Public Health Grant. A breakdown of annual spend by each lot can be determined as:  Lot 1: 0-19 Public Health Nursing Services £20,600,000 Lot 2: Vision Screening Services £150,000 Lot 3: Infant Feeding Services £250,000 Lot 4: Oral Health Promotion Services £470,000 Potential total value of all four lots/contracts over a five year period: £107,350,000  The contract will operate on the basis of an open book costing model.		
<b>Contract Duration</b> Initial period of three years with an option to extend the contract by any number of defined periods provided that the total contract period does not exceed five years.		
<b>Lotting</b> Delivery of the 0-19 HCP will be offered as a Countywide opportunity for all four lots. Not splitting services by geographic boundaries will provide equitable service provision and consistency across the County; especially when joining up with health, children's social care teams and safeguarding teams.  One provider (per lot) across Lancashire will enable better co-ordination and oversight, whilst ensuring the 0-19 integrated service model is developed within the wider Children and Young people's services including those developed by CCG's and LCC's neighbourhood centres and enable consistency in the quality of services delivered.  Offering the services as four lots creates opportunities for smaller providers, especially third sector organisations, who specialise in, and have a proven track record of delivering such services successfully. This approach creates a foundation for meeting social value objectives in each of the localities e.g. volunteer networks utilised by third sector organisations consisting of local mothers, sharing of infant feeding knowledge within the local community.		
<b>Evaluation</b> <table border="1" data-bbox="193 1765 933 1816"><tr><td>Quality Criteria: 80%</td><td>Financial Criteria: 20%</td></tr></table> <p>The lower Financial Criteria reflects the fact that the contract values are capped at the values given above, with 20% of the award criteria available for a further reduction in contract value. Social Value will account for 10% of the quality criteria and the objective will be focused on 'promoting equity and fairness'.</p>	Quality Criteria: 80%	Financial Criteria: 20%
Quality Criteria: 80%	Financial Criteria: 20%	

### **Contract Detail: Lancashire 0-19 Healthy Child Programme**

Public Health England's HCP is the evidence based UK framework, which aims to improve and promote health for all children and young people and prevent health inequalities. It is a universal programme, led by health visiting and school nursing services, which aims to ensure that every child gets the good start they need to lay the foundations of a healthy life. High quality, cost effective, and integrated universal and targeted services will break the cycle of reliance on high cost reactive services and reduce the poor health outcomes and inequalities we see in this County. There is now firm evidence as to what services are important to achieve this. This is brought together in the national Healthy Child Programme 0-19. The Programme aims to:

- Help parents develop and sustain a strong bond with children.
- Encourage care that keeps children healthy and safe.
- Protect children from serious disease, through screening and immunisation.
- Reduce childhood obesity by promoting healthy eating and physical activity.
- Identify health issues early, so support can be provided in a timely manner.
- Make sure children are prepared for and supported in all child care, early years and education settings and especially are supported to be 'ready to learn at two and ready for school by five'.

Universal and targeted public health services provided by health visiting and school nursing teams are crucial to improving the health and wellbeing of all children and young people. However, health inequalities remain a significant problem to be tackled. The universal reach of the Healthy Child Programme provides an invaluable opportunity to identify families that are in need of additional support and children who are at risk of poor outcomes. The principle of "proportionate universalism" says that we have to put support everywhere, but with more of it where it is most needed. The successful providers will be expected to utilise a range of local data sources, their own understanding of local health and community needs, and apply holistic individual assessment, to inform collaborative prioritisation of resources along the progressive universal offer. It is expected the provider will ensure and oversee that all provision within the life of this contract is underpinned by Marmot principles (The Marmot Review 2010).

Together with delivery of Healthy Child Programme services, the successful Provider will also work closely with the Council to undertake a review and develop a design for future service delivery that maximises the effective use of available resources. The design will focus the delivery of Wellbeing Prevention and Early Help services and public health nursing shared provision, meeting the following broad objectives:

1. Local Authority and Service Provider working in one delivery framework for Children, Young People and Families that provides the Healthy Child programme and an early help and support,
2. Having identified case holders for Children, Young People and Families from a collective workforce,
3. Assisting in promoting communication and marketing of the one service framework of public health nursing and early help delivery being provided as a collective service provision,
4. Developing information sharing processes and consent processes to facilitate a



one delivery framework approach, and

5. Produce service delivery policy and procedure that ensure provision is co-delivered and includes cohesive pathways.



<b>Cabinet Member</b> Cabinet Member for Adult Services and Cabinet Member for Health and Wellbeing		
<b>Procurement Title</b> Procurement of Services for Homeless Households with Complex Needs		
<b>Procurement Option</b> OJEU – Open Tender		
<b>New or Existing Provision</b> Existing. Current contract(s) end date of 30/09/2017 with option to extend until 2019, with the exception of one contract. Services need to be procured for a range of reasons, including reconfiguration of services in order to achieve savings.		
<b>Estimated Annual Contract Value and Funding Arrangements</b> Annual Budget of approximately £1M to come from the Prevention and Early Help Fund. Proposed tenders have a potential total value over a four year period: of £4,000,000.		
<b>Contract Duration</b> Initial period of two years with an option to extend the contract by any number of defined periods provided that the total contract period does not exceed four years.		
<b>Lotting</b> Up to 6 services will be procured for people with complex needs in the following localities.  Central (based in all central districts but accessible to people from other districts) North (based in Wyre, but accessible to people from other districts) North (based in Lancaster, but accessible to people from other districts) East ((based in Burnley, with the potential for an additional dispersed service but accessible to people from other districts) East (based in Hyndburn but accessible to people from other districts)		
<b>Evaluation</b> <table border="1" data-bbox="193 1294 933 1350"><tr><td>Quality Criteria: 80%</td><td>Financial Criteria: 20%</td></tr></table> Social Value will account for 10% of the quality criteria and the objective will be focused on 'promoting equity and fairness'.	Quality Criteria: 80%	Financial Criteria: 20%
Quality Criteria: 80%	Financial Criteria: 20%	
<b>Contract Detail:</b> The contracts will provide supported accommodation for single people and families who are homeless and face multiple needs and disadvantage and are at risk of exclusion from society, or of living on the extreme margins of society. This service will provide short term accommodation and support for individuals who struggle to access accommodation and support and/or to maintain themselves in the community in independent accommodation.  The service shall maximise the number of individuals who achieve and maintain independent living by focusing on developing, recovering and maintaining skills required for coping with the demands of everyday life, through supporting service users to complete tasks independently.  In September 2016 Cabinet agreed to fund up to £1.25m of services (of which £1M relates to these procured services) for homeless people with complex needs from the Prevention and Early Help Fund, and to utilise underspend from the 2016/17		

Prevention and Early Help Fund to provide sufficient time to develop our commissioning intentions and re-procure services. A report being considered by Cabinet in July will outline the commissioning intentions in relation to this funding. Given that the overall level of funding has reduced, the report will put forward a range of proposals for the services which were historically funded from the Supporting People budget, which includes withdrawal of funding, extension of contracts and re-procurement of some services which may be reconfigured. Consequently, approval is being sought to re-procure up to six services for homeless households with complex needs.

<b>Cabinet Member</b> Cabinet Member for Highways & Transport
<b>Procurement Title</b> M55 Heyhouses Link Road
<b>Procurement Option</b> OJEU - Restricted Tender
<b>New or Existing Provision</b> New requirement for M55 Link Road
<b>Estimated Contract Value and Funding Arrangements</b> Estimated Contract value of £21m  Funding agreed to date is £8 m consisting of: <ul style="list-style-type: none"><li>• Kensington Developments Limited - £7m</li><li>• Fylde BC - £1m</li></ul> Funding yet to be agreed consisting of: <ul style="list-style-type: none"><li>• Growth Deal -£2m</li><li>• Highways England (HE) - £5m</li><li>• National Productivity Investment Fund (NPIF) – between £4.3m and £5m</li><li>• LCC - £1.7m – subject to successful bids above</li></ul> Approval is sought to commence the tender procedure on the basis that no contractual commitment will be entered into until all the funding has been secured and is available for this project.
<b>Contract Duration</b> March 2018 – December 2021
<b>Lotting</b> N/A
<b>Evaluation</b> The tender will be conducted using the OJEU Restricted procedure, which is a two stage tender process:  Stage 1: A pre-qualifying questionnaire will be issued to suppliers who express an interest in undertaking this work. The questionnaire will determine financial status, quality, experience, and capability to undertake the work. Each returned questionnaire will be marked and the top scoring six suppliers will be issued an Invitation to Tender to submit a bid (stage 2).  Stage 2: The tender returns will be evaluated on most economically advantageous tender (MEAT).

### **Background**

In excess of 1,600 homes are proposed in the strategic location of Lytham and St Annes. Currently Kensington Developments account for 1,150 dwellings at the Queensway site. Other developers have been discussing development in the wider area with the County Council that currently total an additional 1,000 dwellings.

The existing highway network is unable to accommodate the likely traffic that this scale of development would generate. To directly support this growth (and potentially to exceed it), as well as underpin access to the resort towns, the construction of the link road will improve access from the M55 at Peel Hill (Junction 4) and St Annes.

### **Contract Detail**

Access to the M55 is currently via the Queensway and Common Edge Road corridor. This is a congested route and is known to exceed 400 vehicles per hour. Wild Lane was used as an alternative route with commuters travelling from Lytham St Annes to access the strategic network at M55 junction 4 or the eastern sector of Blackpool or to the Blackpool & Fylde Industrial Estate. The Wild Lane Route has been closed since 2013 for safety reasons (structural failure). This has resulted in vehicles being re-routed to existing congested routes with increase junction queuing and corridor delay.

The Wild Lane corridor needs to reopen to satisfy current and future needs of highway transport for the area including supporting economic development.

It is intended to build a link road to run parallel to the existing Wild Lane commencing at the Whitehills roundabout in the north and tie in to the road delivered as part of the Cyprus Point Development in the south.

The northern section of link road (rural) would be 7.3m wide and the southern section (urban) commencing at a new roundabout mid length would be 6.5m wide. The existing Wild Lane would be used as a sustainable route for pedestrians, cyclists, and equestrians.

### **Impact of not progressing the Scheme**

- Continued congestion of existing routes
- Prohibit housing and economic development

**Report to the Cabinet**

Meeting to be held on Thursday, 13 July 2017

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

<b>Part I</b>
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Electoral Divisions affected: All
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**Local Initiative Fund 2017/18**

Contact for further information:

Misbah Bhatti, (01772) 530818, Senior Democratic Services Officer,  
[misbah.bhatti@lancashire.gov.uk](mailto:misbah.bhatti@lancashire.gov.uk)

**Executive Summary**

This report seeks approval from Cabinet to launch the Local Initiative Fund (LIF) scheme for 2017/18 incorporating recommendations of the former Cabinet Working Group for the Third Sector.

The LIF scheme is now into its seventh year and offers an opportunity for Third Sector organisations across Lancashire to apply for funding in order to help deliver local and Lancashire County Council priorities.

**Recommendation**

The Cabinet is recommended to approve the following recommendations:

- (i) That the LIF scheme for 2017/18 be launched and bids be invited for funding from the Third Sector.
- (ii) That the underspend of £18,080.67 be brought forward from the 2016/17 LIF scheme and be added to the relevant districts budget for the LIF 2017/18 scheme.
- (iii) That the underspend of £28,550.58 from Local Member Grants Scheme for 2016/17 be brought forward to the relevant district's budget for the LIF 2017/18 scheme.
- (iv) That officers, in consultation with the Head of Service, Legal and Democratic Services, keep the LIF scheme under regular review and make minor changes to maintain expedient delivery of the programme as deemed appropriate.

## **Background and Advice**

The County Council has a long and sustained relationship with the Third Sector in Lancashire. This has been reinforced and shaped by Central Government policy direction over recent years. Increasingly the funding aspect of the relationship has changed with the grant awarding processes becoming more competitive. Other important aspects of the relationship centre on the role of the sector in representing sector views and position; this has further been enhanced by the Government's recent Transforming Local Infrastructure (TLI) initiative.

The County Council makes Grants under the general power of competence set out at Section 1 of the Localism Act 2011, which replaces the well-being power in Section 2 of the Local Government Act 2000 for local authorities in England. Section 1(1) of the Localism Act sets out that a local authority has power to do anything that individuals generally may do.

## **Local Initiative Fund (LIF) 2017/18**

The LIF scheme is now into its seventh year and offers an opportunity for Third Sector organisations across Lancashire to apply for funding in order to help deliver local and the County Council's priorities. The LIF is available to support new project costs and one off activity costs only.

The LIF scheme has three specific priority areas for funding. Applicants need to show that their project will meet at least one of these priority areas:

- Supporting Families (The aim of the programme is to identify and work with families experiencing multiple and complex difficulties)
- Skills and Employment Initiatives (Focus is on employability or young people Not in Employment, Education and Training, (NEETS))
- Providing Activities and Programmes for Young People aged 12 – 19 (up to 25 for young people with learning difficulties or disabilities)

## **LIF Priorities and Guidance**

In line with best practice the guidance is reviewed each year to ensure that the best advice possible is provided to applicants. Earlier this year, the Cabinet Working Group for the Third Sector recommended that no significant changes be made to the scheme.

Minor amendments to the application pack as a whole have been made in order to aid the application process for both applicants and officers.



## Budget

The LIF scheme is an annual programme which runs within the financial year. The baseline budget for the scheme for 2017/18 is £127,620. The LIF scheme has always allowed for underspend from the previous financial year to be carried forward into the next financial year and therefore the current underspend of £18,080.67 will be brought forward to bring the total to £145,700.67. In addition to this, underspend from the Local Member Grants (LMGs) scheme from 2016/17 totalling £28,550.58 will also be transferred into the LIF for the relevant district and a total of £3,294.50 for unclaimed payments has also been included in the figures. Table 1 shows the budget breakdown and amount available for each district for 2017/18.

Table 1

District	2017/18 LIF Baseline Budget	2016/17 LIF Unspent Funds Brought Forward	Unclaimed payments back into LIF	2016/17 Unspent Funds LMG	Total LIF 17/18 budget
Burnley	£11,787.00	£1,746.64		£1,459.86	£14,993.50
Chorley	£10,230.00	£3,583.00		£5,134.17	£18,947.17
Fylde	£9,200.00	£3,978.65		£2,763.11	£15,941.76
Hyndburn	£11,407.00	£1,036.86	£1,794.50	£3,751.00	£17,989.36
Lancaster	£11,489.00	£942.60		£6,490.11	£18,921.71
Pendle	£11,198.00	£0.00	£1,500.00	£4,545.82	£17,243.82
Preston	£11,810.00	£3,053.03		£1,044.03	£15,907.06
Ribble Valley	£10,437.00	£2,734.77		£38.20	£13,209.97
Rosendale	£8,316.00	£0.00		£395.86	£8,711.86
South Ribble	£9,723.00	£1,005.02		£2,723.92	£13,451.94
West Lancs	£11,288.00	£0.10			£11,288.10
Wyre	£10,735.00	£0.00		£204.50	£10,939.50
<b>Total</b>	<b>£127,620.00</b>	<b>£18,080.67</b>	<b>£3,294.50</b>	<b>£28,550.58</b>	<b>£177,545.75</b>

## Timescales

The timetable below provides estimated dates for the 2017/18 round of funding, these may be subject to internal changes. If the total amount of funding available is not allocated in the initial funding round, then a further round will be incorporated into the programme later on in the year.

Date	Activity
Mid July 2017	Report to Cabinet requesting approval to launch the scheme.
19 July 2017	Bidding for LIF 2017/18 to begin.
1 September 2017	Deadline for applications to be submitted.
September 2017	Internal assessment and scoring of applications.

October 2017	Consultation with the Deputy Leader and recommendations to be considered by the Senior Management Team.
9 November 2017	Report to be presented to Cabinet to consider recommendations.
Mid November 2017	Decision letters to be sent out to organisations.
December 2017	Grant Funding Agreements to be issued to successful organisations and payments authorised once documentation returned.
February 2018	2 <sup>nd</sup> round of funding to be launched in those districts where at least £5,000 remains.

### **Consultations**

The former Cabinet Working Group for the Third Sector was consulted on the proposals in this report on 14 February 2017. The Cabinet Working Group supported all of the recommendations.

### **Implications:**

This item has the following implications, as indicated:

### **Financial**

The proposals include a baseline budget for the scheme for £127,620 for the 2017/18 financial year. Underspend for the last financial year totals £18,080.67 taking the available to spend for 2017/18 to £145,700.67. Underspend from the Local Member Grants Scheme for £28,550.58 and unclaimed projects totalling £3,294.50 have also been brought forward and added to the total available to spend for the 2017/18 financial year.

### **Risk management**

The risks identified relate to reputational and relationship management issues arising from decisions to reject funding applications. Lancashire County Council continues to face an unprecedented financial challenge. Like many parts of the public sector, Councils are under acute pressure and further austerity measures are expected for the foreseeable future. Whilst the County Council is committed to continuing our support to the Third Sector in Lancashire, applicants were informed at the start of the 2016/17 funding round that the County Council is unable to confirm whether any funding will be available for future rounds beyond 2017/18.

## List of Background Papers

Paper	Date	Contact/Tel
Local Initiative Fund Scheme 2016/17 Round 2	08/03/17	Misbah Bhatti/01772 530818
Local Initiative Fund Scheme 2016/17	30/06/17	Misbah Bhatti/01772 530818

Reason for inclusion in Part II, if appropriate

N/A



**Report to the Cabinet**

Meeting to be held on Thursday, 13 July 2017

**Report of the Head of Service, Highways****Part I**

Electoral Divisions affected:  
Preston Central South; and  
Preston City

**Preston City Centre Traffic Management**

(Appendices 'A' - 'D' refer)

Contact for further information:

Daniel Herbert, (01772) 538654, Group Manager - Highways,

[daniel.herbert@lancashire.gov.uk](mailto:daniel.herbert@lancashire.gov.uk)

**Executive Summary**

An experimental traffic regulation order which created a bus lane westbound on Fishergate between Mount Street and Corporation Street and another bus lane eastbound between Butler Street and Corporation Street was introduced in October 2016 to manage the traffic congestion that occurred in the lead up to, and during the, festive period of 2016/17. The experimental order was subject to a 6 month consultation period and this report sets out the impacts of the bus lanes, the outcome of the consultation and proposals for managing traffic in Preston city centre.

This is deemed to be a Key Decision and the provisions of Standing Order No 25 have been complied with.

**Recommendation**

The Cabinet is recommended to:

- (i) Approve that the experimental traffic regulation order for the bus lanes is made permanent without amendment;
- (ii) Approve the re-commencement of camera enforcement from 4 September 2017 as set out in the report; and
- (iii) Approve the development of proposals for improvements to Lune Street and note that those proposals will be subject to a further report in due course.

## **Background and Advice**

The Fishergate public realm scheme was designed to give more priority to pedestrians, improve the city centre environment and provide a better experience in Fishergate for visitors and shoppers. Widened footways have significantly reduced pedestrian congestion along Fishergate and by giving more space for pedestrians the scheme has allowed new pavement cafes to be established and modern street furniture to be introduced, including much more seating. Pedestrian crossing times at the main junctions have reduced significantly, by as much as 75%, dramatically improving the ease of movement and amenity afforded to pedestrians through the city centre.

The improvements have also been a catalyst for economic and retail development. In the 5 years prior to Fishergate phase 1 works being implemented, there were 39 road traffic collisions in Fishergate between Pitt Street and Lune Street, of which 5 were serious. Whilst the data collected in the two years since implementation indicates that the number of incidents has reduced by approximately 50% a statistically sound comparison cannot yet be made.

Whilst the environmental, safety and visitor benefits are evident, periodic congestion occurs, particularly in the period between October and December. This has resulted in delays for motorists in exiting the railway station, Fishergate Shopping Centre and St George's Shopping Centre car parks.

In order to address this congestion, two bus lanes have been introduced on Fishergate on an experimental basis. The introduction of an experimental traffic regulation order (ETRO) enables its effects to be assessed and monitored, allows changes to be made during the first six months if necessary and this period also provides for public consultation. This ETRO also provided for the enforcement of these bus lanes by camera.

The 6 month consultation period for the ETRO ended on 30 April 2016. There was extensive coverage of the ETRO and its impacts in local and regional news and in social media. A number of responses supported the changes and commented on the improvement in the environment and also the improved visitor experience. Other responses raised issues around the displacement of congestion and the impact on journey times on other routes.

The bus lanes came into operation on 31 October 2016 and camera enforcement commenced on 14 November 2016. Camera enforcement was suspended on the bus lanes on 10 March 2017 and 4 April 2017, following adjudication decisions made by the Traffic Penalty Tribunal on 9 March 2017 and 31 March 2017 in which appeals were allowed.

The adjudicators considered that although the ETRO had been properly made, in their judgement the signing which informs the motorist of its existence was not sufficient.

Whilst enforcement has been suspended, the cameras have remained in use to collect traffic volume information. It is evident from this that contraventions of the bus

lane order has continued with 45,596 vehicles observed using the bus lanes since suspension and daily traffic volumes have doubled with an average of 600 vehicles a day using the bus lanes during the prohibited period.

Benefits of the ETRO include a large reduction in traffic on Fishergate in overall terms with an average of 2,700 vehicles removed daily from the section between Mount Street and Corporation Street during the hours of operation of the bus lane. This reduced the congestion and delay at the Butler Street and Corporation Street junctions resulting in a reduced delay in exiting the car parks serving the Fishergate shopping centre and the railway station.

A further consequential benefit has been to bus travel with bus journeys being more reliable and journey times reduced. Both Stagecoach and Preston Bus, the main service providers in Preston, are supportive of the bus lane on Fishergate and wish to see it retained.

The reduction in traffic has also improved air quality with significant reduction in the level of particulates and Nitrogen Oxide. Recent air quality surveys and modelling indicate that the reduction in traffic volumes has reduced the level of pollutants by over 50%.

Whilst the number of collisions has reduced since the opening of the scheme, the reduction in traffic volume itself reduces the collision risk further and the number of recorded injury collisions along Fishergate is expected to continue to reduce.

The reduction in traffic volumes, the improvement in air quality, the improvement in public transport journey times and the reduction in accident risk have all contributed to an improved visitor experience for those coming into Preston city centre.

Notwithstanding the benefits described above, there have been some consequences of the changes that have generated negative comments. The alternative route for vehicles leaving St George's Shopping Centre car park has resulted in a displacement of traffic onto the Avenham Lane and Queen Street route with an increase in congestion and delays along this route and on Ringway. This has increased journey times for residents and workers in the Avenham and Winckley Square area. There has also been a reduction in the numbers of motorists using the St George's Shopping Centre car park.

Suggestions offered were to remove the bus lanes, to reinstate traffic signals, shorten the times of operation of the bus lane on Fishergate and also to make Lune Street two way.

The removal of the bus lanes, whilst beneficial to those travelling from the south of Fishergate towards the west of the city, would reintroduce delays and congestion along Fishergate and the junctions. This is not supported by the retailers at the western end of Fishergate and is not supported by the local bus operators. It is also considered that this would increase road safety risks, pollution levels would rise and the visitor experience would be degraded.

The re-introduction of traffic signals without reinstating a wider carriageway to accommodate two lanes of traffic in Fishergate would lead to long queue lengths in

Fishergate, the blocking of junctions and more widespread delay in the heart of the city centre. Such a proposal would also destroy the integrity of the existing scheme.

Shortening the times of operation of the bus lane would have a similar albeit lesser impact as removing the bus lanes. Drivers are aware of the current restrictions and times of operation and any changes would likely lead to a period of confusion.

As stated earlier in this report, the volume of traffic contravening the bus lane restriction has doubled since enforcement was suspended. It is considered that camera enforcement is an effective way of ensuring compliance with the restrictions and should therefore recommence, subject to additional and amended signage being installed to address the sufficiency concerns that the adjudicators raised about the current signing provision. The adjudicators will not direct what signing may be necessary to meet the test of sufficiency but may review its adequacy if enforcement was to recommence and an appeal was submitted to the Tribunal. Plans are set out at Appendices 'A' - 'D' illustrating the additional works that it is considered will satisfy this. Signing work could be completed by the end of August to allow enforcement to recommence thereafter. It is proposed that enforcement would recommence from Monday 4 September with an initial 4 week period during which warning notices only would be issued. The issue of penalty charge notices (PCNs) would commence from Monday 2 October 2017.

