

## Lancashire County Council

### Cabinet

Thursday, 7th November, 2019 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 3 October 2019 (Pages 1 - 4)

#### Matters for Decision:

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

#### 4. Procurement Report - Request Approval to Commence Procurement Exercises (Pages 5 - 20)

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

#### 5. Penwortham Slip Road Closure (Pages 21 - 64)

#### 6. A582/B5253 South Ribble Western Distributor and Realignment of Footpath Network - Approval for Use of Powers and Preparation of Various Orders and Schemes including Compulsory Purchase Order (Pages 65 - 72)

#### 7. Preston City Transport Plan and the Preston City Region Submission to the Transforming Cities Fund (Pages 73 - 78)

#### 8. Use of Resources for County Councillors - Revised Protocol (Pages 79 - 96)

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

- 9. Extra Care Service Model and Core Charge** (Pages 97 - 102)
- 10. Maximising Occupancy in Supported Housing Consultation Document** (Pages 103 - 118)

### **Matters for Information:**

**11. Urgent Decisions taken by the Leader of the County Council**

The following urgent decision has been taken by the Leader of the County Council in accordance with Standing Order 34(1) since the last meeting of Cabinet, and can be viewed by clicking on the link.

[Lead Member Appointment](#)

**12. 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.

**13. Date of Next Meeting**

The next meeting of the Cabinet will be held on Thursday 5 December 2019 at 2.00 pm at County Hall, Preston.

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

No representations have been received.

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

**15. 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 for Community and Cultural Services - County Councillor Peter Buckley**

**16. The Future of Queen Street Mill Museum and Helmshore Textile Mills Museum** (Pages 119 - 128)

Exempt information as defined in Paragraphs 2 and 3 of Part 1 of Schedule 12A to the Local Government Act 1972. The report contains information which is likely to reveal the identity of an individual and information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Angie Ridgwell  
Chief Executive and Director of  
Resources

County Hall  
Preston



**Lancashire County Council****Cabinet****Minutes of the Meeting held on Thursday, 3rd October, 2019 at 2.00 pm in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston****Present:**

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

## Cabinet Members

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

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

**1. Apologies for Absence**

None.

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

County Councillor Michael Green declared a non-pecuniary interest in Item 13 – City Deal Review, as a member of South Ribble Borough Council. Owing to the nature of the item, Councillor Green advised that he would withdraw from the meeting for that item.

**3. Minutes of the Meeting held on 5 September 2019**

**Resolved:** That the minutes of the meeting held on 5 September 2019 be agreed as a correct record and signed by the Chair.

**4. Request Approval to Commence Procurement Exercises**

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

- i. Provision of a Crisis Service in North Lancashire
- ii. Operated and non-operated vehicles and plant hire - Dynamic Purchasing System.

**Resolved:** That the commencement of procurement exercises for the following areas be approved:

- i. Provision of a Crisis Service in North Lancashire
- ii. Operated and non-operated vehicles and plant hire - Dynamic Purchasing System.

## **5. Local Highway Maintenance Challenge Fund and Local Pinch Point Fund**

Cabinet considered a report requesting approval of the proposed bid and expression of interest to the Department for Transport's Local Highway Maintenance Challenge Fund Local Highway Maintenance Challenge Fund. The report also set out the local contributions that would be required should the submissions be successful, as well as details about the Department for Transport's Local Pinch Point Fund.

**Resolved:** That

- i. a bid be submitted to the Local Highway Maintenance Challenge Fund totalling £3.96m for the repair of retaining walls.
- ii. an Expression of Interest be submitted to the Local Highway Maintenance Challenge Fund totalling £9.245m.
- iii. proposals relating to the Local Pinch Point Fund be presented to Cabinet for approval in due course.

And that, subject to the success of (i) and (ii) above, that:

- iv. a local contribution totalling £0.792m be funded by additional prudential borrowing for the retaining wall programme of works.
- v. a local contribution totalling £1.850m be funded by additional prudential borrowing for the A601(M) proposals detailed in the report.

## **6. Digital First Strategy**

Cabinet received a report presenting a Digital First Strategy for Lancashire County Council, developed to enable the organisation to deliver its digital first vision and ambitions. In considering the report, it was emphasised that whilst the county council is committed to ensuring that digital is the preferred method of engagement, more traditional methods such as telephone, email and face to face will remain for those who are unable to engage digitally

**Resolved:** That the Digital First Strategy as set out in the report be approved.

## **7. Cross-Border Placements - Implementation of the Care Act 2014 (Approval of Revised Adult Social Care Policies and Procedures)**

Cabinet received a report presenting a proposed new Cross-Border Placements policy, as part of the ongoing review of all adult social care policies, practice and guidance to ensure compliance following the introduction of the Care Act 2014.

**Resolved:** That the Cross-Border Placements policy as set out in the report be approved

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

There were no urgent decisions taken.

## **9. Urgent Business**

There was no urgent business

## **10. Date of Next Meeting**

It was noted that the next meeting of Cabinet would be held at 2pm on Thursday 7 November at 2pm at County Hall, Preston.

## **11. Notice of Intention to Conduct Business in Private**

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

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

**Resolved:** That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following 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.

## **13. City Deal Review**

(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)

Cabinet considered a report on the review of the Preston, South Ribble and Lancashire City Deal.

In addition to the recommendations set out in the report, it was also agreed that a further update report would come back to Cabinet in due course.

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

Angie Ridgwell  
Chief Executive and  
Director of Resources

County Hall  
Preston





**Report to the Cabinet**

Meeting to be held on Thursday, 7 November 2019

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

Electoral Division affected:  
(All Divisions);

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

Contact for further information:

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

**Executive Summary**

In line with the county council's procurement rules this report sets out a recommendation to approve the commencement of the following procurement exercises:

- (i) Gully emptying service
- (ii) Spray injection patching
- (iii) Reactive and planned improvement works
- (iv) Security and alarm service and maintenance
- (v) Heating, ventilation and air conditioning service and maintenance
- (vi) Provision of community transport services
- (vii) Provision of a Minor Aids and Adaptations Service in Lancashire.

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

**Recommendation**

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

**Background and Advice**

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

- The description of the supplies/services/works being procured
- The procurement route proposed

- The estimated contract value
- The proposed basis for the evaluation of the tender submissions.

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

On conclusion of the procurement 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:

### **Financial**

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

### **List of Background Papers**

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

<p><b>Procurement Title</b> Gully emptying service</p>
<p><b>Procurement Option</b> EU Open Procedure</p>
<p><b>New or Existing Provision</b> New provision</p>
<p><b>Estimated Annual Contract Value and Funding Arrangements</b> The estimated annual value is £1m with a total value over the four years of the framework of £4m. This will be funded from the Highways revenue budget.  There is no commitment, or guarantee of the value of these services and/or the number of call-offs to be placed with a supplier appointed to the framework agreement.</p>
<p><b>Contract Duration</b> The framework agreement will run from 01/04/2020 to 31/03/2022, with an option to extend for a two further years.</p>
<p><b>Lotting</b> The Framework Agreement will be split into two Lots:  Lot 1 – Planned gully emptying  Lot 2 – Reactive CCTV works/gully jetting.</p>
<p><b>Evaluation</b> The tender evaluation will be conducted as follows:  Stage 1: A selection questionnaire to ascertain suppliers' financial status, business and professional standing and technical capability. Each tenderer must pass this stage in order to be considered for Stage 2.  Stage 2: The tender bids will be evaluated on the following award criteria;</p> <ul style="list-style-type: none"> <li>For Lot 1 <ul style="list-style-type: none"> <li>• 80% Price</li> <li>• 20% quality questions</li> </ul> </li> <li>For Lot 2 <ul style="list-style-type: none"> <li>• 100% Price</li> </ul> </li> </ul>
<p><b>Contract Detail</b>  The framework agreement is for the purposes of all future planned gully emptying services and supplemented CCTV works &amp; jetting works throughout the county. The framework will be used by the Highways Service with a single external contractor providing a planned gully emptying service (Lot 1)  Highways staff will now undertake the CCTV works &amp; jetting. During periods of extreme weather conditions, machine breakdowns etc. when there may be pressure on Highways staff to provide these services, Lot 2 of the framework will</p>

allow the Highways Service to call off supplementary services as and when required to ensure a continued service is provided.