Prior to enforcement recommencing on 4 September a programme of publicity would be undertaken. This will be done through the county council's communications team. This period of publicity would be followed by a month where warning notices are issued giving a two month period where drivers would be informed or receive notice that unauthorised use of the bus lanes would be subject to enforcement.

In order to address the concerns about the St George Shopping Centre car park and reduce the volume of traffic traveling through the Avenham area, it may be feasible to make Lune Street two way and it is considered that there is merit in exploring this option in more detail. Such a proposal will involve a new link onto Ringway and allow 'left in' and 'left out' movements to and from Lune Street. Such changes to Lune Street would have an impact on adjacent streets and require changes to current traffic movements.

## **Consultations**

A public consultation period of 6 months has taken place subsequent to the introduction of the ETRO. Meetings have taken place with a city centre stakeholder Group comprising Preston BID, Preston City Council, Virgin Rail, Lancashire Constabulary, the Shopping Centre Managers and retailers.

The divisional county councillor has been consulted on the proposals contained in this report.



## Implications:

This item has the following implications, as indicated:

### Risk management

- Traffic Management

Not implementing the recommendations will lead to an increase in congestion and delays along Fishergate. Whilst congestion on displaced routes will continue, the delays are not as long during peak periods.

- Legal

The experimental traffic regulation order can remain in place for up to 18 months. If the Order is not made permanent before 30 April 2018, it will expire and the previous restrictions will revert to being in force.

- Financial

Expenditure on the management of the bus lanes would be a call upon any income generated from enforcement of the bus lanes. It is not anticipated that expenditure will exceed income and any surplus income, would be invested in highway and transport initiatives.

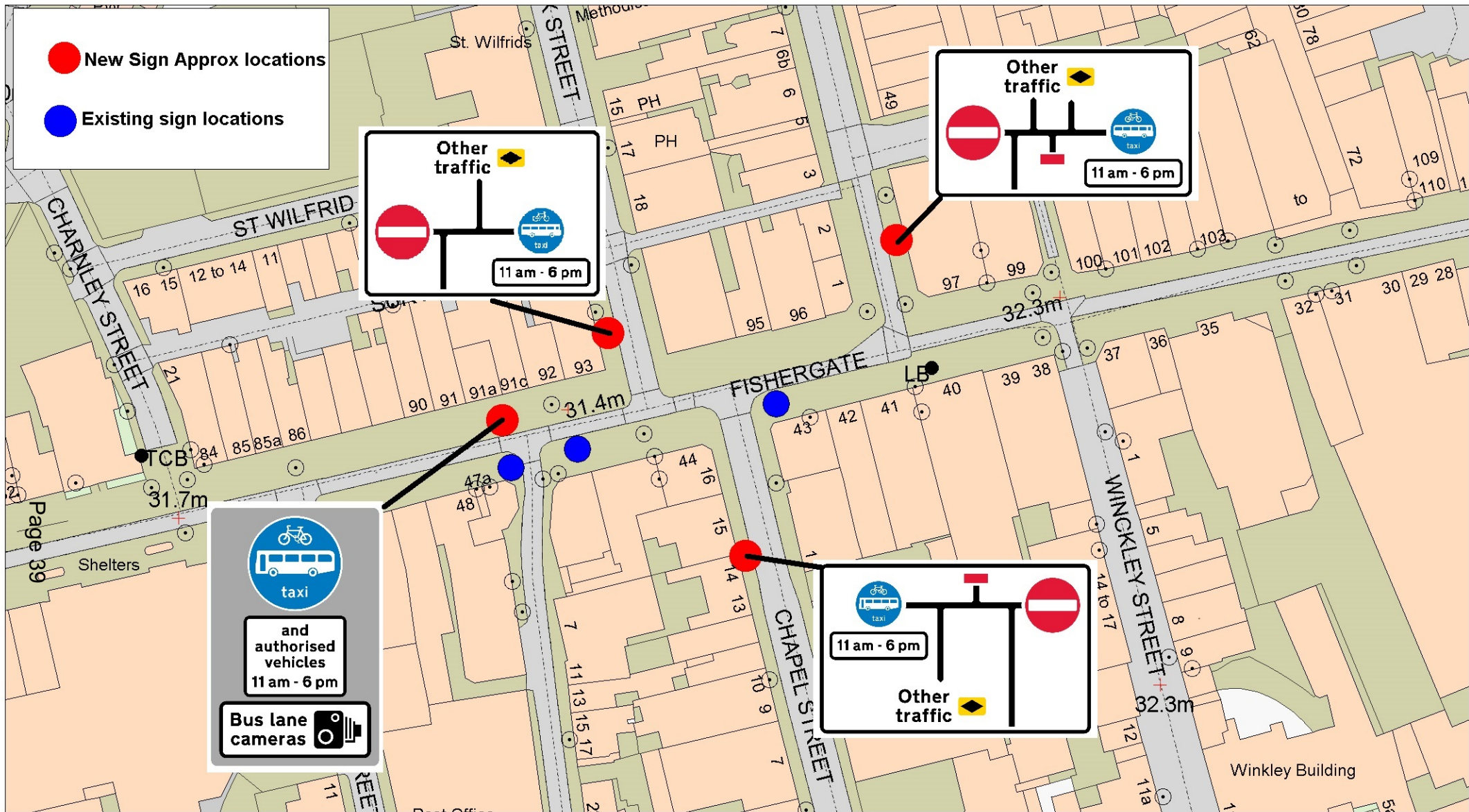
### List of Background Papers

Paper	Date	Contact/Tel
Report to the Cabinet Member for Highways and Transport	6 October 2016	Dave Gorman, (01772) 534261
Decisions of the Traffic Penalty Tribunal Adjudicators	9 March 2017 and 31 March 2017	Daniel Herbert, (01772) 538654

Reason for inclusion in Part II, if appropriate

N/A





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**Community Services  
Phil Barrett  
Director Community Services**

P.O. Box 100, County Hall,  
PRESTON PR1 0LD

SCALE

**1 : 1000**

DATE

**24/03/2017**

DRAWING No.

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**PAB**

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 Width: 957, Height: 360, Area: 0.34  
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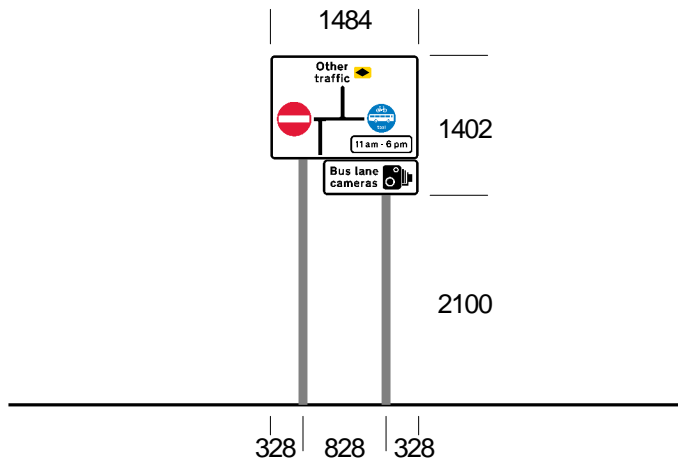
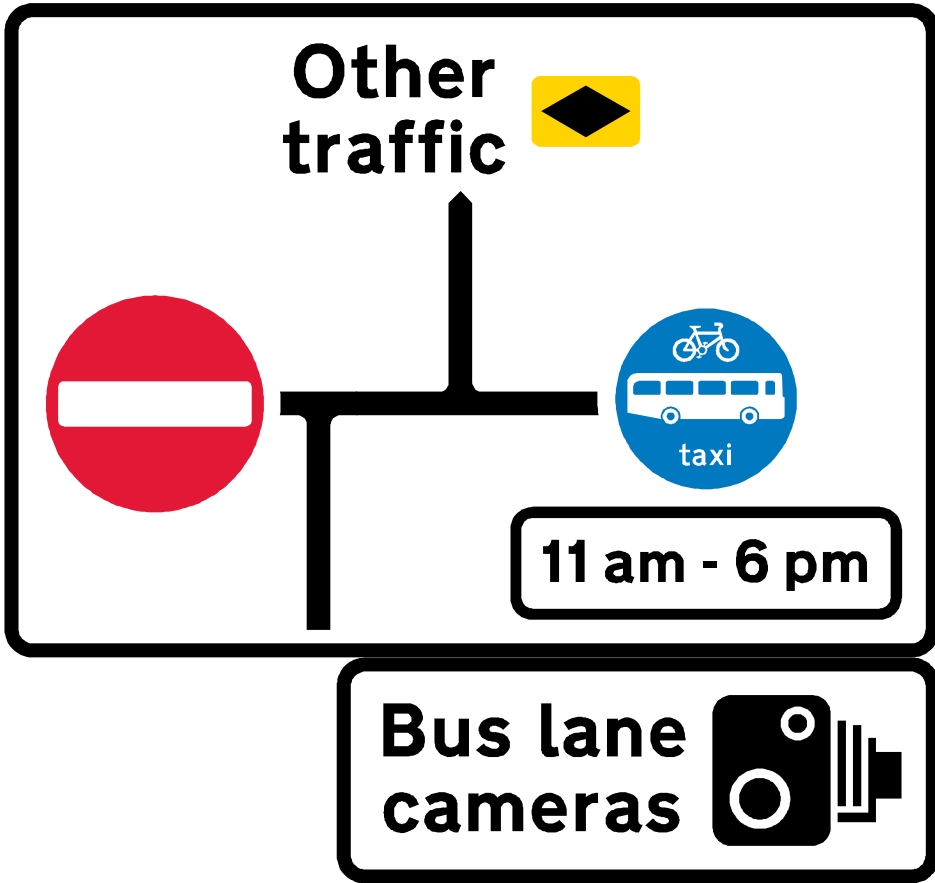
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 black on white

Material: BS EN 12899-1:2007  
 class:

Structure Details:  
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 88.9mm O.D. 4mm thick

BS EN 12899-1:2007 classes:  
 WL5, TDB4, PL3, PAF1

Date printed: 28-06-17

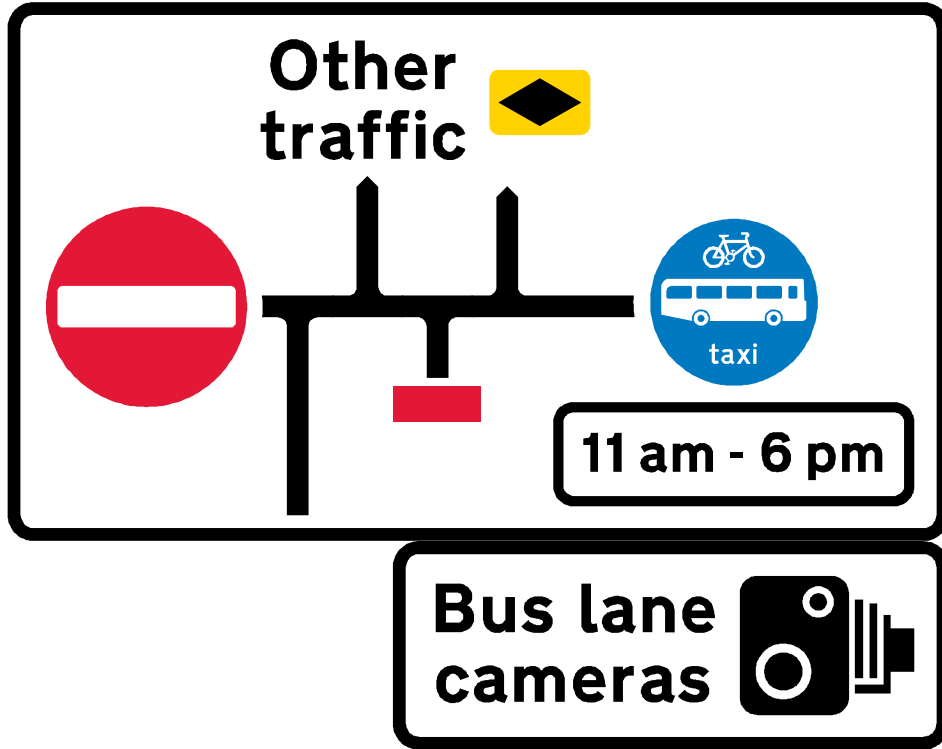


Not to scale

SignPlot v3.40

**Lancashire County Council**





Scale 1:13  
 Dimensions (mm & m²):  
 Width: 1619, Height: 930, Area: 1.51  
 Width: 957, Height: 360, Area: 0.34  
 x-Heights: 60, 48  
 Total area: 1.85 m²

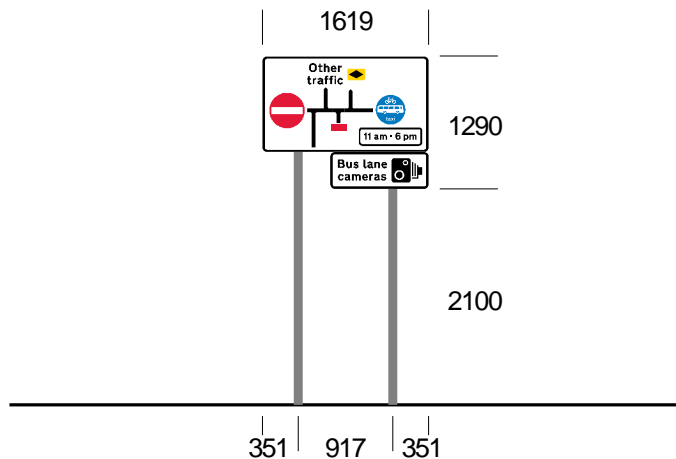
Colours:  
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Material: BS EN 12899-1:2007  
 class:

Structure Details:  
 2 no. Steel circular section S275:  
 88.9mm O.D. 4mm thick

BS EN 12899-1:2007 classes:  
 WL5, TDB4, PL3, PAF1

Date printed: 28-06-17



Not to scale

SignPlot v3.40

**Lancashire County Council**





Scale 1:14  
 Dimensions (mm & m<sup>2</sup>):  
 Width: 1709, Height: 1070, Area: 1.83  
 Width: 957, Height: 360, Area: 0.34  
 x-Heights: 60, 48  
 Total area: 2.17 m<sup>2</sup>

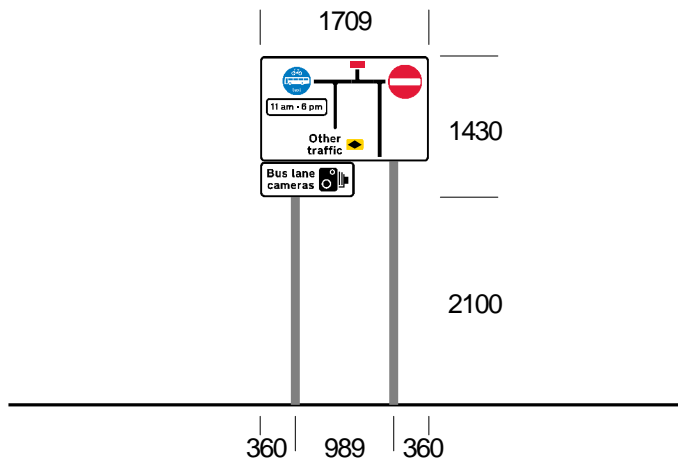
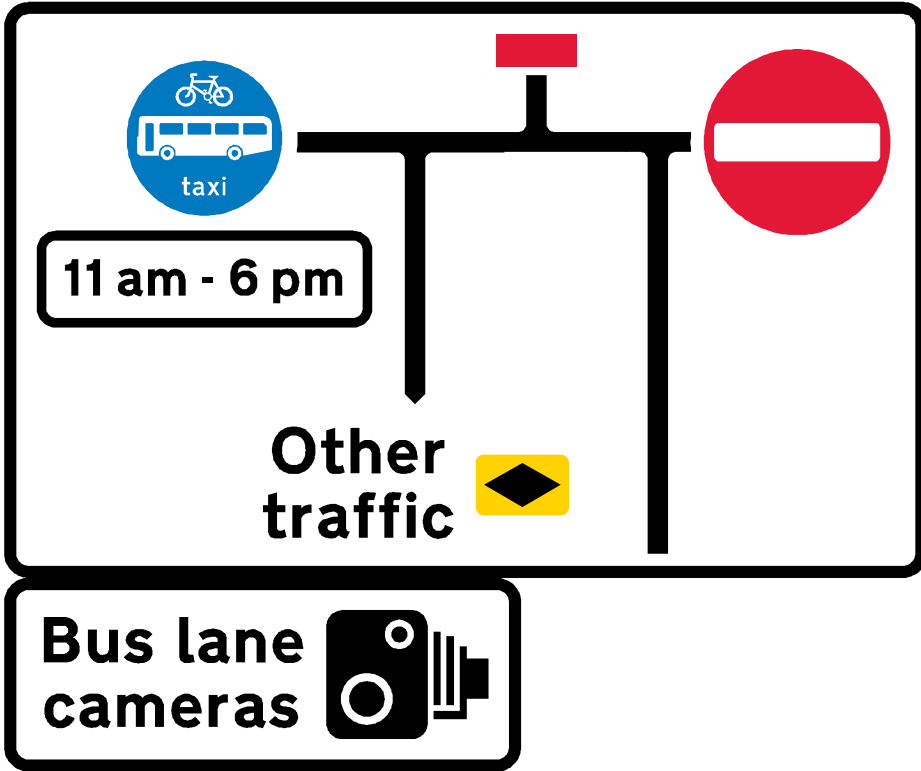
Colours:  
 black on white

Material: BS EN 12899-1:2007  
 class:

Structure Details:  
 2 no. Steel circular section S275:  
 88.9mm O.D. 5mm thick

BS EN 12899-1:2007 classes:  
 WL5, TDB4, PL3, PAF1

Date printed: 28-06-17



Not to scale

SignPlot v3.40

**Lancashire County Council**



**Report to the Cabinet**

Meeting to be held on Thursday, 13 July 2017

**Report submitted by: Head of Service, Public and Integrated Transport**

<b>Part I</b>
---------------

Electoral Divisions affected: Burscough & Rufford; Skelmersdale Central; Skelmersdale East; Skelmersdale West; West Lancashire East;
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**Review of Tendered Bus Services in Skelmersdale**  
 (Appendix 'A' refers)

Contact for further information:

Oliver Starkey, (01772) 534619, Head of Service, Public and Integrated Transport  
[oliver.starkey@lancashire.gov.uk](mailto:oliver.starkey@lancashire.gov.uk)

**Executive Summary**

This report recommends revisions to the tendered bus services in the Skelmersdale area to maintain a public transport service for the Birch Green and Ashurst area.

**Recommendation**

The Cabinet is recommended to:

- (i) Approve the proposed revisions to the tendered bus service in West Lancashire as set out at Appendix 'A';
- (ii) Request that officers undertake the necessary contract variation process to allow the service revisions to commence on 24 July 2017.

This decision should be implemented immediately for the purposes of Standing Order 34(3) as any delay could adversely affect the execution of the County Council's responsibilities. The reason for this is to ensure that the revised tendered bus service network will commence on 24 July 2017.

**Background and Advice**

In April 2017, Arriva Merseyside advised the county council that they had given the statutory notice to the North West Traffic Commissioner to withdraw local bus service 313, which serves the Ashurst and Birch Green areas of Skelmersdale with effect from 23 July 2017.

The impact for Lancashire residents is that this will remove all local public transport service journeys linking Skelmersdale with the Birch Green and Ashurst areas of the town.

Service 313 operates on a wholly commercial basis by Arriva and is outside the influence of the county council. Arriva have advised this service is no longer commercially sustainable for them to operate.

As a result, there would be no alternative public transport service available in these areas of Skelmersdale.

### **Assessment and Priority Policy for Public Transport Services**

Service 313 currently operates every 30 minutes Monday to Saturday daytime, between around 0700 and 1900.

According to ticket machine data and on-bus surveys there are approximately 85,000 annual passenger trips (280 per day) made on the route.

Following discussions with other bus service providers, none are willing to provide a replacement bus service on a commercial basis.

With the withdrawal of the Service 313, there would be no alternative service available to allow residents to either make the same journey or a comparable journey to suitable alternative key destinations, such as Skelmersdale Town Centre for employment, local amenities and shopping as well as onward access to other employment areas, health and education facilities.

Based on the current level of passenger journeys accessing bus services in Ashurst and Birch Green, the needs of the local community would not be met if no alternative transport for the area was available. A high number of these residents in the areas affected are particularly reliant on public transport services.

Using the county council's policy for the consideration of tendered bus services it has been assessed that a public transport service can in principle be justified.

### **Proposal**

It is proposed to provide a replacement tendered bus service for the Ashurst and Birch Green area.

The proposed replacement services would incorporate the existing tendered bus Service 3A route, currently operating between Burscough, Skelmersdale and Appley Bridge, with the proposed new routes and timetables as follows:

#### **Service 312 Skelmersdale – Appley Bridge – Wrightington Hospital**

It is proposed to introduce this service to retain the existing level of service between Skelmersdale and Appley Bridge on the same route as the current Service 3A, but the revisions will enable the extension of the route, reinstating the service through to

Wrightington Hospital. On route the service will maintain public transport service links to Tanhouse, Hall Green and Roby Mill.

The service will operate every hour during Monday to Saturday daytime. In conjunction with the Service 313, the cross town link to Asda will be maintained.

### **Service 313 Skelmersdale – Ashurst – Parbold – Burscough**

It is proposed to introduce this service to retain the existing level of service between Skelmersdale and Burscough as the current Service 3A, but to additionally serve Birch Green and Ashurst to replace the withdrawal of Arriva's commercial bus service. On route the service will maintain public transport service links to Asda, Newburgh and Parbold.

The service will operate every half hour, between Skelmersdale and Ashurst, extending every hour through to Burscough during Monday to Saturday daytime.

As with all tendered bus services, the performance of these service revisions will be closely monitored to confirm that they are achieving the county council's transport objectives and are delivering value for money.

### **Consultations**

The divisional County Councillors have been advised of the proposed revisions to the public transport services in Skelmersdale and have indicated their support for the proposals.

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

Without the proposed revisions to the network of tendered bus services in Skelmersdale it would leave a large population of Skelmersdale without access to a public transport service.

### **Financial**

The estimated net cost of providing an additional single vehicle replacement during Monday to Saturday daytime, to maintain the half-hourly service link between Ashurst, Birch Green and Skelmersdale, is approximately £40,000 per annum. This will be met from the Transitional Reserve in 2017/18 and adjusted for in the Medium Term Financial Strategy from 2018/19 in line with the budget amendment covered in a separate report.

### **Procurement**

A framework agreement is in place for the procurement of Local and School Bus Services in Lancashire. All contracts are procured under this Framework by mini-competitions. This revision will be contained within an agreed individual contract variation in accordance with the terms of the Framework Agreement.

## List of Background Papers

Paper	Date	Contact/Tel
Report to the Cabinet Member for Highways and Transport – 'Assessment and Priority Policy for Public Transport Services in Lancashire'	12 December 2016	Dave Gorman/ (01772) 534261

Reason for inclusion in Part II, if appropriate

N/A

## **APPENDIX A - Revision to Tendered Bus Service in Skelmersdale**

### **Service Route and Timetable**

**Page 1 of 7**

#### **ROUTE DESCRIPTION**

##### **SERVICE 312**

From WRIGHTINGTON Hospital via internal road, Hall Lane, Appley Lane North, APPLEY BRIDGE, Skull House Lane, Miles Lane, Mill Lane, Appley Lane South, Bank Brow, ROBY MILL, Roby Mill, Stoney Brow, College Road, Dingle Road, HALL GREEN, Ormskirk Road, Highgate Road\*, Mayfield Road\*, Morris Road\*, Delamere Way\*, Deardon Way\*, Ormskirk Road, Newgate Road, Windmill Road, Grimshaw Road, SKELMERSDALE, Tanhouse Road, Ormskirk Road\*, Digmaor Road, Gillibrands Road, White Ledge Road, Southway and Northway to SKELMERSDALE Concourse.