<p><b>Procurement Title</b> Spray injection patching</p>
<p><b>Procurement Option</b> EU Open Procedure</p>
<p><b>New or Existing Provision</b> To replace existing provision</p>
<p><b>Estimated Total Contract Value</b> The framework agreement value over the next four years is estimated at £2m. The value of this framework agreement can fluctuate and is subject to works and repairs being undertaken over the period of the agreement. The average annual spend on this agreement over the last four years has been £500,000.</p> <p>This service will be funded through Highways capital budget.</p> <p>There is no commitment or guarantee of value of work or number of orders to be placed with any providers on the framework agreement.</p>
<p><b>Contract Duration</b> The framework agreement will be advertised on the basis of an initial period of two years with an option to extend for a further two years. The bidders' prices will be reviewed annually. The Price Adjustment Formulae Indices Series 4 – Highways Maintenance issued by the Building Cost Information Service (BCIS), part of the Royal Institution of Chartered Surveyors (RICS), will be used to cap the maximum increase; there will be no cap on decrease.</p>
<p><b>Lotting</b> The framework agreement is divided into two lots.</p> <p>Lot 1 – spray injection patching (ranked in most competitive price offer) Lot 2 - heated "in situ" road repairs (ranked in most competitive price offer)</p>
<p><b>Evaluation</b></p> <p>The framework will be established by evaluating bidders against the following criteria:</p> <p><b>Stage 1:</b> Selection questionnaire on eligibility based on business standing, financial standing technical &amp; professional ability. Each bidder must pass this stage in order to proceed in the final tender evaluation. <b>Pass/Fail</b></p> <p><b>Stage 2:</b> Financial criteria - <b>80%</b> Technical criteria - <b>20%</b></p>
<p><b>Contract Detail</b></p> <p>Spray patching and heated "in situ" road repairs are used to support highways works by ensuring a rapid patching technique suitable for use on rural and urban roads using cold emulsion asphalt, which is placed into the void depression in the road surface under high pressure.</p>

The county council has had spray injection patching and heated "in situ" road repairs in place since 2012. The framework providers will be responsible for working with the county council staff in planning spray patching and heated "in situ" road repair requirements, providing experienced labour, plant and materials. The framework providers will have demonstrated experience working with materials supplied under this type of service; where relevant, they must operate in compliance with 'The Manual of Contract Documents for Highway Works; Specification for Highway Works'.

**Procurement Title**

Reactive & planned improvement works (Design & Construction Service)

**Procurement Option**

EU Open Procedure

**New or Existing Provision**

Re-tendering an existing provision

**Estimated Annual Contract Value and Funding Arrangements**

Estimated annual value is £14.5m, £58m over the life of the agreement.

The budget allocation will be from a mix of revenue and capital budgets.

The value of this agreement may fluctuate over the four year term. There is no commitment, or guarantee of the value of work and/or number of orders to be placed with either successful tenderer.

**Contract Duration**

The agreement will be let for an initial period of two years from March 2020, with an option to extend the framework beyond the initial term by a maximum of a further two years.

**Lots**

This agreement will be divided into the following main trade lots. Where required, trade lots have been divided into further lots based on the type or value of the future mini-competitions;

Lot 1 – Building contractors for reactive and planned improvement works up to £10k;

Lot 2 – Building contractors for planned improvement works from £10k to £100k;

Lot 3 – Building contractors for planned improvement works from £100k;

Lot 4 – Plumbing, small scale domestic mechanical building services, reactive works and planned improvement works up to £10k;

Lot 5 – Mechanical services planned improvement works from £10k to £60k;

Lot 6 – Mechanical services planned improvement works from £60k;

Lot 7 – Small scale electrical building services reactive works and planned improvement works, up to £10k;

Lot 8 – Electrical services planned improvement works from £10k to £60k;

Lot 9 – Electrical services planned improvement works from £60k;

Lot 10 – Fencing & gates (no value limit)

Lot 11 – Flooring (no value limit)

Lot 12 – Roofing & guttering (no value limit)

Lot 13 – Painting and decorators (interior & exterior) (no value limit)

Lot 14 – Windows and doors (no value limit)

Lot 15 – Pest control (no value limit)

Lot 16 – Drainage (no value limit)

**Evaluation**

The agreement will be established by evaluating suppliers against the following criteria:

Stage 1: mandatory and discretionary grounds to ascertain suppliers' financial, technical capability and ability to demonstrate their experience in operating in compliance with Industry standards.

Stage 2: the tender bids will be evaluated on;

- Quality: 80%
- Price: 20%

All service providers successfully included on one or more lots under the agreement will be invited to tender for all future mini-competitions for their respective lots. Each mini-competition will be evaluated based on the risk of the works or services to be performed;

- Low risk works or services;
  - Quality: Pass/Fail
  - Price: 100%
- Medium risk works or services;
  - Quality: between 20% to 40%
  - Price: between 60% to 80%

All works determined as high risk will be contracted under the respective Construction, Mechanical and Electrical Partnering Agreements or tendered separately.

#### **Contract Detail**

The agreement will be used by the Design & Construction Service to deliver the future reactive repairs and maintenance services and improvement works across the county council.

The agreement will be setup to;

- Encourage a wide range of contractors, including micro enterprises and SME's;
- Split by trade categories to encourage specialist contractors;
- No limit to the number of contractors to be accepted, ensuring competition during peak work periods, such as summer months;
- All works and services to be tendered via a mini-competition (no direct award) All successful contractors within a lot invited to all mini-competitions

A mini-competition will be conducted for each works or service and may include electronic auctions or electronic catalogues.

The agreement will also be made available to non-LCC public organisations to access, such as borough councils, Police, Fire Service, NHS and University's within the North West.



<p><b>Procurement Title</b> Security &amp; alarm service &amp; maintenance</p>
<p><b>Procurement Option</b> EU Open Procedure</p>
<p><b>New or Existing Provision</b> To replace an existing provision</p>
<p><b>Estimated Annual Contract Value and Funding Arrangements</b> Estimated annual value is £1.1m, £4.4m over the life of the agreement.</p> <p>The budget allocation for the service is from the repairs and maintenance budget for retained building and schools. Improvement works is from the repairs and maintenance budget for retained buildings and the schools own budget for their own improvement works.</p> <p>The value of this agreement may fluctuate over the four year term. There is no commitment, or guarantee of the value of work and/or number of orders to be placed with either successful tenderer.</p>
<p><b>Contract Duration</b> The framework agreement will be let for an initial period of two years from March 2020, with an option to extend for a further two years.</p>
<p><b>Lots</b> This agreement will be divided into two geographical lots.</p> <p>Lot 1 – North; Lot 2 – South;</p> <p>One service provider will be appointed to each lot. Each successful service provider will provide back-up provisions for each other, if required during the course of the agreement.</p>
<p><b>Evaluation</b> The agreement will be established by evaluating suppliers against the following criteria:</p> <p>Stage 1: mandatory and discretionary grounds to ascertain suppliers' financial, technical capability and ability to demonstrate their experience in operating in compliance with Industry standards. Each tenderer must pass this stage in order to proceed to stage 2.</p> <p>Stage 2: the tender bids will be evaluated on;</p> <ul style="list-style-type: none"> <li>• 60% quality</li> <li>• 40% price</li> </ul> <p>The highest scoring tenderers will be appointed for each lot. In the event the same tenderer is successful for both lots, the tenderer will be selected for their preferred lot and the second placed tenderer will be awarded the alternative lot.</p>
<p><b>Contract Detail</b> The agreement will be used by the Design &amp; Construction Service to deliver service and maintenance of security and alarm systems across the county council.</p>

The service and maintenance entails fire alarms, emergency lighting, intruder alarms, assistance alarms and CCTV systems. The successful service providers will have responsibility for responding to reactive calls for breakdowns, regular servicing to ensure continuous system functionality and routine maintenance to prolong the life of the systems. This agreement will also include elements of works following breakdowns, servicing and maintenance works

**Procurement Title**

Heating, ventilation & air conditioning (HVAC) service & maintenance

**Procurement Option**

EU Open Procedure

**New or Existing Provision**

To replace an existing provision

**Estimated Annual Contract Value and Funding Arrangements**

Estimated annual value is £850,000, £3.4m over the life of the agreement.

The budget allocation for the service is from the repairs and maintenance budget for retained buildings and schools. Improvement works is from the repair and maintenance budget for retained building and the schools own budget for their own improvement works.

The value of this agreement may fluctuate over the four year term. There is no commitment, or guarantee of the value of work and/or number of orders to be placed with either successful tenderer.

**Contract Duration**

The framework agreement will be let for an initial period of two years from March 2020, with an option to extend for a further two x 12 month extensions.

**Lots**

This Agreement will be divided into two geographical lots.

Lot 1 – North;

Lot 2 – South;

One service provider will be appointed to each lot. Each successful service provider will provide back-up provisions for each other, if required during the course of the agreement.

**Evaluation**

The agreement will be established by evaluating suppliers against the following criteria:

Stage 1: mandatory and discretionary grounds to ascertain suppliers' financial, technical capability and ability to demonstrate their experience in operating in compliance with Industry standards. Each tenderer must pass this stage in order to proceed to stage 2.

Stage 2: the tender bids will be evaluated on;

- 60% quality
- 40% price

The highest scoring tenderers will be appointed for each lot. In the event the same tenderer is successful for both lots, the tenderer will be selected for their preferred lot and the second placed tenderer will be awarded the alternative lot.

**Contract Detail**

The agreement will be used by the Design & Construction service to deliver service and maintenance of heating, ventilation and air conditioning (HVAC) systems across the county council.