Returning from SKELMERSDALE Concourse via Southway then outward route reversed to WRIGHTINGTON Hospital.

##### **SERVICE 313**

From SKELMERSDALE Concourse via Southway, Northway, Ingram, Asda Superstore Bus Stop, Ingram, Northway, Toby Island, Northway, Birch Green Road, BIRCH GREEN, Birch Green Road, Fosters Island, Ashurst Road, ASHURST, Ashley Road, Ashmead Road, Whalleys Road, WHALLEYS, Whalleys Road, Cobb's Brow Lane, NEWBURGH, Ash Brow, PARBOLD, Alder Lane, Lancaster Lane, The Common, Station Road, Mill Lane, Alder Lane, Ash Brow, NEWBURGH, Course Lane, LATHOM, Lowry Hill Lane, Briars Lane, BURSCOUGH, Square Lane, Junction Lane, Liverpool Road North, BURSCOUGH BRIDGE, Station Approach to turn on roundabout back along to Station Approach (Tesco Bus Stop).

Returning from BURSCOUGH BRIDGE Station Approach (Tesco Bus Stop) via Station Approach then outward route reversed to PARBOLD Alder Lane then via Lancaster Lane, The Common, Station Road, Mill Lane, Alder Lane, Ash Brow, NEWBURGH, Cobb's Brow Lane then outward reversed to SKELMERSDALE Asda Superstore then Ingram and Northway to SKELMERSDALE Concourse.

\* - Hail and Ride applies on these and all rural roads.

#### **VARIATIONS TO ROUTE.**

##### **SERVICE 312 JOURNEY(S) TERMINATING AT APPLEY BRIDGE**

Operates standard return route to ROBY MILL Bank Brow then via Appley Lane South and APPLEY BRIDGE Appley Lane North to Skull House Lane, then Mill Lane back onto standard route.

##### **SERVICE 312 JOURNEY(S) TERMINATING AT HALL GREEN**

Operates standard return route to HALL GREEN Ormskirk Road then circle Hall Green back to Ormskirk Road to terminate at Bus Stop layby opposite Victoria Hotel.

##### **SERVICE 313 JOURNEYS TERMINATING AT ASHURST**

Operates standard route to ASHURST Ashley Road then via Ashurst Road to Ashmead Road.

# APPENDIX A - Revision to Tendered Bus Service in Skelmersdale

## Service Route and Timetable

SKELMERSDALE - APPLEY BRIDGE - WRIGHTINGTON via Tanhouse - Hall Green	312
BURSCOUGH - PARBOLD - ASHURST - SKELMERSDALE via Newburgh - Birch Green MONDAY TO FRIDAY	313

Service Number	313	312	313	312	313	313	312	313	312	313	313	312	313
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
BURSCOUGH BRIDGE Tesco	0620	----	----	----	0720	----	----	0830	----	0915	----	----	1015
BURSCOUGH Pardoe Court	0624	----	----	----	0724	----	----	0834	----	0919	----	----	1019
NEWBURGH Post Office	0630	----	----	----	0730	----	----	0840	----	0925	----	----	1025
PARBOLD Shops	0636	----	----	----	0736	----	----	0847	----	0931	----	----	1031
NEWBURGH opp Red Lion	0639	----	----	----	0739	----	----	0851	----	0934	----	----	1034
ASHURST Ashmead Road	0646	----	0716	----	0746	0819	----	0858	----	0941	1011	----	1041
BIRCH GREEN Flimby	0650	----	0720	----	0750	0823	----	0903	----	0945	1015	----	1045
SKELMERSDALE ASDA	0655	0655	0725	0725	0755	0828	0828	0908	0908	0950	1020	1020	1050
SKELMERSDALE Concourse Arr	0658	0658	0728	0728	0759	0832	0832	0912	0912	0953	1023	1023	1053
SKELMERSDALE Concourse Dep	----	0703	----	0733	----	----	0837	----	0917	----	----	1028	----
TANHOUSE Tanhouse Road	----	0708	----	0738	----	----	0842	----	0922	----	----	1033	----
HALL GREEN Victoria Hotel	----	0714	----	0744	----	----	0848	----	0928	----	----	1039	----
ROBY MILL Star Inn	----	----	----	----	----	----	0853	----	0933	----	----	1044	----
APPLEY BRIDGE Mill Lane	----	----	----	----	----	----	----	0937	----	----	----	1048	----
APPLEY BRIDGE Mill Lane	----	----	----	----	----	----	0857	----	----	----	----	----	----
WRIGHTINGTON Hospital	----	----	----	----	----	----	----	0942	----	----	----	1053	----

Service Number	313	312	313	313	312	313	313	312	313	313	312	313	313
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
BURSCOUGH BRIDGE Tesco	----	----	1115	----	----	1215	----	----	1315	----	----	1415	----
BURSCOUGH Pardoe Court	----	----	1119	----	----	1219	----	----	1319	----	----	1419	----
NEWBURGH Post Office	----	----	1125	----	----	1225	----	----	1325	----	----	1425	----
PARBOLD Shops	----	----	1131	----	----	1231	----	----	1331	----	----	1431	----
NEWBURGH opp Red Lion	----	----	1134	----	----	1234	----	----	1334	----	----	1434	----
ASHURST Ashmead Road	1111	----	1141	1211	----	1241	1311	----	1341	1411	----	1441	1511
BIRCH GREEN Flimby	1115	----	1145	1215	----	1245	1315	----	1345	1415	----	1445	1515
SKELMERSDALE ASDA	1120	1120	1150	1220	1220	1250	1320	1320	1350	1420	1420	1450	1520
SKELMERSDALE Concourse Arr	1123	1123	1153	1223	1223	1253	1323	1323	1353	1423	1423	1453	1523
SKELMERSDALE Concourse Dep	----	1128	----	----	1228	----	----	1328	----	----	1428	----	----
TANHOUSE Tanhouse Road	----	1133	----	----	1233	----	----	1333	----	----	1433	----	----
HALL GREEN Victoria Hotel	----	1139	----	----	1239	----	----	1339	----	----	1439	----	----
ROBY MILL Star Inn	----	1144	----	----	1244	----	----	1344	----	----	1444	----	----
APPLEY BRIDGE Mill Lane	----	1148	----	----	1248	----	----	1348	----	----	1448	----	----
WRIGHTINGTON Hospital	----	1153	----	----	1253	----	----	1353	----	----	1453	----	----



## APPENDIX A - Revision to Tendered Bus Service in Skelmersdale

### Service Route and Timetable

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Service Number	312	313	313	312	313	313	312	313	313	312	313	313
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
BURSCOUGH BRIDGE Tesco	----	1515	----	----	1625	----	----	1730	----	----	1830	1930
BURSCOUGH Pardoe Court	----	1519	----	----	1629	----	----	1734	----	----	1834	1934
NEWBURGH Post Office	----	1525	----	----	1635	----	----	1740	----	----	1840	1940
PARBOLD Shops	----	1531	----	----	1641	----	----	1746	----	----	1846	1946
NEWBURGH opp Red Lion	----	1534	----	----	1644	----	----	1749	----	----	1849	1949
ASHURST Ashmead Road	----	1541	1614	----	1651	1723	----	1756	1826	----	1856	1956
BIRCH GREEN Flimby	----	1545	1618	----	1655	1727	----	1800	1830	----	1900	2000
SKELMERSDALE ASDA	1520	1550	1623	1623	1700	1732	1732	1805	1835	1835	1905	2005
SKELMERSDALE Concourse Arr	1523	1553	1626	1626	1704	1736	1736	1808	1838	1838	1908	2008
SKELMERSDALE Concourse Dep	1528	----	----	1631	----	----	1741	----	----	1843	----	----
TANHOUSE Tanhouse Road	1533	----	----	1636	----	----	1746	----	----	1848	----	----
HALL GREEN Victoria Hotel	1539	----	----	1642	----	----	1752	----	----	1854	----	----
ROBY MILL Star Inn	1544	----	----	1647	----	----	1757	----	----	1859	----	----
APPLEY BRIDGE Mill Lane	1548	----	----	1651	----	----	1801	----	----	1903	----	----
WRIGHTINGTON Hospital	1553	----	----	1656	----	----	1806	----	----	1908	----	----

\$ - Operated on behalf of Lancashire County Council

No service - Christmas Day, Boxing Day and New Years Day.

No service - Bank Holidays, Public Holidays and all replacement Public or Bank Holidays.

# APPENDIX A - Revision to Tendered Bus Service in Skelmersdale

## Service Route and Timetable

WRIGHTINGTON - APPLEY BRIDGE - SKELMERSDALE via Hall Green - Tanhouse	312
SKELMERSDALE - ASHURST - PARBOLD - BURSCOUGH via Birch Green - Newburgh MONDAY TO FRIDAY	313

Service Number	313	313	312	313	312	313	312	313	313	312	313	313	312
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
WRIGHTINGTON Hospital	----	----	----	----	----	----	----	----	----	0955	----	----	1055
APPLEY BRIDGE Mill Lane	----	----	----	----	----	----	0900	----	----	1000	----	----	1100
ROBY MILL Star Inn	----	----	----	----	----	----	0905	----	----	1005	----	----	1105
HALL GREEN Victoria Hotel	----	----	0721	----	0746	----	0911	----	----	1011	----	----	1111
TANHOUSE Tanhouse Road	----	----	0727	----	0753	----	0917	----	----	1017	----	----	1117
SKELMERSDALE Concourse Arr	----	----	0735	----	0801	----	0924	----	----	1024	----	----	1124
SKELMERSDALE Concourse Dep	----	0638	0740	0740	0806	0806	0928	0928	0958	1028	1028	1058	1128
SKELMERSDALE ASDA	----	0642	0744	0744	0811	0811	0932	0932	1002	1032	1032	1102	1132
BIRCH GREEN Flimby	----	0647	----	0749	----	0816	----	0937	1007	----	1037	1107	----
ASHURST Ashmead Road	----	----	----	----	----	----	----	----	1011	----	----	1111	----
ASHURST Ashmead Road	----	0651	----	0752	----	0820	----	0941	----	----	1041	----	----
NEWBURGH Red Lion	----	0657	----	0758	----	0826	----	0947	----	----	1047	----	----
PARBOLD Shops	0623	0703	----	0804	----	0832	----	0953	----	----	1053	----	----
NEWBURGH opp Red Lion	0627	0707	----	0808	----	0836	----	0957	----	----	1057	----	----
BURSCOUGH Pardoe Court	0632	0712	----	0814	----	0841	----	1002	----	----	1102	----	----
BURSCOUGH BRIDGE Tesco	0638	0718	----	0820	----	0847	----	1008	----	----	1108	----	----

Service Number	313	313	312	313	313	312	313	313	312	313	313	312	313
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
WRIGHTINGTON Hospital	----	----	1155	----	----	1255	----	----	1355	----	----	1455	----
APPLEY BRIDGE Mill Lane	----	----	1200	----	----	1300	----	----	1400	----	----	1500	----
ROBY MILL Star Inn	----	----	1205	----	----	1305	----	----	1405	----	----	1505	----
HALL GREEN Victoria Hotel	----	----	1211	----	----	1311	----	----	1411	----	----	1511	----
TANHOUSE Tanhouse Road	----	----	1217	----	----	1317	----	----	1417	----	----	1517	----
SKELMERSDALE Concourse Arr	----	----	1224	----	----	1324	----	----	1424	----	----	1524	----
SKELMERSDALE Concourse Dep	1128	1158	1228	1228	1258	1328	1328	1358	1428	1428	1458	1528	1528
SKELMERSDALE ASDA	1132	1202	1232	1232	1302	1332	1332	1402	1432	1432	1502	1532	1532
BIRCH GREEN Flimby	1137	1207	----	1237	1307	----	1337	1407	----	1437	1507	----	1537
ASHURST Ashmead Road	----	1211	----	----	1311	----	----	1411	----	----	1511	----	----
ASHURST Ashmead Road	1141	----	----	1241	----	----	1341	----	----	1441	----	----	1541
NEWBURGH Red Lion	1147	----	----	1247	----	----	1347	----	----	1447	----	----	1547
PARBOLD Shops	1153	----	----	1253	----	----	1353	----	----	1453	----	----	1553
NEWBURGH opp Red Lion	1157	----	----	1257	----	----	1357	----	----	1457	----	----	1557
BURSCOUGH Pardoe Court	1202	----	----	1302	----	----	1402	----	----	1502	----	----	1602
BURSCOUGH BRIDGE Tesco	1208	----	----	1308	----	----	1408	----	----	1508	----	----	1608

# APPENDIX A - Revision to Tendered Bus Service in Skelmersdale

## Service Route and Timetable

Page 5 of 7

Service Number	313	312	313	313	312	313	313	312	313	313
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
WRIGHTINGTON Hospital	----	1600	----	----	1705	----	----	1810	----	----
APPLEY BRIDGE Mill Lane	----	1605	----	----	1710	----	----	1815	----	----
ROBY MILL Star Inn	----	1610	----	----	1715	----	----	1820	----	----
HALL GREEN Victoria Hotel	----	1616	----	----	1721	----	----	1826	----	----
TANHOUSE Tanhouse Road	----	1622	----	----	1727	----	----	1832	----	----
SKELMERSDALE Concourse Arr	----	1629	----	----	1735	----	----	1839	----	----
SKELMERSDALE Concourse Dep	1600	1634	1634	1709	1740	1740	1812	1843	1843	1913
SKELMERSDALE ASDA	1605	1639	1639	1714	1745	1745	1817	1847	1847	1917
BIRCH GREEN Flimby	1610	----	1644	1719	----	1750	1822	----	1852	1922
ASHURST Ashmead Road	1614	----	----	1723	----	----	1826	----	----	1926
ASHURST Ashmead Road	----	----	1648	----	----	1754	----	----	1856	----
NEWBURGH Red Lion	----	----	1654	----	----	1800	----	----	1902	----
PARBOLD Shops	----	----	1700	----	----	1806	----	----	1908	----
NEWBURGH opp Red Lion	----	----	1704	----	----	1810	----	----	1912	----
BURSCOUGH Pardoe Court	----	----	1709	----	----	1815	----	----	1917	----
BURSCOUGH BRIDGE Tesco	----	----	1716	----	----	1821	----	----	1923	----

\$ - Operated on behalf of Lancashire County Council

No service - Christmas Day, Boxing Day and New Years Day.

No service - Bank Holidays, Public Holidays and all replacement Public or Bank Holidays.

# APPENDIX A - Revision to Tendered Bus Service in Skelmersdale

## Service Route and Timetable

SKELMERSDALE - APPLEY BRIDGE - WRIGHTINGTON via Tanhouse - Hall Green	312
BURSCOUGH - PARBOLD - ASHURST - SKELMERSDALE via Newburgh - Birch Green	313
SATURDAY	

Service Number	313	312	313	312	313	312	313	313	312		313	313	312
	\$	\$	\$	\$	\$	\$	\$	\$	\$		\$	\$	\$
BURSCOUGH BRIDGE Tesco	----	----	0715	----	----	----	0815	----	----		15	----	----
BURSCOUGH Pardoe Court	----	----	0719	----	----	----	0819	----	----		19	----	----
NEWBURGH Post Office	----	----	0725	----	----	----	0825	----	----		25	----	----
PARBOLD Shops	----	----	0731	----	----	----	0831	----	----		31	----	----
NEWBURGH opp Red Lion	----	----	0734	----	----	----	0834	----	----		34	----	----
ASHURST Ashmead Road	0711	----	0741	----	0811	----	0841	0911	----		41	11	----
BIRCH GREEN Flimby	0715	----	0745	----	0815	----	0845	0915	----	then	45	15	----
SKELMERSDALE ASDA	0720	0720	0750	0750	0820	0820	0850	0920	0920	at	50	20	20
SKELMERSDALE Concourse Arr	0723	0723	0753	0753	0823	0823	0853	0923	0923		53	23	23
SKELMERSDALE Concourse Dep	----	0728	----	0758	----	0828	----	----	0928		----	----	28
TANHOUSE Tanhouse Road	----	0733	----	0803	----	0833	----	----	0933		----	----	33
HALL GREEN Victoria Hotel	----	0739	----	0809	----	0839	----	----	0939		----	----	39
ROBY MILL Star Inn	----	----	----	----	----	0844	----	----	0944		----	----	44
APPLEY BRIDGE Mill Lane	----	----	----	----	----	0848	----	----	0948		----	----	48
WRIGHTINGTON Hospital	----	----	----	----	----	0853	----	----	0953		----	----	53

Service Number		313	313	312	313	313
		\$	\$	\$	\$	\$
BURSCOUGH BRIDGE Tesco		1715	----	----	1815	1915
BURSCOUGH Pardoe Court		1719	----	----	1819	1919
NEWBURGH Post Office		1725	----	----	1825	1925
PARBOLD Shops		1731	----	----	1831	1931
NEWBURGH opp Red Lion		1734	----	----	1834	1934
ASHURST Ashmead Road	mins.	1741	1811	----	1841	1941
BIRCH GREEN Flimby	past	1745	1815	----	1845	1945
SKELMERSDALE ASDA	each	1750	1820	1820	1850	1950
SKELMERSDALE Concourse Arr	hour	1753	1823	1823	1853	1953
SKELMERSDALE Concourse Dep	until	----	----	1828	----	----
TANHOUSE Tanhouse Road		----	----	1833	----	----
HALL GREEN Victoria Hotel		----	----	1839	----	----
ROBY MILL Star Inn		----	----	1844	----	----
APPLEY BRIDGE Mill Lane		----	----	1848	----	----
WRIGHTINGTON Hospital		----	----	1853	----	----

\$ - Operated on behalf of Lancashire County Council

No service - Christmas Day, Boxing Day and New Years Day.

No service - Bank Holidays, Public Holidays and all replacement Public or Bank Holidays.

# APPENDIX A - Revision to Tendered Bus Service in Skelmersdale

## Service Route and Timetable

Page 7 of 7

WRIGHTINGTON - APPLEY BRIDGE - SKELMERSDALE via Hall Green - Tanhouse	312
SKELMERSDALE - ASHURST - PARBOLD - BURSCOUGH via Birch Green - Newburgh	313
SATURDAY	

Service Number	313	313	312	313	312	313	313	312	313	313		312	313
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$		\$	\$
WRIGHTINGTON Hospital	----	----	----	----	----	----	----	0855	----	----		55	----
APPLEY BRIDGE Mill Lane	----	----	----	----	----	----	----	0900	----	----		00	----
ROBY MILL Star Inn	----	----	----	----	----	----	----	0905	----	----		05	----
HALL GREEN Victoria Hotel	----	----	0741	----	0811	----	----	0911	----	----		11	----
TANHOUSE Tanhouse Road	----	----	0747	----	0817	----	----	0917	----	----		17	----
SKELMERSDALE Concourse Arr	----	----	0754	----	0824	----	----	0924	----	----		24	----
SKELMERSDALE Concourse Dep	----	0728	0758	0758	0828	0828	0858	0928	0928	0958		28	28
SKELMERSDALE ASDA	----	0732	0802	0802	0832	0832	0902	0932	0932	1002	then	32	32
BIRCH GREEN Flimby	----	0737	----	0807	----	0837	0907	----	0937	1007	at	----	37
ASHURST Ashmead Road	----	----	----	0811	----	----	0911	----	----	1011		----	----
ASHURST Ashmead Road	----	0741	----	----	----	0841	----	----	0941	----		----	41
NEWBURGH Red Lion	----	0747	----	----	----	0847	----	----	0947	----		----	47
PARBOLD Shops	0638	0753	----	----	----	0853	----	----	0953	----		----	53
NEWBURGH opp Red Lion	0642	0757	----	----	----	0857	----	----	0957	----		----	57
BURSCOUGH Pardoe Court	0647	0802	----	----	----	0902	----	----	1002	----		----	02
BURSCOUGH BRIDGE Tesco	0653	0808	----	----	----	0908	----	----	1008	----		----	08

Service Number	313		312	313	313	312	313	313
	\$		\$	\$	\$	\$	\$	\$
WRIGHTINGTON Hospital	----		1655	----	----	1755	----	----
APPLEY BRIDGE Mill Lane	----		1700	----	----	1800	----	----
ROBY MILL Star Inn	----		1705	----	----	1805	----	----
HALL GREEN Victoria Hotel	----		1711	----	----	1811	----	----
TANHOUSE Tanhouse Road	----		1717	----	----	1817	----	----
SKELMERSDALE Concourse Arr	----	mins.	1724	----	----	1824	----	----
SKELMERSDALE Concourse Dep	58	past	1728	1728	1758	1828	1828	1858
SKELMERSDALE ASDA	02	each	1732	1732	1802	1832	1832	1902
BIRCH GREEN Flimby	07	hour	----	1737	1807	----	1837	1907
ASHURST Ashmead Road	11	until	----	----	1811	----	----	1911
ASHURST Ashmead Road	----		----	1741	----	----	1841	----
NEWBURGH Red Lion	----		----	1747	----	----	1847	----
PARBOLD Shops	----		----	1753	----	----	1853	----
NEWBURGH opp Red Lion	----		----	1757	----	----	1857	----
BURSCOUGH Pardoe Court	----		----	1802	----	----	1902	----
BURSCOUGH BRIDGE Tesco	----		----	1808	----	----	1908	----

\$ - Operated on behalf of Lancashire County Council

No service - Christmas Day, Boxing Day and New Years Day.

No service - Bank Holidays, Public Holidays and all replacement Public or Bank Holidays.



**Report to the Cabinet**

Meeting to be held on Thursday, 13 July 2017

**Report of the Head of Service, Public and Integrated Transport****Part I**

Electoral Divisions affected:  
South Ribble East; and  
Preston City

**Preston Park & Ride – Walton-le-Dale**

(Appendix 'A' refers)

Contact for further information:

Greg Bonner, (01772) 533729, Technical Support Officer, Public and Integrated Transport

[greg.bonner@lancashire.gov.uk](mailto:greg.bonner@lancashire.gov.uk)

**Executive Summary**

This report recommends the procurement of a replacement service for the Walton-le-Dale Park & Ride site for 6 months whilst longer term options for the continuation of the service are identified.

**Recommendation**

The Cabinet is recommended to:

- (i) Approve the procurement of a bus service for the Walton-Le-Dale Park & Ride service on an initial 6 month contract.
- (ii) Request that officers undertake the necessary procurement process to allow the replacement service to commence on 24 July 2017.

This decision should be implemented immediately for the purposes of Standing Order 34(3) as any delay could adversely affect the execution of the County Council's responsibilities. The reason for this is to ensure the continued operation of the Park & Ride service from the Walton-Le-Dale site from 24 July 2017.

**Background and Advice**

Preston City Centre is served by two Park & Ride services:

- The Portway Park & Ride service incorporates both the Portway and Hartington Road car parks. The Portway Park & Ride is served by a commercial bus service (service 89 to Lea and Larches). The service operates through the Portway site as part of its wider journey and is

supplemented by a dedicated commercial service in peak morning hours to meet the demand from city centre workers wanting to use the service.

- The Walton-le-Dale Park & Ride site is currently operated with a dedicated commercial service (service 1).

Both services are operated by Rotala Preston Bus (PBT) with no financial support for the services from the County Council.

On Friday 19<sup>th</sup> May 2017, PBT formally advised the county council of their decision to deregister the Walton-Le-Dale Park & Ride service with the statutory 56 days (8 weeks) notice. The last day of operation will therefore be Saturday 22 July 2017.

The Portway Park & Ride service is unaffected and will continue to operate unchanged.

### **Assessment and Priority Policy for Public Transport Services**

Walton-le-Dale Park & Ride currently operates a frequent service of at least every 10 minutes Monday to Saturday daytime, between around 0700 and 1930.