<b>Procurement Title</b>	
Provision of community transport services	
<b>Procurement Option</b>	
EU Open Procedure	
<b>New or Existing Provision</b>	
Existing – current contract end date 31/03/2020	
<b>Estimated Contract Value and Funding Arrangements</b>	
Annual value of £375,000, total contract value £1,875,000 over 5 years Revenue funding managed by the Public and Integrated Transport Service.	
<b>Contract Duration</b>	
Initial period of 24 months with an option to extend the contract beyond the initial term to a maximum of a further 36 months.	
<b>Lotting</b>	
Not Applicable In order to provide a consistent level of service, the current agreement is delivered by a consortium of community transport operators and therefore, does not restrict the market.	
<b>Evaluation</b>	
<b>Quality Criteria 60%</b>	<b>Financial Criteria 40%</b>
The aim of the service is to ensure 'at risk' residents are able to gain access to key services and activities, therefore social value will be evaluated at 10% of the overall criteria.	
<b>Contract Detail</b>	
Community Transport services operate for residents who might otherwise be at risk of social exclusion and is aimed at keeping the people of Lancashire connected and involved in the communities and able to live independently.	
The market is predominantly made up of third sector organisations. The current provider is a consortium of community transport operators who were awarded the contract following an OJEU open tender, the lead member of the consortium is Little Green Bus Limited, Clitheroe together with other consortium members as follows:	
Preston Community Transport Central Lancs Dial-a-Ride West Lancashire Dial-a-Ride Burnley, Pendle and Rossendale Council for Voluntary Service.	
The Community Transport service for Lancashire includes a volunteer car provision across the whole county and a dial-a-bus type operation in the Districts of Preston, South Ribble, West Lancashire, Chorley and Ribble Valley. The remainder of the dial-a-bus type provision in the county is operated by the council's in-house provider, Travelcare, and the contractor will be required to work closely with Travelcare to provide an integrated community transport service across the whole county.	
It is anticipated that this service will be delivered through an appropriate combination of cost effective options which may include contractor-operated	

minibuses or MPVs, volunteer car schemes and sub-contracted taxis. The successful tenderer will be set targets in terms of increasing single passenger trips and the number of volunteers engaged in delivering the services. The proposals submitted will be expected to achieve these increases using the most efficient range of vehicles whilst minimising any increase in mileage compared to the current service.

The successful tenderer will develop and deliver its own marketing and promotional initiatives to ensure customers and potential customers are aware of the CT services on offer in their local area. They will also develop a consistent branding across all areas of operation and in conjunction with the council's Travelcare operations with which they will form a strategic partnership approach to service provision.

The contract will be awarded on the basis that services are operated in line with current Section 19/22 legislation and Department for Transport guidelines. Should this change then the council has the right to terminate or revise this contract.

The ultimate measure of successful delivery of this contract will be based on journey outcomes and the extent to which beneficiaries are able to gain access to key services and activities (primarily related to education, employment, faith, religion, cultural diversity, health, hospital visiting, leisure, recreation, lunch club, meetings, shopping & retail, social, social care, sports, training, volunteering, and other).

By conducting an open tender it will enable other organisations including section 19 (not for profit organisations) and or private sector providers to consider the tender opportunity.

**Procurement Title**

Provision of a Minor Aids and Adaptations Service in Lancashire.

**Procurement Option**

EU Open procedure

**New or Existing Provision**

Existing, the current contracts are due to end on 31/03/2020.

**Estimated Annual Contract Value and Funding Arrangements**

The potential annual contract value is £1,300,000 , and the potential total contract value is: £6,500,000

The cost of this service will be funded from the Adult Social Care budget. It is a demand led service and as such, figures cited are indicative.

**Contract Duration**

An 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.

**Lotting**

The Service will be made up of the following Lots:

- Lot 1 - Preston
- Lot 2 - West Lancashire
- Lot 3 – South Ribble
- Lot 4 - Rossendale
- Lot 5 - Pendle
- Lot 6 - Ribble Valley
- Lot 7 – Hyndburn
- Lot 8 – Burnley
- Lot 9 - Fylde

There will be no restriction on the number of Lots a Tenderer can bid for or the number of Lots a Tenderer can be successful in.

The council intends to enter into collaboration agreements for the Minor Aids and Adaptations Service with the District Authorities in Chorley, Wyre and Lancaster. Each of these councils has an in-house Home Improvement Agency (HIA) (District Home Improvement Agencies). The council will rely on Regulation 12(7) of the Public Contract Regulations in entering into these collaboration agreements. Collaboration with these local authorities will enable the retention of additional value of the District Home Improvement Agencies, meet the shared aims and objectives of the authorities and deliver services in the public interest.

**Evaluation**

<b>Quality Criteria 60%</b>
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<b>Financial Criteria 40%</b>
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Social Value will account for 10% of the quality criteria and the objective will be focused on 'promoting equity and fairness' with a view to help service users maintain their independence.