According to ticket machine data and on-bus surveys there are approximately 290,000 annual passenger trips (950 per day) made on the route.

The service provides an important component in reducing congestion within Preston City Centre and it has been assessed that a Public Transport Service can in principle be justified.

Following discussions with other bus service providers, none are willing to provide a replacement bus service on a commercial basis.

### **Proposal**

In order to continue the long term operation of a Park & Ride service, in some form, from the Walton-le-Dale site, it is proposed a short term contract is procured to continue the service as it currently operates whilst officers investigate and assess all options that are available to the County Council.

### **Consultations**

The County Councillors for the Electoral Divisions affected have been notified of the situation and the proposal outlined in this report.

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

Without the proposed short term contract, the Park & Ride service from the Walton-Le-Dale site will cease to operate from Monday 24 July 2017. This will result in no



Park & Ride service being offered from the site which may lead to an increase in congestion in the city centre as users will have to find alternative parking arrangements in the city.

## **Financial**

The estimated financial implications are set out at Appendix 'A'.

The contract cost of providing the service for 6 months is estimated to be £104,000. This will be offset by estimated revenue retained from the service of £110,000 resulting in surplus of £6,000. In addition the County Council will have to fund site running costs including business rates and utility costs which to date have been met by the commercial operator. These are estimated to be £33,000 for 6 months. The total estimated net cost of providing the service for 6 months is £27,000 (as outlined in Appendix 'A') which will be met from the Transitional Reserve in 2017/18 and adjusted for in the Medium Term Financial Strategy from 2018/19 in line with the budget amendment covered in a separate report. The County Council is currently responsible for maintenance of the site and these costs are met by an annual budget allocation of circa £11,000.

If a Park & Ride service is not provided then the net cost is estimated to be £33,000 over the same period (£66,000 per annum) for site management costs which would be funded from the Transitional Reserve in 2017/18 and adjusted for in the Medium Term Financial Strategy from 2018/19.

## **Procurement**

A framework agreement is in place for the procurement of Local and School Bus Services in Lancashire. All contracts are procured under this Framework by mini-competitions. This revision will be contained within an agreed individual contract variation in accordance with the terms of the Framework Agreement.

## **List of Background Papers**

Paper	Date	Contact/Tel
Report to the Cabinet Member for Highways and Transport – 'Assessment and Priority Policy for Public Transport Services in Lancashire'	12 December 2016	Dave Gorman/ (01772) 534261

Reason for inclusion in Part II, if appropriate

N/A



## Appendix A - Financial Information

	<b>Annual</b>	<b>6 month</b>	<b>Notes</b>
Contract Cost (est.)	£208,000	£104,000	Estimated cost £4,000 per week
Total Revenue (est.)	£220,000	£110,000	Based on projections from the current service between June 16 and April 17
<b>Estimated Net Income</b>	<b>+£12,000</b>	<b>+£6,000</b>	
<b>SITE MANAGEMENT COSTS</b>			
Business Rates	£49,000	£24,500	
Electricity	£13,000	£6,500	Could be reduced*
Water	£1,200	£600.00	Could be reduced**
<b>Estimated cost</b>	<b>£63,200</b>	<b>£31,600</b>	
<b>OTHER LIKELY COSTS</b>			
Gritting Standby***	<b>£2,000</b>	<b>£1,000</b>	Estimate based on 16/17 costs
Grit***	<b>£1,100</b>	<b>£550</b>	Estimate based on 16/17 costs
<b>OTHER POTENTIAL FUTURE COSTS</b>			
General Repairs/Maintenance	-	-	When Required
Major Maintenance	-	-	When Required
Removal of Travellers	-	-	Last incident cost £6k
Surface Water Drainage	-	-	Could potentially be up to £14K p.a.
<b>Total Estimated Net Cost</b>	<b>£54,300</b>	<b>£27,150</b>	

### \* Electricity

Currently the lighting columns and lamps on the Walton-Le-Dale site are very inefficient and could be replaced with LED lights which would generate a saving. It is estimated that this could produce savings of approximately 70%. This would represent an approximate saving of £9,100 per year on current charges but would require an initial capital outlay.

### \*\* Water

Currently water charges are for the toilet facilities provided on site. These are not currently used by members of the public and are only used by Preston Bus drivers. There is the potential to completely shut off the office building from use at the site (the office itself is currently unused) however as premise managers for the site there are still inspections and weekly checks that would need to be carried out.

\*\*\* Gritting Standby and Grit

Gritting charges have previously encompassed both the Walton-Le-Dale and Portway sites so the figures shown above are after the split between the two sites. Gritting costs will be zero during the summer months, however there may still be costs towards the end of the suggested 6 month contract. Costs are based on 16/17 costs and are dependent on weather.

**Report to the Cabinet**

Meeting to be held on Thursday, 13 July 2017

**Report of the Director of Corporate Commissioning****Part I**

## Electoral Divisions affected:

Accrington South; Burnley Central East; Burnley Rural; Burscough and Rufford Chorley Rural West; Heysham; Lancaster Rural East; Lancaster Rural North; Leyland Central; Leyland South; Longridge with Bowland; Lostock Hall and Bamber Bridge; Morecambe North; Morecambe South; Oswaldtwistle, Padiham and Burnley West; Pendle Rural; Preston Central West; Preston City; Preston East; Preston North; Preston West; Ribble Valley North East; Ribble Valley South West; Rossendale West; West Lancashire North; and Wyre Rural East

**Highways and Transport Capital Programmes - Proposed Amendments**  
(Appendices 'A' and 'B' refer)

Contact for further information:

Janet Wilson, (01772) 538647, Commissioning Manager (Live Well),

[janet.wilson@lancashire.gov.uk](mailto:janet.wilson@lancashire.gov.uk)**Executive Summary**

As part of the normal process of service delivery the approved Highways and Transport Capital Programmes now require certain amendments in order to meet emerging priorities and to respond to some unanticipated service demands. The proposed amendments including scheme cancellations are set out at Appendix 'A' and Appendix 'B'.

**Recommendation**

The Cabinet is recommended to approve the proposed amendments to the Highways and Transport Capital Programmes as outlined in Appendix 'A' and Appendix 'B'.

## **Background and Advice**

The following detailed highway and transport capital programmes of work have previously been approved by the Cabinet Member for Highways and Transport;

- 2014/15 New Starts Programme - 27 January 2014
- 2015/16 New Starts Programme - 5 March 2015
- 2016/17 New Starts Programme - 18 April 2016
- 2017/18 New Starts programme – 13 March 2017

As part of the normal process of service delivery these detailed programmes of work now require certain amendments in order to meet the emerging priorities and to respond to some unanticipated service demands. The proposed amendments are set out at Appendix 'A' and Appendix 'B'.

## **Consultations**

N/A

## **Implications:**

This item has the following implications, as indicated:

## **Risk management**

The changes are required to ensure that emerging highway and transport priorities and unanticipated service demands can be addressed.

## **Financial**

The financial implications of the proposed changes are set out at Appendix 'A' and Appendix 'B'.

## **List of Background Papers**

Paper	Date	Contact/Tel
Report to Cabinet Member for Highways and Transport: Environment Directorate 2015/16 Highway Maintenance, Road safety and Public Rights of Way New Starts Capital Programme	5 March 2015	Dave Gorman/(01772) 534261

Report to Cabinet Member for Highways and Transport: Proposed 2016/17 Highway Maintenance, Road Safety and Public Rights of Way New Starts Capital Programme 18 April 2016 Dave Gorman/(01772) 534261

Report to Cabinet Member for Highways and Transport: Proposed 2017/18 Highway Maintenance, Road Safety and Public Rights of Way New Starts Capital Programme 13 March 2017 Dave Gorman/(01772) 534261

Reason for inclusion in Part II, if appropriate

N/A





**Appendix A: Proposed Amendments to the Approved Highways and Transport Capital Programmes**

Project Details							
No	Scheme Name	Division/District	Change Required	Original Approved Allocation	Additional Funding Required	Released Funding	Proposed Scheme Allocation
<b>2015/16 New Start Cycling Safety</b>							
1.	Townsend Street	Rossendale West, Rossendale	This project was originally allocated £15,855 to provide buildouts and parking restrictions at the junction of Townsend Street and Ratcliffe Street in Haslington. However, during the consultation stage a number of objections were received about the proposed scheme. Two of the objections are from local residents about loss of parking outside their homes and the perceived consequent devaluation of their property, and another was from the local Traffic Liaison Group (which includes Lancashire Constabulary). In light of these objections and a number of design issues that would have to be overcome if the scheme was to go ahead, it is proposed that the scheme is cancelled and the remaining monies are released back into the programme to support other cycle safety schemes.	£15,855	£0	£7,952	£7,903
<b>Revised 2015/16 New Start Cycling Safety</b>				<b>£15,855</b>	<b>£0</b>	<b>£7,952</b>	<b>£7,903</b>
<b>2016/17 New Start Cycling Safety</b>							
2.	A589 Broadway (Stuart Avenue to A5105)	Morecambe North, Lancaster	This project was originally allocated £24,471 to provide a new refuge island on the A589 Broadway junction with Stuart Avenue in Morecambe, and upon completion of the detailed design the proposed crossing was consulted on in late 2016. The feedback from 50% of the respondents was that the scheme is not required, and a local cycling group also has highlighted concerns about the layout of the scheme, and in particular the lane widths proposed to accommodate the refuge at this location. Concerned residents stated that due to the proximity of Morecambe Community High and St Mary's Primary School parking is required to accommodate the large number of vehicles that drop off and collect pupils. Lancashire Constabulary has also stated that it would wish to see enforced restrictions to prevent parking in the vicinity of the proposed refuge which would require a much higher budget. It is acknowledged, however, that often restrictions in such areas are ignored at these busy times. As such, giving due consideration to the objections received, and the observations and assessments made by officers, it is proposed that the current operation of the school crossing patrol remains in place, and this scheme is cancelled and the remaining monies are released back into the programme to support other cycle safety schemes.	£24,471	£0	£16,301	£8,170
3.	B6243 Ribbleton Avenue and B6243 Longridge Road (B6242 to Skeffington Road)	Preston East, Preston	This project was originally allocated £34,015 to provide a new off-road/shared use cycle route on a well-used on-road cycle route from Ribbleton to Longridge. However, following a detailed survey being carried out it has been identified that the majority of the footways along the route are too narrow (less than 2 metres), which is less than the legal standard required of a 3 metre width shared use cycle path. As such it is proposed that the scheme is cancelled and the remaining monies are released back into the programme to support other cycle safety schemes.	£34,015	£0	£28,556	£5,459
<b>Revised 2016/17 New Start Cycling Safety</b>				<b>£58,486</b>	<b>£0</b>	<b>£44,857</b>	<b>£13,629</b>

No	Scheme Name	Division/District	Change Required	Original Approved Allocation	Additional Funding Required	Released Funding	Proposed Scheme Allocation
			<b>2015/16 New Start Road Safety</b>				
4.	Wellington Street	Accrington South, Hyndburn	This project was originally allocated £29,000 to provide a pedestrian crossing on Wellington Street. However whilst preparations have been taking place it has been found that the area has a number of issues that would need a significantly higher amount of budget to rectify to be able to continue with the scheme, including additional design/drainage measures, regrading of the road surface, and the relocation of a bus stop. Upon review of this, and the fact that there have been no injury collisions involving pedestrians on this street for the last 5 years, it is proposed that the scheme is cancelled and the remaining monies are added back into the programme.	£29,000	£0	£15,832	£13,168
			<b>Revised 2015/16 New Start Road Safety</b>	<b>£29,000</b>	<b>£0</b>	<b>£15,832</b>	<b>£13,168</b>
			<b>2014/15 New Start Bridges</b>				
5.	Various as described	Burnley Central East, Burnley Rural Burnley, Preston North/West, Preston, Accrington South, Hyndburn	The following s have been completed with actual costs all less than their allocated budgets due to efficiencies realised on site. It is therefore proposed to release the remaining monies back into the 2014/15 bridges programme: <ul style="list-style-type: none"> <li>• 4640B1 Centenary Way Viaduct Works (Burnley) – releasing £5,953</li> <li>• Lightfoot Railway Footbridge South 6507B1 Works (Preston) – releasing £4,599</li> <li>• Cadley Causeway Railway Footbridge Works (Preston) – releasing £9,361</li> <li>• 4955B1 Avenue Parade Bridge Works (Hyndburn) – releasing £1,886</li> </ul>	£25,420	£0	£21,799	£3,621
6.	Various as described	Wyre Rural East, Wyre, Preston Central West, Preston	The following projects require some additional funding to be able to conclude the works. It is proposed that the additional monies are allocated from the released funding detailed above, and the remaining £2,805 is taken from the programme's unallocated budget: <ul style="list-style-type: none"> <li>• 608B1 Whitehorse Railway Works (Wyre) – requires an additional £18,801.</li> </ul> <p>This footbridge was identified to be replaced a number of years ago, but to give it longevity a restriction of 'no more than 5 people on the bridge at once' was applied. The bridge was first installed in the 1950's to allow pedestrians to cross safely without having to cross the A6; particularly children walking to school from the houses on the north side of the bridge - and this need still remains. The original budget £55,000 was approved to develop a proposal to replace the footbridge which will be very complex in nature as it is attached to a road bridge, straddling the main west coast mainline and because any replacement will have to take into account overhead cables and underground strategic communication equipment. Additional funding is required to complete the project development so that the full costings of the replacement scheme can be planned and identified. If this is not approved the consequence will be that the footbridge will have to close forcing all the pedestrians to cross a busy and dangerous part of the A6 elsewhere.</p> <ul style="list-style-type: none"> <li>• Oxheys Railway 4383B1 Works (Preston) – requires an additional £5,803</li> </ul> <p>This refurbishment project was delivered by a specialist contractor two years ago at a cost of £20,000, together with two of the projects highlighted in section 5 above; Lightfoot Railway Footbridge South 6507B1 Works, and Cadley Causeway Railway Footbridge. The contract put in place ensured that there was a two year defect liability period in which 2.5% of the fee is retained in case defects arise in that time. Following this time the monies due to the contractor were paid out through this one project rather than across the 3 schemes; therefore the increase in payment here is offset by the others referred to above.</p>	£75,000	£24,604	£0	£99,604
			<b>Revised 2014/15 New Start Bridges</b>	<b>£100,420</b>	<b>£24,604</b>	<b>£21,799</b>	<b>£103,225</b>

No	Scheme Name	Division/District	Change Required	Original Approved Allocation	Additional Funding Required	Released Funding	Proposed Scheme Allocation
			<b>2015/16 New Start Bridges</b>				
7.	Various as described	Lancaster Rural North, Lancaster, Preston City North, Preston Central West, Preston, Ribble Valley South West, Longridge with Bowland, Ribble Valley North East, Ribble Valley, Burnley Central East, Burnley, Pendle Rural, Pendle. Plus various districtwide maintenance schemes	<p>The following projects have been completed with actual costs all less than their allocated budgets due to efficiencies realised on site. It is therefore proposed to release the remaining monies back into the 2015/16 bridges programme:</p> <ul style="list-style-type: none"> <li>• 5383B1 Higher North Road, Design of Bearing Replacement (Lancaster) – releasing £6,520</li> <li>• 1266B1 New Principal Bridge Inspection (Preston) – releasing £3,319</li> <li>• 6272B1 Back Plungington Road Eaves Brook, Study/Assessment (Preston) – releasing £5,000</li> <li>• Preston Bridge Structural Maintenance – releasing £9,886</li> <li>• 1026B1 Oakes Principal Bridge Inspection (Ribble Valley) – releasing £1,211</li> <li>• 1027B1 Ribchester Principal Bridge Inspection (Ribble Valley) – releasing £629</li> <li>• 1043B1 Hodder Higher Principal Bridge Inspection (Ribble Valley) – releasing £2,627</li> <li>• 1065B1 Watt Street Principal Bridge Inspection (Ribble Valley) – releasing £3,079</li> <li>• Ribble Valley Footbridge Structural Maintenance – releasing £7,324</li> <li>• 4659B1 The Brig St James Street Bridge Strengthening/Maintenance (Burnley) – releasing £9,072</li> <li>• 4872B1 Market Street Manchester Road strengthening/Maintenance (Burnley) – releasing £7,911</li> <li>• 4679B1 Sough Principal Bridge Inspection (Pendle) – releasing £2,926</li> <li>• Pendle Bridge Structural Maintenance (Pendle) – releasing £8,708</li> <li>• Pendle Footbridge Structural Maintenance – releasing £2,241</li> <li>• Rossendale Footbridge Structural Maintenance – releasing £18,692</li> </ul>	£193,410	£0	£89,145	£104,265
8. Page 71	Various as described	Various districtwide maintenance schemes as described	<p>The following projects require some additional funding to be able to conclude the bridge and wall safety and maintenance work. These are reactive schemes which allow preventative measures to be implemented. If this work is not undertaken it will result in the need for more costly works in the future. It is proposed that the additional monies are allocated from the released funding detailed above:</p> <ul style="list-style-type: none"> <li>• Lancaster Bridge Structural Maintenance – requires an additional £18,113</li> <li>• Wyre Bridge Structural Maintenance – requires an additional £11,072</li> <li>• West Lancashire Retaining Wall Structural Maintenance – requires an additional £5,753</li> <li>• Burnley Retaining Wall Structural Maintenance – requires an additional £9,072</li> <li>• Pendle Retaining Wall Structural Maintenance – requires an additional £11,959</li> <li>• Rossendale Retaining Wall Structural Maintenance – require an additional £14,645</li> </ul>	£136,908	£70,614	£0	£207,522
			<b>Revised 2015/16 New Start Bridges</b>	<b>£330,318</b>	<b>£70,614</b>	<b>£89,145</b>	<b>£311,787</b>
			<b>2016/17 New Start Bridges</b>				
9.	Sign Gantry	Morecambe South, Lancaster	This project was allocated £6,000 for design and construction works. However the budget for these works have now been included in the LCC Greyhound bridge works bid to the Department for Transport Maintenance Challenge Fund, as the bridge is only 150 meters away. It is therefore proposed that this scheme is cancelled and the monies released back into the programme until the result of the bid is known later in the year.	£6,000	£0	£6,000	£0
10.	Carnforth Canal Footbridge	Lancaster Rural North, Lancaster	This project was allocated £58,000 for painting and strengthening works as an interim measure pending the need to replace the footbridge in the near future. However it has been identified that the bridge can now be replaced with a new type of fibre reinforced polymer (which will be proposed as a project for 2018/19). This now avoids the need for these interim works to take place this year. It is therefore proposed that this project is cancelled and the monies are released back into the programme.	£58,000	£0	£58,000	£0

No	Scheme Name	Division/District	Change Required	Original Approved Allocation	Additional Funding Required	Released Funding	Proposed Scheme Allocation
11.	Higher Whitewell Farm	Longridge with Bowland, Ribble Valley	This project was allocated £255,000 for bridge strengthening works. Upon an advanced assessment it has been found that these works can be completed for a lesser budget, and as such it is proposed that £41,000 is released from the scheme's budget and added back into the bridges programme.	£255,000	£0	£41,000	£214,000
12.	Cam Brow No 3 Retaining Wall	Lancaster Rural East, Lancaster	Following a preliminary assessment in 2015 this project was originally allocated £59,400 for repairs on this retaining wall. After the project was added into the programme a thorough assessment was carried out to develop the necessary detailed proposals for the project's construction. This found that the scope of works required are much more substantial than first thought as the assessment revealed that the wall has greatly deteriorated since the initial assessment, and it now requires much more extensive repair works, along with the need for scour protection works in the watercourse which also requires additional budget. If these works are not carried out there is a high risk that the highway will collapse into the watercourse which will restrict or close the highway in that area, it will also mean there will be an increased risk of local flooding due to the obstruction in the water. It is therefore proposed that the additional funding required it allocated from the cancellations of Sign Gantry and Carnforth Canal Footbridge projects, and the released monies from the Higher Whitewell Farm project to enable these works to continue.	£59,400	£105,000	£0	£164,400
			<b>Revised 2016/17 New Start Bridges</b>	<b>£378,400</b>	<b>£105,000</b>	<b>£105,000</b>	<b>£378,400</b>
			<b>2017/18 New Start Bridges</b>				
13.	Abingdon Road (Padiham) Principal Bridge Inspection	Padiham and Burnley West, Burnley	This project was originally allocated £3,300 for detailed bridge inspection works. However initial inspection works have shown that the Bridge Condition Indicator is classed as good and as such no further works are required at this time. It is therefore proposed that this project is cancelled and the monies are released back into the programme	£3,330	£0	£3,330	£0
14.	Haweswater Aqueduct Principal Bridge Inspection	Ribble Valley North East, Ribble Valley	It is proposed to allocate £3,300 to fund this high priority bridge principal inspection project in Whalley. This bridge carries the A59 Whalley-Clitheroe Bypass over the Haweswater Aqueduct and upon initial inspection it has shown that it currently has multiple defects which may indicate stress in the bridge structure. A more detailed inspection is therefore urgently required to assess the defects in more detail, and it is proposed that the additional funding is allocated from the above proposed cancellation.	£0	£3,330	£0	£3,330
			<b>Revised 2017/18 New Start Bridges</b>	<b>£3,330</b>	<b>£3,330</b>	<b>£3,330</b>	<b>£3,330</b>
			<b>2017/18 New Start Pothole Action Fund</b>				
15.	Various as described in Appendix B	Various as described in Appendix B	<p>This programme was developed in line with the use of objective data to prioritise permanent pothole repairs across Lancashire on sections of roads in a condition which currently require the most regular visits to keep them safe and serviceable. Projects were ranked on a countywide rather than district basis. This approach had two positive outcomes. Firstly, asset management principles were applied in accordance with the Highways Maintenance Efficiency Programme by proactively identifying and carrying out permanent repairs and secondly the maintenance liability and costs incurred by repeated visits to known failing sites has been reduced.</p> <p>The programming of these projects has realised a number of efficiencies that will result in an underspend of £374,440.88. It is therefore proposed that the reserve projects from the programme to that value are delivered in 2017/18. Visits to these locations to undertake repairs are currently required at an average rate of once every 4.8 months. The proposed treatments include permanent repairs including patching, machine patching, surface dressing and resurfacing depending on the nature of the problem. The proposed reserve projects that can now be funded are detailed at Appendix B.</p>	£374,440.88	£0	£0	£374,440.29
			<b>Revised 2017/18 New Start Pothole Action Fund</b>	<b>£374,440.88</b>	<b>£0</b>	<b>£0</b>	<b>£374,440.29</b>

**Appendix B: Proposed highest priority projects to be funded from the 2017/18 Pothole Action Fund**

District	Division	Project Name	Location of Scheme	Project description	Total Cost
South Ribble	Leyland South	Albert Road	Knowsley Road to side road at No.58/66	Resurfacing	£18,566.80
Chorley	Chorley Rural West	Neargates	Southgates to the end	Resurfacing	£15,053.77
South Ribble	Leyland Central	Denford Avenue	Canberra Road to Crawford Avenue	Resurfacing	£24,732.93
Hyndburn	Accrington South	Newton Drive	1-17 Newton Drive	Resurfacing	£14,988.71
West Lancashire	West Lancashire North	Hillcrest Drive	Hesketh Lane to Merlecrest Drive	Resurfacing	£18,949.13
West Lancashire	Burscough and Rufford	Crabtree Lane	Higgins Lane to Orrell Lane	Resurfacing	£39,630.35
South Ribble	Lostock Hall and Bamber Bridge	St Judes Avenue	St Mary's Close to St Mary's Avenue	Resurfacing	£10,883.57
South Ribble	Lostock Hall and Bamber Bridge	Withy Grove Crescent	Poplar Avenue to Withy Grove Crescent	Resurfacing	£32,284.25
West Lancashire	West Lancashire North	Boundary Lane	Moss Lane to Boundary Meanygate	Resurfacing	£17,234.75
Wyre	Wyre Rural East	Brooklands Drive	Byerworth Lane North to The Toppings	Resurfacing	£17,144.85
Ribble Valley	Ribble Valley North East	Wiswell Shay	Accrington Rd to Old Back Lane	Surface Dressing	£17,104.14
Hyndburn	Oswaldtwistle	Roe Greave Road	Union Rd to Three Brooks Way	Resurfacing	£54,237.37
Lancaster	Heysham	Moneyclose Lane	Rothsay Road to Leisure Park	Surface Dressing	£51,748.55
Ribble Valley	Ribble Valley North East	Stopper Lane	Newby Lane to High Croft	Overlay	£41,881.13
<b>Total:</b>					<b>£374,440.29</b>



**Report to the Cabinet**

Meeting to be held on Thursday, 13 July 2017

**Report of the Head of Learning and Skills Service****Part I**

Electoral Divisions affected:  
All in Lancaster

**The Future of Central Lancaster High School's Post 16 Provision**

(Appendices 'A' to 'D' refer)

Contact for further information:

Sarah Hirst, (01772) 531842, Skills and Employability Lead

[sarah.hirst@lancashire.gov.uk](mailto:sarah.hirst@lancashire.gov.uk)

**Executive Summary**

On 8 March 2017, the Cabinet Member for Children, Young People and Schools agreed to a statutory consultation on the proposal to discontinue the post 16 sixth form provision at Central Lancaster High School (CLHS), by permanently lowering its age range from 11-18 years to 11-16 years, with effect from 31 August 2018. The consultation on this proposal took place from 29 March to 31 May 2017.