**Contract Detail**

The Minor Aids and Adaptations Service is a statutory service, for Care Act eligible service users, for the provision of minor adaptations which are crucial in enabling timely discharge from hospital, supporting post-discharge recovery, preventing falls, preventing admissions to care homes and hospitals and maintaining independence at home.

The service aims to support more people of all ages to live in suitable housing so that they can stay independent for longer and promotes joint working to achieve this aim across housing, health and social care.

The service provider will deliver quality minor adaptations of less than £1,000 and be responsible for the supply, fitting or installation of requested equipment in the service user's home upon receipt of a referral from a Therapist, Social Care Support Officer or Trusted Assessor. The service is intended to commence in April 2020.





**Report to the Cabinet**

Meeting to be held on Thursday, 7 November 2019

**Report of the Director of Growth, Environment and Planning****Part I**

Electoral Division affected:  
Penwortham West;

**Penwortham Slip Road Closure**

(Appendices 'A' and 'B' refer)

Contact for further information:

Alan Eastham, Tel: (01772) 534561, Principal Engineer,  
alan.eastham@lancashire.gov.uk

**Executive Summary**

Approval is sought for the closure of the slip road from the A59 Liverpool Road to A59 Golden Way in Penwortham for all vehicular traffic. Pedestrians, equestrians and cyclists will still be permitted to use the slip road. This is to comply with planning condition 10 of the Penwortham Bypass (the Bypass) planning permission, which seeks to discourage through vehicular traffic on the A59.

Traffic modelling demonstrates the closure will result in additional traffic transferring to the Bypass, further reducing through traffic and congestion in Penwortham, providing additional environmental and air quality benefits, and maximising opportunities to improve the public space in the town centre.

The proposal is vital to enabling the delivery of high quality cycling provision to serve Penwortham and Hutton. In turn, this will help to achieve Public Health England guidance to encourage the switch to active travel in place of short car journeys.

**Recommendation**

Cabinet is asked to approve closure of the slip road between the A59 Liverpool Road and A59 Golden Way to all public vehicular traffic whilst keeping it open for pedestrians, equestrians and cyclists by the making of a Traffic Regulation Order.

**Background and Advice**

The completion of the Penwortham Bypass with a direct link between the A582 Broad Oak roundabout and A59 west of Penwortham has been a longstanding aspiration to improve conditions for all travel modes, reduce traffic passing through Penwortham, which experiences very significant peak hour congestion, and allow

public realm improvements and measures to promote buses, walking and cycling in the town centre and along the A59.

Improvements to the A59 through Penwortham are required by a condition on the planning permission granted for Penwortham Bypass. This requires a scheme to be implemented which discourages vehicular use of the current A59 through Penwortham and promotes the use of the Bypass ensuring the traffic reduction benefits to noise and air quality in the residential and retail areas of Penwortham are achieved.

The scope of these improvements was first set out in the county council's Highways & Transport Master Plan for Central Lancashire under its plans for *Better Public Transport* and *Better Public Realm*. It can be summarised by the following objectives, to:

1. Discourage through-traffic from using the Liverpool Road corridor by removing any journey-time savings/reliability to private motorists of using this local route over the primary route provided by the Penwortham Bypass.
2. Positively manage and direct through-traffic to use the Penwortham Bypass.
3. Prioritise and enhance the user experience, convenience and journey-time savings/reliability for bus users, pedestrians and cyclists travelling through and within Penwortham; and
4. Ensure necessary car trips originating in, or to destinations in, Penwortham can be made conveniently and safely.

The closure of the slip road (length shown on Appendix 'A') to vehicular traffic is one of a series of measures designed to comply with the planning condition. Closure of the slip road to vehicular traffic also supports several local planning policy objectives and aligns with existing and future investment strategies in Central Lancashire. The proposed measures have been developed following public consultation in September 2018 which sought suggestions from the local community and stakeholders for measures to discourage through traffic in Penwortham following completion of the Penwortham Bypass.

The results of this consultation have been considered as part of an engineering design exercise, and supported by extensive traffic modelling of the network at strategic and local levels. The resultant package of complementary measures comprises:

1. A59/Penwortham Bypass Signal Timings.
2. Advanced signage on east and west approaches to the corridor.
3. Downgrading the A-road status of Liverpool Road through Penwortham, between its junctions with the newly completed Bypass and Penwortham Triangle (A59 Liverpool Road/Leyland Road).
4. Reconfiguration (initially as an interim arrangement) of the junction of Liverpool Road/Cop Lane/Priory Lane and modifications to the signal timings to prioritise cyclists and pedestrian movements.
5. Closure of the slip road to vehicular traffic between A59 Liverpool Road (Penwortham Brow) and Golden Way.
6. Reconfiguration of the Penwortham Triangle junction.