As part of the statutory process, a decision should now be taken about the proposal. If the authority does not make a decision within two months from the end of the consultation period, the proposal and any representations about the proposal must be passed to the schools adjudicator for a decision.

This is deemed to be a Key Decision and the provisions of Standing Order No. 25 have been complied with.

**Recommendation**

The Cabinet is recommended to:

- (i) consider the information in this report; and
- (ii) approve the proposal, as detailed in the statutory notice, to discontinue the post 16 sixth form provision at Central Lancaster High School (CLHS), by permanently lowering its age range from 11-18 years to 11-16 years, with effect from 31 August 2018.

## Background and Advice

Following the publication of a statutory notice on 29 March 2017, and the ensuing representation period which ran from 29 March to 31 May 2017, the local authority is now at stage 3 of the statutory process, as defined by The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, and this is set out in the table below:

Stage	Description	Timescale
Stage 1	Publication of Statutory Notice and Proposal	29 March 2017
Stage 2	Representation (formal consultation)	29 March to 31 May 2017
Stage 3	Decision	July 2017
Stage 4	Implementation	31 <sup>st</sup> August 2018

The statutory notice, accompanying proposal, factors for consideration and the Equality Analysis can be found at Appendices 'A' to 'D'.

### Factors Relevant to all Types of Proposal

The Department for Education's (DfE) statutory guidance for decision-makers deciding prescribed alteration and establishment and discontinuance proposals, published in April 2016, sets out a number of factors which must be taken into consideration for all types of proposal. These factors, and supporting comments, are set out in Appendix 'C'.

### Conclusions

As can be seen from Appendix 'C', the consultation process has not highlighted any issues/concerns with the proposal and, therefore, the proposal remains unchanged.

The DfE's statutory guidance, Making 'Prescribed Alterations' to Maintained Schools, sets out the following guidelines which should be considered for proposals to open new sixth form provision:

- School to be rated as Good or Outstanding by OfSTED.
- The quality of pre-16 education must be good or outstanding.
- The proposed sixth form will provide places for a minimum of 200 students.
- The proposed sixth form will, either directly or through partnership, offer a minimum of 15 A level subjects.
- There is a clear demand for the new sixth form (including evidence of a shortage of post 16 places and a consideration of the quality of L3 provision in the area).
- The proposed sixth form is financially viable (there is evidence of financial resilience should student numbers fall and the proposal will not impact negatively on 11-16 education or cross-subsidisation of funding).

As can be seen from the information provided, CLHS would not meet the current criteria for adding a sixth form. CLHS's current provision is significantly different from these requirements in the following areas:



- The minimum number of students – the minimum required under the DfE guidelines is 200 places and CLHS has 62 students.
- The required range of subjects – the offer for new provision is a minimum of 15 A level subjects. In the last full academic year, students at CLHS undertook courses in nine subject areas.
- The need for a clear demand for the provision – as this report shows, there is little interest from students in progressing to CLHS's sixth form and that the provision on offer is available at other local post 16 providers.
- For the sixth form to be financially viable – there is a concern that running courses for a small number of students is not financially viable. The school has confirmed that only two subject areas would be able to offer financially viable courses in 2017/18.

As the number of 16-19 year olds attending CLHS is minimal and the other post 16 providers in the local area offer the same courses as part of their provision, the local authority does not believe that there will be an adverse impact on participation, should CLHS not offer sixth form provision in the future.

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

Under section 15ZA of the Education Act 1996, local authorities have a statutory duty to secure sufficient and suitable education and training provision to meet the reasonable needs of all young people in their area by influencing and shaping provision through local partnerships and by identifying gaps, enabling new provision and developing the market. The young people covered by this statutory duty are those aged 16-19 and those aged 19-24 who have an Education, Health and Care Plan (EHCP).

As the number of 16-19 year olds attending CLHS is minimal and reducing, and the other post 16 providers in the local area offer all but one of the courses as part of their provision, the local authority does not believe that there will be an adverse impact on participation should CLHS not offer sixth form provision in the future.

### **Financial Implications**

Should the outcome of the consultation be to remove the sixth form provision at CLHS, there would not be an adverse financial impact on the local authority in terms of post 16 funding, as this is provided by the Education and Skills Funding Agency (ESFA), and the authority merely makes the payments on its behalf.

The overall financial position of the school would be improved through the removal of small courses which are not financially viable.

## List of Background Papers

<b>Paper</b>	<b>Date</b>	<b>Contact/Tel</b>
Cabinet Member report on The Future of Central Lancaster High School's Post 16 Provision	March 2017	Sarah Hirst/(01772) 531842

Reason for inclusion in Part II, if appropriate

N/A

## Central Lancaster High School

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that Lancashire County Council intends to make a prescribed alteration to Central Lancaster High School, Crag Road, Lancaster, LA1 3LS from 31 August 2018.

It is proposed that the school will permanently lower its age range from 11-18 years to 11-16 years with effect from 31 August 2018, through the closure of the sixth form.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be inspected at Central Lancaster High School at the address above; at Lancaster City Council offices; at Lancashire County Council's White Cross Centre on Quarry Road, Lancaster; and local libraries. Copies can be obtained from Sarah Hirst in the Skills, Learning and Development Service, CCP Ground Floor, PO Box 100, County Hall, Preston, PR1 0LD. Copies can also be accessed through <http://www.lancashire.gov.uk/council/performance-inspections-reviews/children-education-and-families/school-organisation-reviews.aspx>.

Any person may object to or make comments on the proposal by posting them to Sarah Hirst, Skills, Learning and Development Service, CCP Ground Floor, PO Box 100, County Hall, Preston, PR1 0LD. Responses can also be emailed to [sarah.hirst@lancashire.gov.uk](mailto:sarah.hirst@lancashire.gov.uk). To be considered as part of the decision making process to determine the proposal, responses must be received no later than 31 May 2017.

Signed: Ian Young, Director of Governance, Finance and Public Services.

Publication Date: 29 March 2017

### Explanatory Notes

Under the provisions of the Freedom of Information Act 2000, information about representations to the published proposal may be accessed by members of the public.

The proposal arises because of concerns about financial and educational viability of the sixth form. The school has low and reducing student numbers and a small curriculum offer in its sixth form.

The Authority will need to decide whether to implement the proposal before 31 July 2017, otherwise it must be referred to the Adjudicator for a final decision.



## MATTERS TO BE SPECIFIED IN SECTION 18 PROPOSALS FOR ALTERATIONS TO SCHOOLS

### Extract of Schedule 2 to The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2013 (as amended)

#### 1. Contact details

The proposal to discontinue the post 16 sixth form provision delivered by Central Lancaster High School, Crag Road, Lancaster, LA1 3LS, by permanently lowering its age range from 11-18 years to 11-16 years with effect from 31 August 2018, is published by Lancashire County Council, the relevant local authority. Central Lancaster High School is a community school. The local authority can be contacted at the following address: Sarah Hirst, Skills, Learning and Development Service, CCP Ground Floor, PO Box 100, County Hall, Preston, PR1 0LD, Lancashire.

#### 2. Description of alteration and evidence

This proposal is for the closure of Central Lancaster High School's (CLHS) sixth form by permanently lowering its age range from 11-18 years to 11-16 years. The school will remain open and unchanged for secondary school provision.

##### Participation in Education or Training

When CLHS approached the local authority to discuss the future of its sixth form provision, there were only 62 students in the sixth form, with 24 in Year 12 and 38 in Year 13. The school believes that not all of the students in Year 12 will progress into Year 13. If this is the case, CLHS will ensure that these students have access to strong information, advice and guidance to enable them to make a smooth and sustained transition to another provider. However, any current Year 12 students who wish to continue in Year 13 at CLHS will be able to do so and will be supported by the school throughout the remainder of their programme.

The table below shows the student number and funding allocations CLHS has received from the Education Funding Agency (EFA) since it opened its sixth form in September 2011:

	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Student Numbers	34	60	62	102	100	88
Funding	£160,972	£276,432	£300,139	£455,677	£442,316	£380,837

The average EFA student number allocations for the school sixth forms and academies in Lancashire were 225 students in 2013/14, 236 in 2014/15, 225 in 2015/16 and 217 in 2016/17. This shows that CLHS's student numbers have been consistently and significantly below the average level.

CLHS is a partner in a Sixth Form Federation with three other school sixth forms in the area: Our Lady's Catholic College, Carnforth High School and Heysham High School Sports College. This federation is not as strong as it once was and only two students access provision at CLHS through this arrangement.

The school has continued to promote its sixth form for 2017/18, through open evenings, adverts on Bay Radio and through the federation schools mentioned above. Of the applications received to date, the school is not the first choice for a number of these. Students from Year 11 at CLHS do not always put the sixth form as their first choice.

Of CLHS's 2016 school leavers, only 17% chose to progress into the sixth form. The significant majority, 42.4%, progressed to Lancaster and Morecambe College. Just over 15% progressed to other school sixth forms in the district and the remaining students accessed provision at Kendal College, Myerscough College, Cardinal Newman College, Preston's College and Blackpool Sixth Form College, indicating that young people are willing to travel out of the area to access post 16 provision.

The Department for Education's (DfE) statutory guidance, Making 'Prescribed Alterations' to Maintained Schools, published in April 2016, sets out the following guidelines which should be considered for proposals to open new sixth form provision:

- School to be rated as Good or Outstanding by OfSTED.
- The quality of pre-16 education must be good or outstanding.
- The proposed sixth form will provide places for a minimum of 200 students.
- The proposed sixth form will, either directly or through partnership, offer a minimum of 15 A level subjects.
- There is a clear demand for the new sixth form (including evidence of a shortage of post 16 places and a consideration of the quality of L3 provision in the area).
- The proposed sixth form is financially viable (there is evidence of financial resilience should student numbers fall and the proposal will not impact negatively on 11-16 education or cross-subsidisation of funding).

As can be seen from the information provided, CLHS would not meet a number of the current criteria for adding a sixth form, as the DfE has strengthened the requirements. CLHS's current provision is significantly different from these requirements in the following areas:

- The minimum number of students – the minimum required under the DfE guidelines is 200 places and CLHS currently has 62 students.
- The need for a clear demand for the provision – the information in this report shows that there is limited interest from students in progressing to CLHS's sixth form and that the provision on offer is available at other local post 16 providers.
- For the sixth form to be financially viable – there is a concern that running courses for a small number of students is not financially viable, with the costs exceeding the income received from the EFA for the sixth form provision.

#### Educational or Training Achievements

CLHS was last inspected by OfSTED in December 2012 and the outcome for Overall Effectiveness was 'Good'. Whilst the inspection report was generally positive about the sixth form, it acknowledged that it was newly opened and it was too early to determine the impact in some areas. Since the inspection took place over four years ago, the quality and provision offer in the sixth form has declined.

To support the inspection arrangements, OfSTED and the DfE have developed an inspection dashboard. An early extract of the 16-19 inspection dashboard for CLHS, which was published on 25 January 2017, shows that the school has not met the 16-18 minimum standards for academic qualifications. The data used in the dashboard is currently unvalidated/provisional and the summary strengths and weaknesses are not yet available. However, the strengths and weaknesses for 2015 were as follows:

- Minimum standards not met for academic or vocational subjects
- Progress in academic subjects (A and AS level) identified as a weakness; particularly the case for pupils with GCSE C and B grades
- Girls are also identified with low progress in vocational subjects
- GCSE Maths improvement identified as a strength for disadvantaged pupils with key stage 4 grade D but weaknesses identified for pupils with grades E and F

Using the most recent information from the DfE's 2016 Performance Tables, there are a number of issues with the quality of provision being delivered through the sixth form. In terms of the value added performance measures, CLHS has the lowest performance of the eight school sixth forms in Lancaster for A level, Academic and Applied General qualifications. The students accessing this provision at CLHS, made less progress, on average, than students across England who got similar results at the end of key stage 4.

#### Range of Educational or Training Opportunities Available

The proposed curriculum offer for the sixth form in the 2017/18 academic year consists of nine A levels and 10 BTECs. Additional courses can be accessed through the federation mentioned above but, of the Year 12 students in this academic year, only three chose to access provision at one of the federation schools.

The school has confirmed that, based on current financial projections for 2017/18 admissions, only two subjects areas would be able to offer financially viable courses.

All but one of the courses currently offered by CLHS are available at the alternative providers in the district. The course not available in the district is A level Law. Seven students undertook this course at CLHS in 2015/16 and other young people from Lancaster travelled to Cardinal Newman College to access this course.

The alternative providers within the district are as follows: Lancaster and Morecambe College; Carnforth High School; Heysham High School Sports College; Lancaster Girls' Grammar School; Lancaster Royal Grammar School; Morecambe Community High School; Our Lady's Catholic College; and Ripley St Thomas C of E Academy. These providers are between less than a mile and 7 miles from CLHS. With regard to OfSTED ratings, three are 'Outstanding', two are 'Good', two are 'Requires Improvement', and one is 'Inadequate'. There is capacity at these providers should any students from CLHS wish to progress into post 16 education or training with them.

From reviewing the data of where the students who attended CLHS's sixth form in 2015/16, the majority were from the following wards in Lancaster: Bulk, John O'Gaunt and Scotforth East. Young people from these wards not attending the sixth form at CLHS accessed post 16 provision at a range of providers, consisting of seven school sixth forms and seven colleges. The main providers being accessed were Lancaster and Morecambe College, Lancaster Royal Grammar School and Ripley St Thomas C of E Academy. As can be seen from the paragraph above, these are within reasonable travelling distance from CLHS so young people will be able to easily access alternative post 16 provision.

### Conclusion

As the number of 16-19 year olds attending CLHS is low and reducing and there is a wide range of alternative post 16 providers in the local area offering comparable provision, the local authority does not believe that there will be an adverse impact on participation should CLHS not offer sixth form provision in the future.

### **3. Objectives**

The objective of this proposal is to permanently lower the age range of the school from 11-18 years to 11-16 years with effect from 31 August 2018, through the closure of the sixth form.

There is limited interest from young people in attending the sixth form, which has a small curriculum offer and low and reducing student numbers. There are also concerns around the quality and performance of the sixth form, which has the lowest value added of the eight school sixth forms in Lancaster for A level, Academic and Applied General qualifications and which did not meet the minimum standards for academic or vocational subjects in 2015.

As the secondary element of the school is unaffected by this proposal, the number of young people accessing the sixth form is reducing, and the wide range of alternative providers in the district, the closure of the sixth form is not expected to have an adverse impact on the community.

### **4. Effect on other local education institutions**

As the proposal is to close the sixth form provision at CLHS, there is not expected to be any adverse impact on other local post 16 providers.

There will be sufficient capacity in the local area for all young people to be able to access post 16 provision within a reasonable travelling distance. The closest alternative post 16 providers measured by a car journey from CLHS are:

Lancaster Royal Grammar School	0.8 miles
Our Lady's Catholic College	1.1 miles
Lancaster Girls' Grammar School	1.4 miles
Ripley St Thomas C of E Academy	1.6 miles
Lancaster and Morecambe College	2.3 miles
Morecambe Community High School	3.8 miles
Heysham High School Sports College	5.6 miles
Carnforth High School	7.1 miles

### **5. Project Costs and Value for Money**

The final DfE criteria for opening a new sixth form is for it to be financially viable. There is a concern that the reducing number of students in the sixth form at CLHS mean that it is not financially viable and keeping the sixth form open does not demonstrate value for money. The school has confirmed that, based on current financial projections for 2017/18 admissions, only two subjects areas would be able to offer financially viable courses.

The overall financial position of the school would be improved by permanently lowering its age range from 11-18 years old to 11-16 years old. At present, the 11-16 part of the school is providing a financial subsidy to the sixth form as it is not financially viable on its



own. The reducing student numbers in the sixth form going forward will only exacerbate this position.

## **6. Implementation**

It is proposed to close the school's sixth form on 31 August 2018.

When CLHS approached the local authority to discuss the future of its sixth form provision, there were only 62 students in the sixth form, with 24 in Year 12 and 38 in Year 13. The school believes that not all of the students in Year 12 will progress into Year 13. If this is the case, CLHS will ensure that these students have access to strong information, advice and guidance to enable them to make a smooth and sustained transition to another provider. However, any current year 12 students who wish to continue in year 13 at CLHS will be able to do so and will be supported by the school throughout the remainder of their programme.

## **7. Procedure for responding to the consultation**

Following publication of this proposal on 29 March 2017, any person may respond, support, object to or make comments on the proposal by posting them to Sarah Hirst, Skills, Learning and Development Service, CCP Ground Floor, PO Box 100, County Hall, Preston, PR1 0LD. Responses can also be emailed to [sarah.hirst@lancashire.gov.uk](mailto:sarah.hirst@lancashire.gov.uk). To be considered as part of the decision making process to determine the proposal, responses must be received no later than 31 May 2017.



## Central Lancaster High School

**Factors to be considered by decision-makers when deciding prescribed alteration, establishment and discontinuance proposals**

The Department for Education's (DfE) statutory guidance for decision-makers deciding prescribed alteration and establishment and discontinuance proposals, published in April 2016, sets out a number of factors which must be taken into consideration for all types of proposal. These factors are set out below, along with a supporting comment:

Related proposals

DfE guidance: Any proposal that is 'related' to another proposal must be considered together. A proposal should be regarded as 'related' if its implementation (or non-implementation) would prevent or undermine the effective implementation of another proposal.

Comment: This is a stand-alone proposal and is not reliant on the outcome or implementation of another proposal.

Conditional approval

DfE guidance: Decision-makers may give conditional approval for a proposal subject to certain prescribed events.

Comment: It is not anticipated that the decision-maker will set any conditions in relation to the approval of this proposal.

Publishing decisions

DfE guidance: All decisions (rejected and approved – with or without modification) must give reasons for such a decision being made. **Within one week** of making a decision, the decision-maker should arrange (via the proposer where necessary) for the decision and the reasons behind it to be published on the website where the original proposal was published. The decision-maker must also arrange for the organisations listed to be notified of the decision and reasons: the governing body/proposers (as appropriate); the trustees of the school (if any); the local Church of England diocese; the local Roman Catholic diocese; any other organisation that they think is appropriate; and the Secretary of State (in school opening and closure cases only).

Comment: Arrangements are in place to ensure that the decision will be communicated to interested parties within one week of the decision being made. This will be done via the school organisation website, where the original proposal was published, and also by sending a letter to specific individuals or organisations, such as those stated in the guidance, local councillors and OfSTED.

### Consideration of consultation and representation period

DfE guidance: The decision-maker will need to be satisfied that the appropriate fair and open local consultation and/or representation period has been carried out and that the proposer has given full consideration to all the responses received. If the proposer has failed to meet the statutory requirements, a proposal may be deemed invalid and therefore should be rejected. The decision-maker must consider **ALL** the views submitted, including all support for, objections to and comments on the proposal.

Comment: The consultation document proposed to discontinue the post 16 sixth form provision at Central Lancaster High School (CLHS) by permanently lowering its age range from 11-18 years to 11-16 years, with effect from 31 August 2018 and asked for views on the proposal. Full details of the consultation process are set out in Appendix 'A'.

By the close of the consultation period on 31 May 2017, no responses had been received.

### Education standards and diversity of provision

DfE guidance: Decision-makers should consider the quality and diversity of schools in the relevant area and whether the proposal will meet or affect the needs of parents; raise local standards and narrow attainment gaps.

Comment: As outlined in the proposal, when the school was inspected in December 2012, OfSTED determined that the Overall Effectiveness of the school was 'Good'. Whilst the comments about the sixth form were generally positive, it was acknowledged that it was newly opened and it was too early to determine the impact in some areas. Since the inspection took place over four years ago, the quality and provision offer in the sixth form has declined.

Through the new 16-19 Accountability Measures, it can be seen that students do not perform as well as they could. The Progress measure for students on A level and Academic provision is well below national average and is below national average for Applied General provision. The school's sixth form provision is also below the Minimum Standard for Academic provision.

Based on applications for 2017/18, the school has confirmed that only two subject areas would be able to offer financially viable courses.

In addition to its own provision, CLHS is a partner in a Sixth Form Federation with three other school sixth forms in the area: Our Lady's Catholic College, Carnforth High School and Heysham High School Sports College. This federation is not as strong as it once was and only two students access provision at CLHS through this arrangement.

Whilst young people will not be able to access post 16 provision at CLHS if this proposal is approved, all but one of the courses offered by CLHS are available at the alternative providers in the district. The course not available in the district is A level

Law. Seven students undertook this course at CLHS in 2015/16 and three other young people from Lancaster travelled to Cardinal Newman College to access this course.

The alternative providers within the district are as follows: Lancaster and Morecambe College; Carnforth High School; Heysham High School Sports College; Lancaster Girls' Grammar School; Lancaster Royal Grammar School; Morecambe Community High School; Our Lady's Catholic College; and Ripley St Thomas C of E Academy. These providers are between less than a mile and 7 miles from CLHS. With regard to OfSTED ratings, three are 'Outstanding', two are 'Good', two are 'Requires Improvement', and one is 'Inadequate'. Between them, these providers offer a wide range of provision.

#### A school-led system with every school an academy

DfE guidance: The 2016 White Paper, Education Excellence Everywhere, sets out the department's aim that by the end of 2020, all schools will be academies or in the process of becoming academies. The decision-maker should, therefore, take into account the extent to which the proposal is consistent with this policy.

Comment: Whilst alignment with the Education Excellence Everywhere has been considered, the creation of/conversion to an academy is not appropriate as this proposal is not related to the establishment of a new school or school sixth form.

#### Demand v need

DfE guidance: The decision-maker should take into account the quality and popularity of the schools in which spare capacity exists and evidence of parents' aspirations for a new school or for places in a school proposed for expansion. The existence of surplus capacity in neighbouring less popular schools should not in itself prevent the addition of new places.

Comment: This proposal is related to removing sixth form capacity at the school, rather than being linked to the creation of new school places.

During the 2016/17 academic year, there were only 62 students in the sixth form at CLHS. Promotion for the sixth form for the 2017/18 academic year included open evenings and adverts on Bay Radio as well as through the federation schools mentioned above. The school has only received a limited number of applications for the 2017/18 academic year and, for a number of these, the school is not the first choice. Students from Year 11 at CLHS do not always put the sixth form as their first choice.

Should any students from CLHS wish to progress into post 16 education or training, there is capacity at the alternative local providers listed above.

## School size

DfE guidance: Decision-makers should not make blanket assumptions that schools should be of a certain size to be good schools, although the viability and cost-effectiveness of a proposal is an important factor for consideration. The decision-maker should also consider the impact on the LA's budget of the need to provide additional funding to a small school to compensate for its size.