7. Reduction in the speed limit along part of the corridor (through Penwortham Town Centre) to 20mph.
8. Reduction of carriageway space for motor vehicles with road space reallocated to form dedicated cycle lanes as part of a cycle superhighway serving the Hutton to city centre corridor.

Each individual measure provides a level of deterrence by increasing journey times for private vehicular traffic along Liverpool Road and/or promoting the Penwortham Bypass as the primary route choice. Each measure can be implemented independently of the others providing some level of benefit. However, in order for the maximum cumulative impact/benefit to be achieved, these measures are intended to be delivered as a package of works, thus satisfying condition 10 of the Penwortham Bypass planning permission.

A scheme has been designed to deliver this package in a single works phase to minimise disruption to the local area. The intention is to modify the Penwortham Triangle before the bypass opens, with the other works taking place immediately after the Bypass has opened to traffic.

Road safety improvements are also provided through removal of vehicular conflicts at the slip road where it merges with Guild Way. Conflicts will also be reduced between vehicles and northbound on-carriageway cyclists at the slip road diverge on Penwortham Brow.

The removal of merging traffic on the slip road will reduce weaving and provide journey time benefits between Golden Way and Strand Road.

This report deals with the proposed Traffic Regulation Order to close the slip road.

## **Consultations**

Subsequent to the public consultation exercise described above, the county council has undertaken requisite publicity and consultation on two aspects of the package of works listed above.

The county council has consulted on the proposal to reduce the speed limit on part of the A59 Liverpool Road (point 7 above). This matter did not attract any objections.

A consultation with the public and with statutory bodies has recently been carried out in relation to the draft Traffic Regulation Order to close the slip road to vehicles.

Some 295 representations were received, comprising 58 individual letters and 237 set out in a standard letter. A petition against the closure of the slip road was received containing 1,229 signatures. No objections have been made by the statutory bodies including the Police.

6 letters of support were received. Penwortham Town Council expressed its support to the closure at its July 2019 meeting.

The objections and suggestions made to the consultation have been considered and fall under one or more of seven general headings presented below. A response is given in each case.

#### Residents will be inconvenienced

Delivery of the Penwortham Bypass and these complementary measures will reduce levels of traffic through Penwortham, in particular the significant volume of traffic passing through Penwortham on a daily basis heading to the city centre, motorway network and other destinations. Those travelling to destinations in Penwortham, to businesses, services and schools, and residents travelling into and out of Penwortham, will benefit from significantly reduced vehicles numbers along Liverpool Road. Residents and visitors to Penwortham will similarly benefit from an improved environment, with issues of severance, noise and air quality and road safety improved as a result of far fewer motor vehicles passing through the town (Appendix 'B' refers).

In order to ensure local traffic is not unduly inconvenienced, in tandem with the slip closure, the Penwortham Triangle junction will be reconfigured to give more priority to and 'green time' at the traffic signals for local traffic travelling down Penwortham Hill to turn right at the signals and proceed into Preston.

With the slip road closed, Guild Way/Golden Way will function properly and with much greater efficiency with two free-flowing lanes of traffic inbound towards the city centre and Riversway/Strand Road. Were the slip road to remain open, there would be a greater inconvenience to the greater vehicle numbers on Guild Way/Golden Way (combining traffic from the A582 and A59 routes) but also in turn to traffic using the slip road which would face greater flows when attempting to filter onto Guild Way and Golden Way.

#### Rat running will increase on other roads

Concerns have been raised that drivers will use any route to make their journey shorter. The traffic modelling (Appendix 'B' refers) for this scheme has indicated the amount of traffic that will use alternative routes, and it does not show any significant increases on the surrounding roads. On the contrary, the opening of the Bypass will reduce current and long-standing levels of rat running by providing additional road capacity in the area and an alternative route to the use of local roads in Penwortham, and by reducing congestion along Liverpool Road to the benefit of local journeys.

#### The viability of local shops will be impacted

Concerns have been expressed that the closure of the slip will affect the volumes of passing trade and impact the viability of local businesses. Currently passing traffic on Liverpool Road, with the largest volumes at peak times slow moving and queuing, has limited opportunity to stop and park in the town centre. Current volumes of traffic also impact on local journeys to these businesses, whilst congestion in general reduces the environment and overall attractiveness of the area. The opening of the Bypass and delivery of these complementary measures, including the slip closure, will significantly lessen traffic levels in the town centre, and, in itself, improve the

local environment. This in turn will allow for further public realm improvements, to introduce a safe and attractive public realm in the town centre, to encourage greater footfall, more people to walk, cycle and use public transport to journey into and through the town centre, and the opportunity for additional and better planned parking provision, benefitting local shops and businesses.