Comment: The table below shows the student number and funding allocations CLHS has received from the Education and Skills Funding Agency (ESFA) since it opened its sixth form in September 2011:

	<b>2011/12</b>	<b>2012/13</b>	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16</b>	<b>2016/17</b>
Student Numbers	34	60	62	102	100	88
Funding	£160,972	£276,432	£300,139	£455,677	£442,316	£380,837

The school's ESFA allocation for 2017/18 will be based on 64 students and £276,160, showing a further reduction in both students and funding. The average ESFA student number allocations for the school sixth forms and academies in Lancashire were 225 students in 2013/14, 236 in 2014/15, 225 in 2015/16 and 217 in 2016/17. Based on the student number allocations for 2017/18, the average is 209. This shows that CLHS's student numbers have been consistently and significantly below the average level.

The DfE's statutory guidance, Making 'Prescribed Alterations' to Maintained Schools, published in April 2016, sets out a number of guidelines which should be considered for proposals to open new sixth form provision and one of these is that the proposed sixth form will provide places for a minimum of 200 students. As can be seen from the numbers above, the sixth form at CLHS is significantly below this level. There is a concern that the small number of students in the sixth form at CLHS means that it is not financially viable and keeping the sixth form open does not demonstrate value for money.

## Proposed admission arrangements

DfE guidance: In assessing demand, the decision-maker should consider all expected admission applications, not only from the area of the LA in which the school is situated.

Before approving a proposal that is likely to affect admissions to the school the decision-maker should confirm that the admission arrangements of the school are compliant with the School Admissions Code.

Comment: Should this proposal be approved, CLHS will no longer admit 16-18 year old students and its admission policy will be amended to reflect this. The admissions team within Lancashire County Council will be made aware of this outcome to ensure that the correct information is available on our website.

The school has not recruited any 16-18 year olds students from outside of the Lancashire local authority area.

### National curriculum

DfE guidance: All maintained schools must follow the National Curriculum unless they have secured an exemption for groups of pupils or the school community.

Comment: As this proposal relates to the sixth form element of the school, there is no link to the national curriculum. The national curriculum does not apply to key stage 5/post 16 provision.

### Equal opportunity issues

DfE guidance: The decision-maker must have regard to the Public Sector Equality Duty (PSED) of LAs/governing bodies, which requires them to have 'due regard' to the need to: eliminate discrimination; advance equality of opportunity; and foster good relations.

The decision-maker should consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed, for example that where there is a proposed change to single sex provision in the area, there is equal access to single sex provision for the other sex to meet parental demand. Similarly there should be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area, while ensuring that such opportunities are open to all.

Comment: Please refer to the Equality Impact Assessment at Appendix 'D'.

No equal opportunities issues have been raised during the representation period and this proposal does not discriminate against any specific groups of young people.

### Community cohesion

DfE guidance: Schools have a part to play in providing opportunities for young people from different backgrounds to learn with, from and about each other; by encouraging, through their teaching, an understanding of, and respect for, other cultures, faiths and communities. When considering a proposal, the decision-maker must consider its impact on community cohesion. This will need to be considered on a case-by-case basis, taking account of the community served by the school and the views of different sections within the community.

Comment: Please refer to the Equality Impact Assessment at Appendix 'D'.

There have been no responses from the local community during the representation period. Therefore, it is not expected that there will be an adverse impact on the community.

### Travel and accessibility

DfE guidance: Decision-makers should satisfy themselves that accessibility planning has been properly taken into account and the proposed changes should not adversely impact on disadvantaged groups.

The decision-maker should bear in mind that a proposal should not unreasonably extend journey times or increase transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable walking or cycling routes.

Comment: Please refer to the Equality Impact Assessment at Appendix 'D'.

### Funding

DfE guidance: The decision-maker should be satisfied that any land, premises or necessary funding required to implement the proposal will be available and that all relevant local parties (e.g. trustees or religious authority) have given their agreement. A proposal **cannot** be approved conditionally upon funding being made available.

Comment: No land, premises or funding are required to implement this proposal.

Funding for 16-18 year olds comes from the ESFA. If approved, there will be no such students at the school in the future, therefore the impact will be that the school will no longer receive a funding allocation from the ESFA. This will not affect the funding for the 11-16 year olds at the school.

### School premises and playing fields

DfE guidance: Under the School Premises Regulations all schools are required to provide suitable outdoor space in order to enable physical education to be provided to pupils in accordance with the school curriculum; and for pupils to play outside safely.

Comment: If approved, this proposal will mean that the school no longer needs to accommodate a sixth form, thereby creating additional capacity for the 11-16 year old provision. Should this be the case, LCC officers will discuss with the school how this additional capacity could be utilised in future years.

There will be no adverse impact on the school's playing fields as a result of this proposal.

### **Conclusion**

As can be seen from the information outlined above, the consultation process has not highlighted any issues or concerns with the proposal and, therefore, the proposal remains unchanged.





# Equality Analysis Toolkit

The Future of Central Lancaster High School's Post 16  
Provision

For Decision Making Item

Appendix 'D'

June 2017

## **What is the Purpose of the Equality Decision-Making Analysis?**

The Analysis is designed to be used where a decision is being made at Cabinet Member or Overview and Scrutiny level or if a decision is being made primarily for budget reasons. The Analysis should be referred to on the decision making template (e.g. E6 form).

When fully followed this process will assist in ensuring that the decision-makers meet the requirement of section 149 of the Equality Act 2010 to have due regard to the need: to eliminate discrimination, harassment, victimisation or other unlawful conduct under the Act; to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard means analysing, at each step of formulating, deciding upon and implementing policy, what the effect of that policy is or may be upon groups who share these protected characteristics defined by the Equality Act. The protected characteristics are: age, disability, gender reassignment, race, sex, religion or belief, sexual orientation or pregnancy and maternity – and in some circumstances marriage and civil partnership status.

It is important to bear in mind that "due regard" means the level of scrutiny and evaluation that is reasonable and proportionate in the particular context. That means that different proposals, and different stages of policy development, may require more or less intense analysis. Discretion and common sense are required in the use of this tool.

It is also important to remember that what the law requires is that the duty is fulfilled in substance – not that a particular form is completed in a particular way. It is important to use common sense and to pay attention to the context in using and adapting these tools.

This process should be completed with reference to the most recent, updated version of the Equality Analysis Step by Step Guidance (to be distributed) or EHRC guidance - [EHRC - New public sector equality duty guidance](#). The supporting document, Equality Information and the Equality Duty: A guide for public authorities, may also be used for reference as necessary.

This toolkit is designed to ensure that the section 149 analysis is properly carried out, and that there is a clear record to this effect. The Analysis should be completed in a timely, thorough way and should inform the whole of the decision-making process. It must be considered by the person making the final decision and must be made available with other documents relating to the decision.

The documents should also be retained following any decision as they may be requested as part of enquiries from the Equality and Human Rights Commission or Freedom of Information requests.

Support and training on the Equality Duty and its implications is available from the County Equality and Cohesion Team by contacting [AskEquality@lancashire.gov.uk](mailto:AskEquality@lancashire.gov.uk).

Specific advice on completing the Equality Analysis is available from Jeanette Binns in the Equality and Cohesion Team.

## **Name/Nature of the Decision**

Proposal to discontinue the post 16 sixth form provision at Central Lancaster High School (CLHS) by permanently lowering its age range from 11-18 years to 11-16 years, with effect from 31 August 2018.

## **What in summary is the proposal being considered?**

Under The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, the local authority must be both the proposer and the decision-maker for this type of significant change and carry out a statutory consultation process. The proposal to lower the age range of the school is based on concerns about its financial and educational viability. CLHS has low and reducing student numbers and a small curriculum offer in its sixth form.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The proposal, if approved, is likely to only have an impact on young people from the Lancaster area. Based on the students accessing the sixth form at CLHS in the 2015/16 academic year, 100% of students were from Lancaster. Any potential impact is only expected to be minimal as the number of students accessing the sixth form are reducing and no concerns or issues were raised during the representation period from anyone of any ethnic background.

There are no specific concerns in relation to an adverse impact on BME students. Based on the 2015/16 academic year data, 6.8% of students were from an Asian background, 2.3% were from an other background and 1.1% were from a mixed background. This amounted to nine students. Young people from a BME background who are resident in the Lancaster district accessed nine school sixth forms and seven FE colleges in the 2015/16 academic year, including those highlighted as alternative providers in this report. These young people followed provision from all 15 sector subject areas, showing that there are a wide range of alternative options already being accessed by students from a BME background.

## **Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

Yes. The proposal is focused on provision for young people aged 16-18 years old.

The latest full year data available for the sixth form provision delivered by CLHS is for the 2015/16 academic year. This shows the following information in terms of student characteristics:

- 88 students accessing the sixth form provision at CLHS. Of which:
  - 44% were female and 56% were male
  - 89.8% were from a White background, 6.8% from an Asian background, 1.1% from a mixed background and the remaining 2.3% were from an ethnic background defined as 'other'
  - 2.3% of students had a Statement of SEN. This equates to two students. 85.2% of students had no SEN and the status for the remaining students was unknown

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

### **Question 1 – Background Evidence**

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation

- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

On 8 March 2017, the Cabinet Member for Children, Young People and Schools gave approval for the local authority to publish a Statutory Notice to consult on the proposal to discontinue the post 16 sixth form provision at CLHS by permanently lowering its age range from 11-18 years to 11-16 years, with effect from 31 August 2018. As can be seen from this, the proposal will have a potential impact on 16-18 year olds who wish to continue in education or training.

The latest full year data available for the sixth form provision delivered by CLHS is for the 2015/16 academic year. This shows the following information in terms of student characteristics:

- 88 students accessing the sixth form provision at CLHS. Of which:
  - 44% were female and 56% were male
  - 89.8% were from a White background, 6.8% from an Asian background, 1.1% from a mixed background and the remaining 2.3% were from an ethnic background defined as 'other'
  - 2.3% of students had a Statement of SEN. This equates to two students. 85.2% of students had no SEN and the status for the remaining students was unknown

As can be seen from this information, there were more male students at CLHS than female. Male students from Lancaster access post 16 provision in the subjects offered at CLHS at a range of other providers, both school sixth forms and colleges, including those alternative local providers outlined in this report. Males who would've wished to follow post 16 provision at CLHS will be able to undertake the same provision at another local provider. However, it should be noted that one course offered by CLHS is not available locally and this is A level Law. Seven students undertook this course in 2015/16, four male and three female. Three young people from Lancaster undertaking this course travelled to Cardinal Newman to do so.

Whilst only a small number of students accessing the sixth form at CLHS had a Statement of SEN, the school must be aware that any such students wishing to access post 16 provision in the future will need to have a clear agreed transition plan in place to ensure a successful and sustained progression to another post 16 provider.

From reviewing this data, it can be seen that of all the young people from the school's main catchment area, 80.3% access post 16 provision at the alternative local providers outlined in this report. Only 3.1% access post 16 provision at CLHS.

## Question 2 – Engagement/Consultation

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process.

The statutory representation period took place from 29 March to 31 May 2017, which is longer than the minimum four week period suggested within DfE guidance 'School Organisation: Maintained Schools: Guidance for Proposers and Decision Makers' published in April 2016, to account for the Easter holiday period. This consisted of a statutory public notice being issued in the local newspaper and copies of the public notice being displayed on the school gates, in the school reception and also in local libraries and in the reception of Lancaster City Council's main office.

The public notice and the statutory proposal were sent to a wide range of stakeholders, including County Councillors, the Fylde, Lancaster and Wyre Children's Partnership Board, parish councils and union representatives. LCC also published the information on the School Organisation Review section of its website. In addition to this, the school wrote to all parents and carers to inform them of this process and included all the relevant information on their website.

No responses were received during the representation period.

## Question 3 – Analysing Impact

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school?

Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?

- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

If this proposal is approved, the sixth form provision at CLHS will be discontinued, through the lowering of the age range from 11-18 years old to 11-16 years old. This will mean that any young people wishing to participate in post 16 education or training will need to access an alternative provider, where they will have access to a wider curriculum choice than was available at CLHS.

There will be sufficient capacity in the local area for all young people to be able to access post 16 provision within a reasonable travelling distance. The closest alternative post 16 providers measured by a car journey from CLHS are:

Lancaster Royal Grammar School	0.8 miles
Our Lady's Catholic College	1.1 miles
Lancaster Girls' Grammar School	1.4 miles
Ripley St Thomas C of E Academy	1.6 miles
Lancaster and Morecambe College	2.3 miles
Morecambe Community High School	3.8 miles
Heysham High School Sports College	5.6 miles
Carnforth High School	7.1 miles

With regard to OfSTED ratings, three are 'Outstanding', two are 'Good', two are 'Requires Improvement' and one is 'Inadequate'. There is capacity at these providers should any students from CLHS wish to progress into post 16 education or training with them.

If approved, it is not expected that the implementation of this proposal will have an adverse impact on any particular groups as there is high quality alternative provision available locally within a reasonable travelling distance.

Should young people experience an increase in travel costs which may prevent them from participating, they may be eligible to access financial support through the 16-19 Bursary Fund, which colleges and school sixth forms receive from the Education and Skills Funding Agency.



#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits). Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

No

#### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?  
Please identify how, for example:

- Adjusted the original proposal – briefly outline the adjustments
- Continuing with the Original Proposal – briefly explain why
- Stopped the Proposal and Revised it - briefly explain

No – the original proposal has not been changed or amended.

#### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

N/A

#### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise.

Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

The proposal has been made in accordance with by The Education and Inspections Act 2006; The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and DfE guidance 'School Organisation: Maintained Schools: Guidance for Proposers and Decision Makers'. The Cabinet Member report dated 8 March 2017 and the Cabinet report dated 13 July 2017 provide full reasons for the proposal and the possible impact, should this be approved.

Local authorities have a statutory duty to secure sufficient and suitable education and training provision to meet the reasonable needs of all young people in their area. From producing this proposal, the local authority is satisfied that, if approved, there will be a very minimal impact on young people. This is based primarily on the fact that the school's sixth form does not tend to be the first choice for most of its applicants and the low and reducing number of young people accessing the sixth form. In addition, no responses were received during the representation period.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

The proposal is to discontinue the post 16 sixth form provision at Central Lancaster High School (CLHS) by permanently lowering its age range from 11-18 years to 11-16 years, with effect from 31 August 2018. The particular group affected by this are 16-18 year olds who may have wished to access post 16 provision at the school in the future.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

Once a decision has been taken to permanently lower the school's age range from 11-18 years to 11-16 years, with effect from 31 August 2018, the authority is legally obliged to implement the proposal.

Equality Analysis Prepared By: Sarah Hirst

Position/Role: Skills and Employability Lead

Equality Analysis Endorsed by Line Manager and/or Chief Officer: Ajay Sethi, Head of Learning and Skills

Decision Signed Off By: Ajay Sethi; Cabinet Member for Children, Young People and Schools

Cabinet Member/Chief Officer or SMT Member: Ajay Sethi; Cabinet Member for Children, Young People and Schools

**Please remember to ensure the Equality Decision Making Analysis is submitted with the decision-making report and a copy is retained with other papers relating to the decision.**

Where specific actions are identified as part of the Analysis please ensure that an EAP001 form is completed and forwarded to your Directorate's contact in the Equality and Cohesion Team. Directorate contacts in the Equality & Cohesion Team are:

Karen Beaumont – Equality & Cohesion Manager  
[Karen.beaumont@lancashire.gov.uk](mailto:Karen.beaumont@lancashire.gov.uk)  
Contact for Adult & Community Services Directorate

Jeanette Binns – Equality & Cohesion Manager  
[Jeanette.binns@lancashire.gov.uk](mailto:Jeanette.binns@lancashire.gov.uk)  
Contact for Environment Directorate, Lancashire County Commercial Group and One Connect Limited

Saulo Cwerner – Equality & Cohesion Manager  
[Saulo.cwerner@lancashire.gov.uk](mailto:Saulo.cwerner@lancashire.gov.uk)  
Contact for Children & Young Peoples Directorate

Pam Smith – Equality & Cohesion Manager  
[Pam.smith@lancashire.gov.uk](mailto:Pam.smith@lancashire.gov.uk)  
Contact for Office of the Chief Executive and the County Treasurer's Directorate

Thank you



**Report to the Cabinet**

Meeting to be held on Thursday, 13 July 2017

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

Electoral Division affected:  
 Burnley Central East;  
 Burnley Central West;  
 Burnley North East; Burnley  
 Rural; Burnley South West;

**Recommendation of the Edward Stocks Massey Bequest Fund Joint Advisory**  
(Appendix 'A' refers)

Contact for further information:

Samantha Gorton, Tel: 01772 532471, Democratic Services Officer, Legal and Democratic Services,

[sam.gorton@lancashire.gov.uk](mailto:sam.gorton@lancashire.gov.uk)**Executive Summary**

Consideration of the recommendations of the Edwards Stocks Massey Bequest Fund JAC.

**Recommendation**

The Cabinet is recommended to approve the recommendations of the Joint Advisory Committee from its meeting on 23 June 2017 as set out below:

- (i) The following allocation of funds in 2017/2018 (details set out at Appendix 'A'):

	£
Lancashire County Council	15,500
Burnley Borough Council	15,500
Burnley Mechanics Trust Allocation	5,000
Individuals and Voluntary Organisations	8,540
Higher Education Student Support Scholarship Awards	7,000
<b>Total</b>	<b>51,540</b>

- (ii) In respect of the Higher Education Student Scholarship Awards, the interview panel of the JAC be authorised to award the scholarships at its meeting on 22 December 2017.

## **Background and Advice**

The Edwards Stocks Massey Bequest Fund was established by the will of the late Edward Stocks Massey dated 3 March 1910. The Massey family were cotton manufacturers in the Burnley area and later brewers and founders of the Massey Brewery in Burnley. Edward was born at Hawks House in Brierfield and had a keen interest in music and was a choirmaster of St Luke's Church in Brierfield. Edward died childless in 1909 and bequeathed to the town of Burnley the sum of £135,000.

The objects of the Charity are the provision of Education (whether mental, physical, technical, or artistic) and the advancements of science, learning, music or other arts for the inhabitants of Burnley. Funding for the relief of rates is not allowed.

During 1989 the Mechanics Institution Trust Fund was incorporated in the Stocks Massey Bequest. Income generated each year is to be used to fund special projects in Burnley Mechanics, Burnley's premier Arts and Entertainment Centre, of an educational nature.

There is currently a Stocks Massey Music Library to which money is allocated and money is also allocated to the Towneley Hall Art Gallery for the acquisition and restoration of works of art.

Monies are allocated each year, subject to funding, to individuals and organisations in Burnley, Burnley Borough Council projects, and Lancashire County Council projects in Burnley and also students from three further education establishments in Burnley are awarded scholarships for their courses at university.

In 1972 the Charity Commissioners ruled that the responsibility for the distribution of the scheme passed to Lancashire County Council under the provision of the Local Government Act 1972. This responsibility could not legally be shared with Burnley Borough Council but they had no objections to Burnley Borough Council being consulted about the preparation of the scheme.

At that time a Joint Advisory Committee (JAC) was set up consisting two members of the then Education Committee and one member of the then Library and Leisure Committee from Lancashire County Council and two members from Burnley Borough Council. Their purpose was to propose draft schemes for allocation of the Trust's annual income which would then be submitted to the Trustees and the then Education and Library and Leisure Committees for approval. It was also suggested that a working party of officers be set up to give preliminary consideration to applications for grants in order to prevent the requests for financial assistance exceeding the amount of income available. The JAC is now made up of three councillors nominated by the County Council and two councillors nominated by Burnley Borough Council.

Applications are considered by the JAC and a report to Cabinet is prepared with the recommendations agreed by the JAC. Following their decision Burnley Borough Council will notify the applicants.

A panel of the JAC also meets in December each year to interview the candidates for the student awards.

### **Consultations**

The JAC at its meeting on 23 June 2017.

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

Failure to agree the recommendations of this report will delay the allocation of monies to individuals and organisation.

### **List of Background Papers**

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





## EDWARD STOCKS MASSEY BEQUEST FUND

## SCHEME OF ALLOCATION 2017/2018

## Lancashire County Council

Amount of Funding Available - £15,500

		<b>BIDS 2017/2018 £</b>	<b>ALLOCATION 2017/2018 £</b>
<b>BID NO</b>	<b>APPLICANT</b>		
1.	Burnley Music Centre	£9,925	£9,925
2.	Lancashire County Library Service – Burnley District	£5,575	£5,575
	<b>TOTAL</b>	<b>£15,500</b>	<b>£15,500</b>

## Burnley Borough Council

Amount of Funding Available - £15,500

		<b>BIDS 2017/2018 £</b>	<b>ALLOCATION 2017/2018 £</b>
<b>BID NO</b>	<b>APPLICANT</b>		
1.	Burnley Leisure – Arts Summer School for Burnley Children Aged 7-14	£1,500	£1,500
2.	Burnley Leisure – Continuing Professional Development Programme for Burnley Arts Graduates and Early Career Artists	£1,500	£1,500
3.	Making it in Burnley (delivered by Primary Engineer)	£12,500	£12,500
	<b>TOTAL</b>	<b>£15,500</b>	<b>£15,500</b>

## Burnley Mechanics Trust Allocation

Amount of Funding Available - £5,000

		<b>BIDS 2017/2018 £</b>	<b>ALLOCATION 2017/2018 £</b>
<b>BID NO</b>	<b>APPLICANT</b>		
	Mechanics Theatre	£5,000	£5,000
	<b>TOTAL</b>	<b>£5,000</b>	<b>£5,000</b>

**Individuals and Voluntary Organisations  
Amount of Funding Available - £8,000**

		<b>BIDS 2017/2018 £</b>	<b>ALLOCATION 2017/2018 £</b>
<b>BID NO</b>	<b>APPLICANT</b>		
1.	MD (individual)	No amount specified	£300
2.	Burnley Film Makers	£500	£500
3.	Burnley Parish Church of St Peter	No amount specified	£800
4.	TEAM RISE Project	No amount specified	£840
5.	Princes Trust	£2,342	£1,500
6.	Burnley Municipal Choir	£1,000	£800
7.	NRE (individual)	No amount specified	£100
8.	Burnley Orchestra	No amount specified	£800
9.	SG (individual)	£590.40	£200
11.	Lancashire Children's University	£3,687	£1,000
14.	Holly Grove and Ridgewood Community High School	£1,500	£500
15.	Burnley Play Association	No amount specified	£400
18.	Mid Pennine Arts – The Family Songbook	£1,350	£350
19.	Burnley Literary Festival	£600	£450
	<b>TOTAL</b>	<b>£8,540</b>	<b>£8,540</b>

**Report to the Cabinet**

Meeting to be held on Thursday, 13 July 2017

**Report of the Head of Service Policy, Information and Commissioning (Start Well)**

Part I

Electoral Divisions affected:  
All**Mental Health Partnership Agreement with Clinical Commissioning Groups for Jointly Funded Rehabilitation Services**

(Appendices 'A' and 'B' refer)

Contact for further information:

Jon Blackburn, (01772) 532417, Commissioning Manager Policy Information and Commissioning,

[jon.blackburn@lancashire.gov.uk](mailto:jon.blackburn@lancashire.gov.uk)**Executive Summary**

This report sets out proposals to develop a Section 75 Agreement with the Lancashire Clinical Commissioning Groups to manage the funding arrangements for a specialist rehabilitation framework for Care and Support services for adults with mental health needs.

This is deemed to be a Key Decision and the provisions of Standing Order No.25 have been complied with.

**Recommendation**

The Cabinet is recommended to:

- (i) Agree that the County Council should commence negotiations with the aim of establishing a Section 75 partnership agreement with the following Lancashire Clinical Commissioning Groups (CCGs) to provide the governance for a new framework for Mental Health Rehabilitation Services:
  - Chorley and South Ribble CCG
  - Greater Preston CCG
  - West Lancashire CCG
  - Fylde and Wyre CCG
  - East Lancashire CCG
  - Morecambe Bay CCG (Lancashire North)
- (ii) Authorise the Director of Adult Services and the Director of Legal and Democratic Services to agree the terms of the Section 75 Agreement.

## **Background and Advice**

A Mental Health Rehabilitation Service is currently being procured which will provide specialist time limited support (up to 2 years) to deliver effective rehabilitation and recovery, addressing both Health and Social Care needs and establishing outcomes which will lead to Service Users making choices, taking control and progressing to independent living.

Typically, someone receiving this service will have severe and complex mental health needs, will have become 'stuck' and will not be progressing with their recovery and will present a risk to themselves and/or others. Without this service, the person would become (or may already be) a demanding user of inpatient or community services.

The County Council and the Lancashire Clinical Commissioning Groups (CCGs) listed above currently spend around £6.2m annually supporting approximately 86 Mental Health Rehabilitation Service Users in Residential care, Nursing care and Supported Housing settings. Services are delivered by providers from the independent and voluntary sectors. Most placements are jointly funded by the County Council and CCGs on a 50:50 basis with a cost to the County Council of approximately £3m per annum.

Although there is a good practice guide issued by the Department of Health based on the principles of Continuing Care and partners have joint responsibilities via Mental Health Section 117 aftercare, there are currently no formal arrangements, guidelines or policies in place as to local funding arrangements for the joint funded packages of care and support in Lancashire. Typically, arrangements are negotiated at an individual package level which has resulted in no clear audit trail with regard to decision making and therefore making it hard to reclaim funding from CCGs.

The Lancashire CCGs have indicated their willingness to work in partnership with the County Council to develop new governance arrangements to manage responsibilities for joint funded rehabilitation packages.

It is therefore proposed that, for the commissioning of all jointly funded rehabilitation placements, the County Council and all Lancashire CCGs enter into an Agreement under Section 75 of the National Health Services Act 2006 which will bring much needed transparency and reduce the bureaucracy of the current arrangements. The relevant background to the basis of the proposed Section 75 Agreement, its benefits and the proposed governance arrangements are set out in Appendix 'A'.

## **Consultations**

Regulations issued pursuant to the 2006 Act stipulate that partners should, prior to entering into an agreement under Section 75 of the Act, consult with anyone likely to be affected. This would usually mean staff, service users and other NHS bodies.

All Lancashire CCGs have been involved in the development of the mental health rehabilitation framework agreement.

A separate Section 75 Agreement is already in place to cover County Council Social Work staff working within Lancashire Care Foundation Trust, who therefore work closely with the County Council to deliver integrated health and social care assessment and care co-ordination. They have been made aware of the County Council's intentions and are supportive of the proposal, as it simplifies arrangements for delivery of an integrated health and social care service.

In 2015/2016, discussions were initiated with service providers and key stakeholders regarding a new rehabilitation service. An online stakeholder survey was used to assist in the development of the framework. Results from this were favourable with, for example:

- 94% of respondents agreed that the draft service specification set out the requirements in an understandable way.
- 84% agreed that they can deliver what is required by the draft service specification.
- 90% agreed that it was reasonable to ask for the information required from the Key Performance Indicators.

Service users will not be affected by the parties entering into the Section 75 Agreement and it is not therefore considered that any separate consultation is required.

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

If Lancashire CCGs and the County Council fail to reach agreement and the Section 75 Agreement is not put in place the County Council will have to develop alternative options to ensure that robust governance is established and that financial accountability for each funding body is clear and transparent.

In those circumstances the financial risks to the County Council would be that:

- Some existing rehabilitation placements are not joint funded due to a lack of clarity and transparency around the funding arrangements.
- The County Council has to recover costs on an individual case by case basis.
- The associated difficulty of reclaiming money back from CCGs due to the lack of a clear audit trail.

It is clear that the current governance arrangements are not fit for purpose and all Lancashire CCGs have agreed to review the current arrangements as proposed.

This service will clearly establish rehabilitation as a key element of the overall mental health pathway of service provision. There is a risk that current spend will increase due to increased demand. To address this, it will be the responsibility of Commissioners to educate those referring service users to the service (e.g. Social Workers) as to the eligibility requirements and for LCC to ensure only appropriate referrals are approved. Whilst CCGs may commission services from the framework

agreement for their own purposes without recourse to LCC or being subject to the LCC approval, the cost of those services will be borne entirely by the CCG. All jointly commissioned services for which costs will be split on a 50:50 basis will be subject to LCC approval.

## **Financial**

The current position is that due to the lack of transparency around the commissioning and funding arrangements for joint funded packages, some rehabilitation packages which meet the criteria for joint funding by CCGs are in fact being fully funded by Lancashire County Council, particularly in community settings.

In addition, there still remains in some cases substantial difficulty in reclaiming placement costs from CCGs where joint funding is agreed, resulting in labour intensive investigation and negotiation.

In line with the County Council and NHS joint responsibilities for aftercare, it is proposed that all placements for jointly funded rehabilitation sourced via the rehabilitation framework are commissioned on a default position of a 50/50 basis, regardless of setting, to include both residential and community based placements. This will greatly reduce the negotiation of individual packages of support around proportions of health and social care input and introduce a pragmatic solution, based on fair principles.

As there are already joint funding arrangements in place for current service users receiving a rehabilitation service, costing £6.2m annually, and CCGs currently commit budgets for the delivery of jointly funded rehabilitation, financial commitments and risks are already incurred.

The risk of potential overspend on existing County Council budget provision for joint funded Mental Health rehabilitation will be managed through review of monitoring information provided to the Section 75 Partnership Group and, where potential pressures arise as a result of decision making within integrated Lancashire Care Foundation Trust/Lancashire County Council teams, through the existing Operational Interface Group.

As part of market shaping activity, including the new rehabilitation framework, it is anticipated that the number of community rehabilitation placements will increase as these are not currently available across Lancashire. Community rehabilitation in supported housing is seen as a more preferable environment for rehabilitation as it reflects a community living setting. This will result in increased expenditure for community rehabilitation, but will be offset by:

- The reduced use of more costly (residential and nursing) rehabilitation placements.
- An improved rehabilitation pathway to facilitate the flow from fully funded (secure) placements, commissioned from the CCG funded Independent Sector Mental Health framework (for fully NHS funded rehabilitation), stepping down to jointly funded placements.

Jointly funded packages will be sourced via the County Council's Care Navigation Team which contains a full time post dealing with mental health placements. This

post is funded by the County Council but at some point in the future it may be necessary to review the resources required for delivery of the framework and Section 75 Agreement, particularly if demand for the service increases and additional staffing input is required.

The County Council is developing new ways of working with social work practitioners already embedded in integrated teams with Lancashire Care Foundation Trust. This will involve an appropriate and proportionate level of assessment to enable patients to quickly regain their independence, if possible before considering a requirement for further assessment and care. Monitoring activity and performance will be key to delivering the change.

## **Legal**

The power to enter into a Section 75 Agreement is conditional on the following criteria:

1. The arrangements are likely to lead to an improvement in the way in which those functions are exercised.
2. The partners have jointly consulted people likely to be affected by such arrangements

The information outlined above indicates that those criteria will be met. However, the details of the Agreement are to be negotiated between the parties and it is therefore not possible at present to comment upon any specific legal risks. Ongoing involvement in the drafting of the s75 Agreement will be required to ensure that the Agreement contains the required information and fulfils the relevant statutory criteria.

## **Equality and Diversity/Human Rights**

An Equality Analysis was completed in November 2014 to support a previous report "Reshaping Mental Health Services: A Case for Change". The Equality Analysis has been updated and refreshed to consider the implications of the recommendations set out in this report and is attached at Appendix 'B'. This will therefore take fully into account the duties imposed by Section 149 of the Equality Act 2010.

## **List of Background Papers**

Paper	Date	Contact/Tel
Development of Commissioning and Procurement Arrangements for the Mental Health Care and Support Market <a href="http://council.lancashire.gov.uk/ieDecisionDetails.aspx?ID=7271">http://council.lancashire.gov.uk/ieDecisionDetails.aspx?ID=7271</a>	October 2015	Julie Dockerty & Jon Blackburn - Programmes and Project Management

<p>Commissioning and Procurement Arrangements for the Mental Health Residential and Nursing Home Market for People with Mental Health Needs</p> <p><a href="http://council.lancashire.gov.uk/ieDecisionDetails.aspx?ID=7164">http://council.lancashire.gov.uk/ieDecisionDetails.aspx?ID=7164</a></p>	<p>September 2015</p>	<p>Julie Dockerty &amp; Jon Blackburn – Policy, Information &amp; Commissioning</p>
<p>Reshaping Mental Health Services: A Case for Change</p> <p><a href="http://council.lancashire.gov.uk/mgIssueHistoryHome.aspx?Id=31284">http://council.lancashire.gov.uk/mgIssueHistoryHome.aspx?Id=31284</a></p>	<p>May 2014</p>	<p>Steve Gross Executive Director Adult Services, Health and Wellbeing</p>
<p>Reshaping Mental Health Services in Lancashire May 2014</p>	<p>November 2014</p>	<p>Julie Dockerty &amp; Jon Blackburn – Policy, Information &amp; Commissioning</p>



## Appendix A

### Background, benefits and proposed governance arrangements

#### Partnering with other Commissioners via Section 75

Section 75 of National Health Services Act 2006 provides the legal framework for local authorities and NHS bodies to work in a more integrated manner in the delivery of health and social services to those in their area.

The Health & Social Care Act 2012 directs Health & Wellbeing Boards to encourage health and social care services to work in an integrated manner and utilise Section 75 Agreements.

Under the 2006 Act, local authorities and NHS bodies can enter into partnership arrangements to provide a more streamlined service and to pool resources, if such arrangements are likely to lead to an improvement in the way their functions are exercised

The powers permit:

1. Formation of a pooled budget
2. Exercise by the NHS body of the local authority's prescribed health related functions (in conjunction with the exercise of its own prescribed functions)
3. Exercise by the local authority of the NHS body's prescribed functions (in conjunction with exercise of its own prescribed health related functions)
4. Provision of staff, goods, service or making of payments between the two, in connection with the above.

The contents of Section 75 agreements are prescribed by the NHS Bodies and Local Authorities Partnership Arrangements Regulations 2000 (SI 2000/617). The agreement will set out, amongst other matters;

- the aims and outcomes of the arrangement
- the respective NHS Body and County Council functions which are subject to the arrangement, including the County Council's role as commissioner
- each partner's financial and non-financial contributions
- details of how the arrangements are to be managed, governed and monitored
- approval processes for individual placements
- the treatment of staff
- the duration of the arrangement
- provision for review or termination of the arrangement.

A newly commissioned framework agreement, supported by a Section 75 agreement with participating partner CCGs, will provide partners with clarity on the funding of joint packages of care.

The proposal in respect of mental health rehabilitation services is for a lead commissioning model. The County Council will continue to assume the role of commissioning services on behalf of all partners i.e. it will procure the framework agreement from which all partners can call off individual care packages.

## Appendix A

### Proposed Benefits of New Rehabilitation Framework and Governance

The benefits of the new rehabilitation framework and governance will be to:

- Drive the quality of support that goes beyond minimum standards;
- Drive improved cost effectiveness through improved outcomes and reduced spend compared to current levels of spot-purchasing
- Ensure that the new contracting arrangements will be linked to a care pathway;
- Set out clear outcomes for service provision and individuals;
- Deliver effective rehabilitation services;
- Help individuals to become less dependent on formal supports, recognise how to manage their wellbeing and prevent relapse;
- Achieve better value for money through market management and procurement.

A Section 75 agreement will ensure transparency and clarity around the funding arrangements which currently do not exist. Additionally, it will ensure that the relevant CCG is fully involved at all stages of the mental health rehabilitation commissioning process and remains informed of any issues arising from the placement, for example by ensuring that the CCGs are involved in the review and monitoring of placements.

### Governance

The intention is to establish a Section 75 Partnership Group involving County Council and the CCGs. The Partnership Group will have the following responsibilities:

- Monitoring the effectiveness of the arrangements for delivery of the service, including the quality and performance;
- Monitoring expenditure relating to the services within the budgets set by the Partners and in accordance with the Annual Development Plan; and submitting regular reports and an annual return to the Partners, to enable them to monitor the success of the Partnership Arrangements
- Establishing information sharing agreements to ensure the commissioning process and care sourcing is managed effectively
- Oversee any termination of the agreement to ensure that plans are in place to ensure that care and support needs are will continue to be met.

Partners to the Section 75 Agreement will nominate an Authorised Officer who shall be the main point of contact for the partners, will be responsible for representing each organisations perspectives, and will manage the Agreement. The Authorised Officer for the County Council will be the Director of Adult Services and be responsible for ensuring decisions concerning the Partnership Arrangements which may impact upon the County Council are taken in accordance with the County Council's Scheme of Delegation.

Appendix B

# Equality Analysis Toolkit

Recommissioning Mental Health Services in  
Lancashire

May 2017

## **What is the Purpose of the Equality Decision-Making Analysis?**

The Analysis is designed to be used where a decision is being made at Cabinet Member or Overview and Scrutiny level or if a decision is being made primarily for budget reasons. The Analysis should be referred to on the decision making template (e.g. E6 form).

When fully followed this process will assist in ensuring that the decision-makers meet the requirement of section 149 of the Equality Act 2010 to have due regard to the need: to eliminate discrimination, harassment, victimisation or other unlawful conduct under the Act; to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard means analysing, at each step of formulating, deciding upon and implementing policy, what the effect of that policy is or may be upon groups who share these protected characteristics defined by the Equality Act. The protected characteristics are: age, disability, gender reassignment, race, sex, religion or belief, sexual orientation or pregnancy and maternity – and in some circumstances marriage and civil partnership status.

It is important to bear in mind that "due regard" means the level of scrutiny and evaluation that is reasonable and proportionate in the particular context. That means that different proposals, and different stages of policy development, may require more or less intense analysis. Discretion and common sense are required in the use of this tool.

It is also important to remember that what the law requires is that the duty is fulfilled in substance – not that a particular form is completed in a particular way. It is important to use common sense and to pay attention to the context in using and adapting these tools.

This process should be completed with reference to the most recent, updated version of the Equality Analysis Step by Step Guidance (to be distributed ) or EHRC guidance at

<http://www.equalityhumanrights.com/private-and-public-sector-guidance/public-sector-providers/public-sector-equality-duty>

This toolkit is designed to ensure that the section 149 analysis is properly carried out, and that there is a clear record to this effect. The Analysis should be completed in a timely, thorough way and should inform the whole of the decision-making process. It must be considered by the person making the final decision and must be made available with other documents relating to the decision.

The documents should also be retained following any decision as they may be requested as part of enquiries from the Equality and Human Rights Commission or Freedom of Information requests.

Support and training on the Equality Duty and its implications is available from the County Equality and Cohesion Team by contacting

[AskEquality@lancashire.gov.uk](mailto:AskEquality@lancashire.gov.uk)

Specific advice on completing the Equality Analysis is available from your Service contact in the Equality and Cohesion Team or from Jeanette Binns

[Jeanette.binns@lancashire.gov.uk](mailto:Jeanette.binns@lancashire.gov.uk)

## **Name/Nature of the Decision**

Development of a Section 75 Partnership Agreement with the Lancashire Clinical Commissioning Groups for the provision of rehabilitation services for adults with mental health needs.

The Cabinet Member for Adult and Community Service is recommended to:

- (i) Agree that the County Council should commence negotiations with the aim of establishing a Section 75 partnership agreement with the following Lancashire Clinical Commissioning Groups to provide the governance for a new framework for Mental Health Rehabilitation Services:
  - Chorley and South Ribble CCG
  - Greater Preston CCG
  - West Lancashire CCG
  - Fylde and Wyre CCG
  - East Lancashire CCG
  - Morecambe Bay CCG (Lancashire North)
- (ii) Authorise the Director of Adult Services and the Director of Legal and Democratic services to agree the terms of the Section 75 Agreement.

## **What in summary is the proposal being considered?**

In November 2014, September & October 2015 the Cabinet Member for Adult and Community Services approved a series of recommendations for the reshaping of Adult Mental Health Services. This report sets out the proposals to develop a Section 75 agreement with the Lancashire Clinical Commissioning Groups to manage the specialist rehabilitation framework for Care and Support services for people with mental health needs. Care and support is currently delivered to people in Residential and Nursing Care homes, their own home or in shared accommodation settings.

Mental Health services for working age adults in Lancashire are delivered through various arrangements, many of which involve partnerships with NHS bodies both at a service level and at a whole system level.

At present packages are individually purchased leading to a wide variation in the costs, quality and outcomes for individuals. The framework will introduce new specifications with clearly defined outcomes, and quality requirements.

The County Council and the Clinical Commissioning Groups across Lancashire have joint responsibilities to meet the identified needs of adults with mental health

needs who will benefit from rehabilitation. The CCGs are obliged to co-operate and assist the Council in the undertaking of this work. The CCGs as an existing commissioner of support services have indicated their willingness to work in partnership with the County Council to introduce a new framework.

The County Council and Lancashire Clinical Commissioning Groups currently spend around £6.2m annually supporting approximately 86 Mental Health Rehabilitation Service Users in Residential care, Nursing care and Supported Housing settings. Most placements are financially split 50:50 with a cost to LCC of approximately £3m per annum.

Mental Health services for working age adults in Lancashire are delivered through various arrangements, many of which involve partnerships with NHS bodies both at a service level and at a whole system level.

All Lancashire Clinical Commissioning Groups have formally signed up to the development of new governance arrangements for jointly funded mental health rehabilitation packages

In response to this, legal services have recommended the development of a section 75 partnership agreement under the NHS Act 2006. The requirements of such a S75 agreement are laid out in statutory instrument SI 2000 no 167 which sets out the aims and outcomes of the arrangement, the NHS and Council functions which are subject to the arrangement including how the arrangements are to be managed, monitored and the duration of the arrangement and provision for review or termination of the arrangement.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The section 75 agreement will be county wide and affect the current 86 service users currently receiving rehabilitation services. In addition there will be individuals not currently known to the County Council or the Clinical Commissioning Groups who may require these services in future.

The intention is to shift commissioning away from institutional (and high cost) placements, such as residential and nursing care, and move towards community based provision, including home care. The partnership will assist in managing the rehabilitation pathway and associated outcomes, if effective will lead to better outcomes enabling individuals to recover or manage their mental health more

effectively.

**Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

Yes

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)



## Question 1 – Background Evidence

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

1. The following findings for severe mental illness apply across the eight CCGs in the Lancashire-14 area :
  - The QOF 2015/16 figures indicate that the prevalence of severe mental health problems (patients with schizophrenia, bipolar affective disorder and other psychoses) is 1.04%, which is higher than the England average (0.90%).
  - There are 15,959 patients on the registers for severe mental health problems.
  - Five CCGs have a significantly higher prevalence of severe mental health problems compared to the national rate. These are: Blackpool (1.4%, 2,474), Blackburn with Darwen (1.2%, 2,082), East Lancashire (1%, 3,966), Fylde & Wyre (1%, 1,506) and Greater Preston (0.98%, 2,072).
  - Across the GP practices, there is a wide variation in the registered prevalence of severe mental health problems, ranging from 0.4% to 2.8%, with a moderate positive correlation with practice deprivation.

Source : <http://www.lancashire.gov.uk/lancashire-insight/health-and-care/mental->

[health-and-wellbeing/common-and-severe-mental-illness.aspx](http://www.lancashire.gov.uk/lancashire-insight/health-and-wellbeing/common-and-severe-mental-illness.aspx)

2. Self-harm is an expression of personal distress and it can be the result of a wide range of psychiatric, psychological, social or physical problems. The rates below are per 100,000 of the population.
  - In Blackpool (635.3), Hyndburn (295.0), Burnley (294.6), Blackburn with Darwen (283.5), Wyre (277.5), Lancaster (274.0), Fylde (257.0), Chorley (233.6) and the Lancashire-12 area overall (235.0) the 2015/16 rate of emergency hospital admissions for intentional self-harm is significantly higher than the England rate (196.5).

Source : <http://www.lancashire.gov.uk/lancashire-insight/health-and-care/mental-health-and-wellbeing/suicide.aspx>

### **Risk factors**

A risk factor is any attribute, characteristic or exposure of an individual that increases the likelihood of developing a disease, injury or mental health problem. Some examples of the more important risk factors in mental health are under and overweight, low levels of physical activity, drug abuse, tobacco and alcohol consumption, and homelessness

### **Deprivation**

Burnley is the most deprived district within the Lancashire-12 area, with a rank of average rank of 17, where one is the most deprived and 326 is the least. Hyndburn (28th) and Pendle (42nd) are also in the top 20% most deprived authority areas in the country. Ribble Valley (290th) is the only district within the top 20% least deprived authority areas in the country. Health deprivation and disability is an area in which the county does particularly poorly. Burnley is ranked six and Hyndburn seventh most deprived on this indicator.

Source <http://www.lancashire.gov.uk/lancashire-insight/deprivation/indices-of-deprivation-2015.aspx>

### **Ethnicity**

Within Lancashire-12, Pendle and Preston had one in five people (20%) who were black or minority ethnic. In Burnley and Hyndburn the rate was 12%. In Rossendale, whilst the percentage of BME was lower than in these four districts, it was still above the rate of other districts at 6%. Similarly in Lancaster the BME population was just over 4%.

Source <http://www.lancashire.gov.uk/lancashire-insight/population-and->

[households/population-and-households-2011-census/population-by-ethnicity.aspx](http://www.lancashire.gov.uk/households/population-and-households-2011-census/population-by-ethnicity.aspx)

### **Long-term health problems**

On the day of the census, March 27<sup>th</sup> 2011, a total of 8.5% of people in England and Wales had some major form of limiting long-term illness. For the Lancashire-12 area, the percentage was higher at 9.8% whilst for the Lancashire-14 area, the figure was 10.3% Ribble Valley (7.1%) was the only Lancashire authority to record a rate that was below the national average. Nine Lancashire authorities recorded rates in excess of 10% including Blackpool where the percentage was a substantial 13.5%.

Source : <http://www.lancashire.gov.uk/lancashire-insight/health-and-care/long-term-conditions/limiting-long-term-illness.aspx>

### **Alcohol related Admissions**

The [Local Alcohol Profiles for England](#) provide local data alongside national comparisons to support local health improvement. The rates below are directly standardised (DSR) and are per 100,000 of the population

In 2015/16, there were 1,781 alcohol-specific admissions recorded for patients of the six Lancashire-12 clinical commissioning groups (CCGs). Chorley & South Ribble (151.7), East Lancashire (169.8), Lancashire North (145.2) and West Lancashire (151.8) CCGs all recorded rates significantly above the England average (116.6).

Source : <http://www.lancashire.gov.uk/lancashire-insight/health-and-care/lifestyle/alcohol.aspx>

## **Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

The programme of work in relation to recommissioning Mental Health services commenced around two years ago and there was some initial engagement with the sector including Clinical Commissioning Groups and meetings with Lancashire Care

Association at the start of this work programme.

This project remit was transferred to the current Project Team in April 2015, and since July 2015, there has been very active engagement with all stakeholders which has assisted in formulating the current proposals within the cabinet report.

Regulations issued pursuant to the 2006 Act stipulate that partners should, prior to entering into an agreement under s.75 of the Act consult, with anyone likely to be affected. This would usually mean staff, service users and other NHS bodies.

All Lancashire CCGs have been involved in the development of the mental health rehabilitation framework and associated proposed agreement.

Lancashire Care Foundation Trust who work closely with the County Council to deliver integrated Health and social care assessment and care coordination services have been made aware of our intentions and are supportive of the proposal as it simplifies arrangements for delivery of an integrated health and social care service.

Discussions have been initiated with service providers and key stakeholders, a number of briefings, online surveys and focus groups were completed to assist in the development of the framework and commissioning proposals. Questionnaires were developed and sent to people who use the services and their families to ensure that the design of the frameworks and specifications reflect responses to the issues and input from local people.

This has consisted of :

### **Service User Engagement**

It was considered vital to engage and consult with service users :

- Residential and Nursing Service User Questionnaire – sent to **all** service users in receipt of this service.
- Home Care and Support Service User Questionnaire- sent to **all** service users in receipt of this service.

### **Provider Briefings**

2 Rounds of provider briefings were held across Lancashire to outline current situation and aims of the recommissioning project progress and to consult with providers on specific proposals which had been refined from Round 1. All Questions and Answers were recorded to feed into consultation process.

### **Online Provider Surveys**

Online provider surveys were conducted to seek views on specific proposals for recommissioning of mental health services

## **Focus Groups**

A series of focus groups were held to seek views and consult on the final proposals as stated within the cabinet report. All views were recorded to feed into the consultation process and assist with refining final proposals. These were structured around the key areas of quality, rehabilitation.

## **Clinical Commissioning Group & Unitary Authority Engagement**

- Attendance at the Commissioning Development Group, held monthly
- Collaborative Commissioning Board – 1<sup>st</sup> December 2015. At this meeting a paper was presented by the project team to formalise CCG engagement in the procurement activity, particularly with regard to residential rehabilitation services. Subsequently all 8 CCG's have agreed to the procurement being a joint LCC/NHS process, led by LCC
- Collaborative Commissioning Board – update papers have been received March 2016, July 2016 and May 2017

County Councillors have been kept informed of the project through Cabinet reports submitted in November 2014, September 2015 and October 2015.

## **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities

- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

- It is not envisaged that the project will discriminate unlawfully against individuals sharing any of the protected characteristics. It will seek to promote the rights of individuals and groups.
- It is expected that this agreement will support improvements in rehabilitation supports enabling individuals to play a greater part in community life. For example through moving away from residential care provision to community alternatives individuals will be automatically less isolated and able to participate in and contribute to, with the right level of support, their community.
- The stigmatisation of those with mental health problems reinforces negative stereotypes and consequently further isolates those individuals. This agreement provide the governance required to manage the rehabilitation pathway. This will enable and empower individuals to become greater participants in their communities, become more visible and make communication and understanding across the mental "illness" boundary more achievable. Where services are to be developed in new settings, and perhaps in new communities, work will be undertaken to allay fears and improve understanding.
- We are aware that continuity of care, particularly when a service user has established a trusting relationship over time is extremely important, as this has been verified by consultations with other service user groups and there is no evidence to suggest that mental health services will be different. Indeed, some service users will have complex needs and dual diagnoses.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

There are major proposals for changes across the County Council over the next few years due to economic reasons and the requirement to reduce the current level of spend. It is therefore difficult to foresee all potential implications.

By working through joint commissioning plans and this agreement both of the County Council (including both adult services and public health) and Clinical Commissioning Groups it is expected that aligning this work will result in overall greater effectiveness through greater co-ordination and economies of scale.

This proposed agreement is one of a number of initiatives designed to support improvements and will compliment work alongside other key partners such as District councils. Wherever possible services for people with mental health problems will be mainstream not "specialist" so this requires this project to be part of a whole system approach and a longer term strategy. and also with

There are potential impacts upon vulnerable service users of change especially when individuals have fluctuating mental health. This can clearly raise anxieties and be detrimental to their overall wellbeing including mental wellbeing unless managed actively and well.

Those people who may be faced with changes in service will be provided with a full and personalised review by a suitably trained and experienced practitioner. The outcome of this will form the basis for their individual support plans.

For care staff, this could lead to improved terms and conditions, specific workforce development to meet the requirements of the new contracts and specifications and improved job security with organisations who are successful with the new framework arrangements.

## **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

Extensive consultation has taken place with stakeholders in order to listen to views and opinions which have undoubtedly helped shape these proposals and refine them to the level of detail they contain.

Some revisions have been made as a result of consultation, e.g.

The focus group activity proved to be highly beneficial in terms of engagement with providers and testing out final proposals.

As a result of this analysis and consultation, the commissioning intentions have benefitted from refinement and additional detail.

It is also reassuring that Clinical Commissioning Groups have given their support to the development of a section 75 agreement which can make significant changes and improvements to the current provision of mental health rehabilitation services across the county.

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

Endorsement from the Cabinet Member for Adult and Community Services has been sought in November 2014, September 2015, October 2015 and now, as progress is made and proposals are now refined into firm recommendations for new commissioning arrangements for the delivery of mental health rehabilitation services.

However, these proposals represent a major transformation in the way rehabilitation services are sourced and delivered to over 86 people currently and inevitably there are aspects of this proposals which represent risks and may have



an adverse effect :

- The Section 75 agreement will introduce some controls in the market. Evidence from provider engagement and consultation activity suggests that mental health placements represent less than 20% of the provider's business. Some providers therefore may choose to exit the provision of mental health services. However, in mitigation, for the providers who remain, the introduction of a new contract and specification will introduce higher expectations for service delivery.

The proposals in this report will have a positive impact and it is not obvious that any group with protected characteristics will be adversely affected by the development of the s75 Partnership.

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

The proposal Section 75 agreement has at its core a desire to enhance outcomes for individuals while also achieving value for money.

There is evidence that moving to more community based alternatives that look to recovery and rehabilitation rather than maintaining and accommodating are more cost effective. In addition they result in a much more person centred and empowering approach.

If the Section 75 agreement manages the rehabilitation pathway which result in the desired outcomes, then service users should benefit from an improvement in the quality of service provided.

The section 75 agreement does not represent the complete solution but is part of a longer term strategy to work with Health partners in providing clear pathways for mental health service users with an availability of service provision that provides effective outcomes and value for money.

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

There are two recommendations:

(i) Agree that the County Council should commence negotiations with the aim of establishing a Section 75 partnership agreement with the following Lancashire Clinical Commissioning Groups to provide the governance for a new framework for Mental Health Rehabilitation Services:

- Chorley and South Ribble CCG
- Greater Preston CCG
- West Lancashire CCG
- Fylde and Wyre CCG
- East Lancashire CCG
- Morecambe Bay CCG (Lancashire North)

(ii) Authorise the Director of Adult Services and the Director of Legal and Democratic services to agree the terms of the Section 75 Agreement.

(iii)

Individuals with rehabilitation needs in relation to their mental health may be affected which could potentially include the following groups: Age, Disability including Deaf people, Gender reassignment, Pregnancy and maternity, Race/ethnicity/nationality, Religion or belief, Sexual orientation, Marriage or Civil Partnership Status, Sex/gender.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

The proposed section 75 agreement will establish clear governance structures and arrangements. The project board meets monthly and will consider the equality impact as work progresses.

New contracts and specifications will be introduced with the new framework arrangements. Alongside this will be new quality monitoring arrangements and key performance indicators so that the quality of care can be effectively monitored and managed.

Equality Analysis Prepared By Jon Blackburn and Julie Dockerty

Position/Role Commissioning Manager Policy Information and Commissioning

Equality Analysis Endorsed by Line Manager and/or Service Head Saeed Sidat and Dave Carr

Decision Signed Off By

Cabinet Member or Director

**Please remember to ensure the Equality Decision Making Analysis is submitted with the decision-making report and a copy is retained with other papers relating to the decision.**

Where specific actions are identified as part of the Analysis please ensure that an EAP001 form is completed and forwarded to your Service contact in the Equality and Cohesion Team.

Service contacts in the Equality & Cohesion Team are:

Karen Beaumont – Equality & Cohesion Manager

[Karen.beaumont@lancashire.gov.uk](mailto:Karen.beaumont@lancashire.gov.uk)

Contact for Adult Services ; Policy Information and Commissioning (Age Well); Health Equity, Welfare and Partnerships (PH); Patient Safety and Quality Improvement (PH).

Jeanette Binns – Equality & Cohesion Manager

[Jeanette.binns@lancashire.gov.uk](mailto:Jeanette.binns@lancashire.gov.uk)

Contact for Community Services; Development and Corporate Services; Customer Access; Policy Commissioning and Information (Live Well); Trading Standards and Scientific Services (PH), Lancashire Pension Fund

Saulo Cwerner – Equality & Cohesion Manager

[Saulo.cwerner@lancashire.gov.uk](mailto:Saulo.cwerner@lancashire.gov.uk)

Contact for Children's Services; Policy, Information and Commissioning (Start Well); Wellbeing, Prevention and Early Help (PH); BTLs

Pam Smith – Equality & Cohesion Manager

[Pam.smith@lancashire.gov.uk](mailto:Pam.smith@lancashire.gov.uk)

Contact for Governance, Finance and Public Services; Communications; Corporate Commissioning (Level 1); Emergency Planning and Resilience (PH).

Thank you

**Report to the Cabinet**

Meeting to be held on Thursday, 13 July 2017

**Report of the Director of Corporate Commissioning****Part I**Electoral Divisions affected:  
All**Proposals relating to Library Buildings which were closed/proposed for closure as part of the Property Strategy (Neighbourhood Centres)**

Contact for further information:

Mike Kirby, (01772) 533285, Director of Corporate Commissioning,  
[mike.kirby@lancashire.gov.uk](mailto:mike.kirby@lancashire.gov.uk)**Executive Summary**

This report outlines proposals in relation to the provision of library facilities and also considers options in relation to premises where Community Asset Transfer requests have been received.

This is deemed to be a Key Decision and the provisions of Standing Order No. 26 have been complied with.

**Recommendation**

The Cabinet is recommended to agree:

- (i) To provide a full library service from: Coppull Library, Eccleston Library, Ansdell Library, Brierfield Library, Bacup Library and Whitworth Library.
- (ii) To operate a full library service from Milbanke Older People's Day Service, Kirkham, with a full library service to continue at Kirkham Library pending the completion of works to the new accommodation.
- (iii) The phased re-opening and delivery of a full library service at: Burnley Campus Library; Freckleton Library; Oswaldtwistle Library; Bolton-le-Sands Library; Silverdale Library; Barrowford Library; Fulwood Library; Whalley Library and Springwood Children's Centre; and Lostock Hall Library and Children's Centre.
- (iv) To note the progress in relation to the community asset transfer and development of independent community libraries at: Pike Hill Library; Trawden Library and Riverside Children's Centre; Crawshawbooth Library and Community Centre; and Penwortham Library and Penwortham Young People's Centre.
- (v) To give further consideration of the following buildings: Briercliffe Library; Rosegrove Library; Adlington Library and Children's Centre; Lytham Library;

Rishton Library; Earby Library; Bamber Bridge Library; Burscough Library; Parbold Library; Upholland Library; Cleveleys Library and Children's Centre; and Thornton Library.

(vi) That where a group that has proposed Community Asset Transfer withdraws their request, consideration should be given to re-opening the premises as a County Council managed Library.

(vii) To rescind the decision to declare surplus the following buildings: Ansdell Library; Burnley Campus Library; Freckleton Library; Oswaldtwistle Library; Bolton-le-Sands Library; Silverdale Library; Barrowford Library; Fulwood Library; Whalley Library and Springwood Children's Centre; and Lostock Hall Library.

## **Background and Advice**

The implementation of the Property Strategy (Neighbourhood Centres) policy affected 36 libraries where service delivery was proposed to cease. The timeline for closures that was agreed has resulted in the closure of 26 of the Council's 73 original libraries.

It was also agreed that the buildings would be disposed of through sale/surrender of lease unless acceptable proposals for Community Asset Transfer (CAT) were submitted. In addition, an offer of support to groups proposing a CAT was put in place in order to promote the development of an Independent Community Library (ICL) as part of their proposals.

There are 17 live proposals for CAT relating to library buildings, 12 of which have been accepted in principle. Of these, 9 propose to operate an ICL. However, three of the community groups have subsequently indicated that they would prefer the County Council to operate a Library Service rather than progress an asset transfer.

There are a further five proposals for CAT which have not as yet been approved, three of which include proposed ICLs. However, one of the organisations has now indicated that that they would prefer the County Council to operate a Library Service. One ICL is now in operation in a non-County Council building.

The County Council's Administration has now requested that the position regarding libraries should be reviewed. This report clarifies proposals in relation to each library affected. If the proposals set out in this report are agreed, the library service will deliver through a total of 54 buildings, each of which will be a staffed facility with appropriate opening hours. 5 community libraries will be established and a further 12 buildings remain subject to further consideration. The leases on two buildings have been surrendered and one building has transferred to a school.

The Library Strategy 2016-2021 will also be reviewed and will provide a clear direction for the future and links into the ambitions of the Society of Chief Librarians and the government to offer reading, information, digital, health and wellbeing, learning and culture opportunities across the county.

## Proposals relating to Buildings

Service delivery from the following buildings has not yet ceased and so it is recommended that they are retained and a full library service is provided. Staff and equipment remain in place, so there are no timescale issues arising from this recommendation.

District	Property	Current Position
Chorley	Coppull Library	Financial support (£49k) from Chorley Borough Council means that this library remains operational until March 2018 as a full library rather than a satellite library
Chorley	Eccleston Library	Financial support (£49k) from Chorley Borough Council means that this library remains operational until March 2018 as a full library rather than a satellite library
Fylde	Ansdell Library	Remains open pending works to St Anne's Library
Pendle	Brierfield Library	Remained open whilst local considerations were reviewed
Rossendale	Bacup Library	The Borough Council that owns the building has agreed to meet property running costs
Rossendale	Whitworth Library	Remains open pending local considerations. Building condition issue will need capital investment

Although Kirkham Library remains open the Property Strategy also proposed to create a new library facility in the locality at a Neighbourhood Centre at the Millbanke Older People's Day Service site. The principle of Community Asset Transfer has already been accepted in principle for the current building, but a library service will continue to be delivered until the new facility is opened.

The following buildings have previously closed and so it is recommended to agree a phased re-opening and delivery of a full library service at:

District	Property	Property issues
Burnley	Burnley Campus Library	Minimal works to re-open service dependent on staffing resource.
Fylde	Freckleton Library	Building prepared for market, substantial re-instatement works.
Hyndburn	Oswaldtwistle Library	Building prepared for asset transfer, moderate re-instatement works. Asset transfer request withdrawn.
Lancaster	Bolton-Le-Sands Library	Building prepared for market, substantial re-instatement works. Live CAT application, the group has indicated that that this will be withdrawn if the library is reopened, however they remain keen to work with LCC to enhance the library facility.

Lancaster	Silverdale Library	Building prepared for asset transfer, moderate re-instatement works. Live CAT application, the group has indicated that that this will be withdrawn if the library is reopened, however they remain keen to work with LCC to enhance the library facility.
Pendle	Barrowford Library	Building prepared for market, substantial re-instatement works.
Preston	Fulwood Library	Building prepared for market, substantial re-instatement works.
Ribble Valley	Whalley Library and Springwood Children's Centre	Building prepared for market, substantial re-instatement works.
South Ribble	Lostock Hall Library and Children's Centre	Building prepared for market, substantial re-instatement works.

### Implementation Timetable

There are no timescale issues emerging from recommendation (i) as service delivery had not ceased and appropriate staffing, equipment and book stock remains in place.

However, the timescale for the reopening of facilities that have closed, and in some cases had been prepared for sale/transfer, requires a significant amount of activity including the following considerations:

An indicative, broad timetable to implement the recommendations in this report is provided below. It is important that a number of considerations are recognised:

- Staffing – Reopening the libraries listed will require additional posts to be established. In terms of library staff, it is anticipated that 59.97(fte) staff will be required. Staff recruitment, when commenced is expected to take a minimum of 8 weeks, and in addition to this staff training can take up to 5 weeks. This will also place pressure on existing staff as they would be required to deliver much of the training. 4 additional Facilities Management staff are required to manage the larger portfolio of buildings.
- Furniture – Some fixtures and furniture was not retained due to condition, and replacements will be required – delivery is expected to be 8 weeks from order.
- Building and equipment safety checks – services will need to be reconnected and safety and system checks will be required.
- Building condition works will be required in some cases.
- The retained properties will need to be managed as part of the wider property asset management programme. Structural condition works will need to be undertaken in a small number of cases.
- ICT facilities and infrastructure will need to be reinstated as obsolete equipment was not retained when buildings were cleared. This will require the re-instatement of data lines, the Libraries ICT system and the People's Network Computers (PNETs) which underpin the delivery of channel shift to



digital. Installation of the Libraries ICT system has an anticipated lead in time of approximately 4 weeks.

- Library stock will need to be secured.

Individual building surveys are now underway which will enable a detailed timeline to be produced in relation to individual properties. At this stage it is anticipated that the timeline for re-opening library facilities will be between November 2017 and April 2018 although Cabinet should note that the practicalities of commissioning and programming works to buildings may result in a slightly longer timescale.

The use of re-instated library buildings will also be reviewed to ensure flexible use of buildings and identify opportunities for other service delivery by County Council services and third parties that will both enhance the benefit offered to communities and support their sustainability.

### **Community Asset Transfers and Independent Community Libraries**

The Cabinet is asked to note the progress in community asset transfer and development of independent community libraries at the buildings set out below:

<b>District</b>	<b>Property</b>	<b>Progress</b>
Burnley	Pike Hill Library	Veterans Association UK prepared to progress asset transfer and operate an ICL
Pendle	Trawden Library and Riverside Children's Centre	Trawden Forrest Trust prepared to progress asset transfer and operate an ICL
Rossendale	Crawshawbooth Library and Community Centre	Community Association on site ready to complete transfer and operate an ICL
South Ribble	Penwortham Library	Penwortham Town Council proposes to develop a Community Theatre in the building, on the basis of which they propose to develop an ICL in the former Penwortham Young People's Centre (also subject to an asset transfer proposal approved in principle)

An Independent Community Library (including book stock transfer) has been already been established close to the former Clayton-le-Moors library building and it is therefore not proposed to re-open the library building.

In making properties available for Asset Transfer and developing the ICL offer, it was proposed that a support package including a £5,000 set up grant and a £1,000 annual grant to support public ICT facilities, as well as the support of a dedicated officer would be made available. This offer anticipated a greater number of ICLs being created but given the recommendations set out above this will not be the case. One consequence of this is that those ICLs which do proceed will be able to call on more time and support from the Community Library Manager than originally anticipated. Access to the County Book Ordering Service will also be facilitated,

meaning that communities with Independent Community Libraries can still order from a wider choice of books.

The Cabinet is asked to agree to defer decisions in relation to the following buildings whilst a range of factors are addressed:

<b>District</b>	<b>Property</b>
Burnley	Briercliffe Library
Burnley	Rosegrove Library
Chorley	Adlington Library and Children's Centre
Fylde	Lytham Library
Hyndburn	Rishton Library
Pendle	Earby Library
South Ribble	Bamber Bridge Library
West Lancashire	Burscough Library
West Lancashire	Parbold Library
West Lancashire	Upholland Library
Wyre	Cleveleys Library and Children's Centre
Wyre	Thornton Library

However, the Cabinet is asked to agree that where a group that has proposed CAT in relation to one of these buildings withdraws their request, consideration should be given to reopening as a County Council managed Library.

Chatburn and Read Libraries in Ribble Valley were subject to lease arrangements that have been surrendered and the library has closed. In addition the building for Northfleet Library in Wyre has transferred to the school. Reopening a facility in that building is outside the County Council's control and so further consideration will be given to future options.

## **Consultations**

N/A

## **Implications:**

This item has the following implications, as indicated:

## **Financial**

The costs of re-opening the libraries detailed within this report are made up of recurrent costs (such as staffing and running costs), and non-recurrent costs (one-off costs such as IT, furniture costs and building checks (e.g. PAT testing and risk assessments)).

This report recommends the retaining and also reopening libraries within recommendations (i), (ii) and (iii). The estimated costs in 2017/18 (based on those libraries that are closed re-opening from November 2017 and 12 month costs for those that are still operational) total £1.654m, comprised of £1.146m part-year recurrent costs and £0.508m one-off costs. The costs are estimated on an

assumption that the closed libraries would all re-open in November. Logistically this is unlikely to be the case, with a number of the libraries likely to be re-open later on in the year, and actual costs in 2017/18 will be directly impacted by the actual re-opening date for each individual library. In 2018/19 full year recurrent costs will be £1.770m and there will be no further one-off costs of re-opening. It is important to note that these costs include the assumption that the community asset transfers at Pike Hill Library, Trawden Library and Riverside Children's Centre, Crawshawbooth Library and Penwortham library progress to completion.

In 2017/18 funding will be provided from the County Fund Reserve and is included as part of the "Revisions to the 2017/18 Budget" report that is also presented to this meeting of Cabinet. In 2018/19 the additional recurrent funding requirement of £1.770m will be built into the Medium Term Financial Strategy but will increase the funding gap going forward.

Within this report there are 12 libraries that Cabinet is asked to agree that further consideration is given to the buildings whilst a range of factors are addressed. If following consideration the decision was to re-open and retain these libraries this could cost a further £0.839m in 2017/18 (both recurrent and one-off costs), although again this would be directly impacted by the actual re-opening date for each individual library, and an additional recurrent budget requirement of £0.755m in 2018/19.

In addition the report asks that consideration is given to Chatburn Library, Read Library and Northfleet Library as the premises are no longer available. If a similar library was to be opened using the same model and size this would cost a further £0.214m in 2017/18 and have an additional recurrent budget requirement of £0.098m.

The Government introduced flexibility for capital receipts to be used to fund revenue expenditure that meets certain criteria. As part of the County Council's budget for 2017/18 a value of £12.500m income from capital receipts is budgeted for with a further £5.000m built into the MTFs for 2018/19. It is important to note that the decision to re-open and retain the libraries within this report may impact on the achievement of the required value of capital receipts. This will be monitored closely throughout this financial year.

The library buildings that are to be re-opened and retained are likely to require some repairs and maintenance and capital works due to their condition. Surveys are currently underway to ascertain the value of these works which will be predominantly capital works. An estimated value of £1.571m has been included within the "Revisions to the 2017/18 Budget" paper also presented to this meeting of Cabinet. It is expected that once the surveys are complete a further detailed report to Cabinet will be provided.

## Risk management

- Human Resources

Following the transformation process in 2016, the library service currently carries approx. 20 actual vacancies and is stretched over an additional number of libraries some of which are currently open as an interim measure. Adding the current vacancies to the additional vacancies as a consequence of reopening libraries, could equate to approx. 100 actual vacancies in total which include both part-time and full-time posts across a range of grades. As such there will need to be additional recruitment in order to effectively deliver the service across a greater number of premises. The lead in time for recruitment can take upwards of eight weeks to complete following which the induction and training of new employees will also be required prior to operational delivery.

- Property Asset Management

In order to facilitate the delivery of library services as set out above, the Cabinet is asked to rescind the decision to declare surplus the following buildings: Ansdell Library; Burnley Campus Library; Freckleton Library; Oswaldtwistle Library; Bolton-le-Sands Library; Silverdale Library; Barrowford Library; Fulwood Library; Whalley Library and Springwood Children's Centre; and Lostock Hall Library

## List of Background Papers

Paper	Date	Contact/Tel
The Property Strategy (Neighbourhood Centres) Response to Consultation	8&26/9/2016	Steve Browne/01772 534121
Community Asset Transfer and Independent Community Libraries	7/12/2016	Mel Ormesher/01772 536966
Community Asset Transfer and Independent Community Libraries	23/1/2017	Mel Ormesher/01772 536966
Community Asset Transfer and Independent Community Libraries	9/3/2017	Mel Ormesher/01772 536966
Property Strategy (Neighbourhood Centres) - Community Asset Transfer and Independent Community Libraries	6/4/2017	Mel Ormesher/01772 536966

Property Strategy - Community Asset Transfer, Independent Community Libraries and vacated Children's Centres on school sites	27/4/2017	Mel Ormesher/01772 536966
Rescinding of the Deputy Leader's Approval to dispose of Fulwood and Barrowford Library and withdraw Fulwood Library, Barrowford Library, Earby Library, Freckleton Library, Whalley Library & Spring Wood Children's Centre & Lostock Hall Library & Children's Centre from the market for sale	24/5/2017	Gary Pearse/01772 533903

Reason for inclusion in Part II, if appropriate

N/A



By virtue of paragraph(s) 1, 2, 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





By virtue of paragraph(s) 1, 2, 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.

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By virtue of paragraph(s) 1, 2, 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



By virtue of paragraph(s) 1, 2, 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



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





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