#### Fuel costs for motorists will increase

Objections have pointed to longer journeys with the slip road removed. This ignores the benefits of better flowing traffic conditions which will be achieved with the Bypass open and the slip road closed. If the slip road were to be kept open and motorists used this route rather than joining the Bypass or using the Penwortham Triangle junction, fuel usage would likely be the same or possibly more. The traffic volumes on Guild Way and Golden Way will reduce opportunities to filter and motorists on the slip road will spend relatively more time queuing. Traffic modelling (Appendix 'B' refers) shows that with the removal of the slip road and the conflict between merging traffic at the slip exit and the resulting weaving movements, journey times on Guild Way/Golden Way are improved.

Using the Penwortham Triangle junction (with the slip road closed) will incur some unavoidable delay at the traffic signals however this will be controlled and minimised and traffic will generally continue to flow unopposed. Traffic modelling suggests there will be a net journey time benefit to local traffic from Penwortham on Guild Way/Golden Way. Whilst vehicles may be stopped at a red light at Penwortham Triangle junction, traffic will not be slowly crawling forward. Modern vehicles with start/stop technology do turn off the engine when stationary and this might come into effect whilst stopped at the signals.

#### The slip road closure should be delayed for a period of observation

The closure of the slip road is one of a series of measures that together are the most effective means to discourage through traffic and unnecessary trips by car in Penwortham and promote use of the Bypass. The benefits to this from the closure of the slip road is supported by extensive traffic modelling of the network at strategic and local levels.

The closure of the slip road does not only improve traffic and environmental conditions through Penwortham and along the Bypass and Guild Way/Golden Way. A major improvement to cycling provision to serve Hutton and Penwortham and the city centre would be compromised if the slip road were kept open. Continued free flowing vehicles onto the slip road would conflict with cyclists using a new cycle superhighway which is dedicated for cyclists and physically separated from general motor traffic.

#### Rely on traffic calming/speed limit through Penwortham instead of closing the slip road

This has been suggested by objectors as an alternative to closing the slip road. The package of measures already includes a reduction of the speed limit between Crookings Lane and Cop Lane junctions, to 20mph, as part of the planning condition.

Traffic calming has been considered, however, during the September 2018 public consultation, which sought suggestions for measures to discourage through traffic in Penwortham, opposition to traffic calming – in the form of speed bumps, cushions and chicanes - was raised as a likely inconvenience to travellers across all travel modes and to residents living along the route.

### The closure is not needed

A number of representations concluded by saying the closure of the slip road is not needed. For the reasons given through this report, and in support of the objectives of the Bypass, there is a need for these complementary measures to discourage unnecessary traffic through Penwortham and promote use of the Bypass and Guild Way/Golden Way, and the slip road closure is an important measure to achieve this.

### **Officer recommendation**

It is the case that many comments and objections have been received but it is suggested that consideration be given to the reasons for the proposal and the responses above and it may be considered that the reasons for the closure outweigh the issues raised and that approval may be given for the making of the Traffic Regulation Order as one of the measures to promote and facilitate the Penwortham Bypass as the primary route choice and to seek to comply with planning condition 10 of the Penwortham Bypass planning permission, which seeks to discourage through vehicular traffic on the A59. Penwortham Town Council has also expressed its support to the slip road closure.

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

#### Financial

The cost of the measures presented in this report, including the closure of the slip road to vehicular traffic, is contained within the Preston, South Ribble and Lancashire City Deal Infrastructure Fund.

If the slip road is not closed, the county council will be required to amend the scheme, by altering, or adding other, measures to achieve the same overall reduction in traffic passing through Penwortham. The cost of traffic calming through the Penwortham corridor, whilst it has not been assessed or costed at this time, is likely to cost significantly more.

#### Legal

The closure of the slip road to all vehicular traffic is one of a series of measures to comply with Condition 10 of the Penwortham Bypass planning permission. If the closure is not approved the county council would need to apply to amend the scheme, by altering, or introducing other, measures in order to achieve the same

overall reduction in traffic passing through Penwortham. This could add delay to the delivery of a package of measures, leading to a continued level of detrimental impacts along Liverpool Road and a delay to, or reduction in the effectiveness of, the Bypass.

### List of Background Papers

Paper	Date	Contact/Tel
Planning Statement, Penwortham Bypass, Condition10, Summary of measures to discourage through-traffic from the centre of Penwortham	May 2019	Marcus Hudson/(01772) 530696

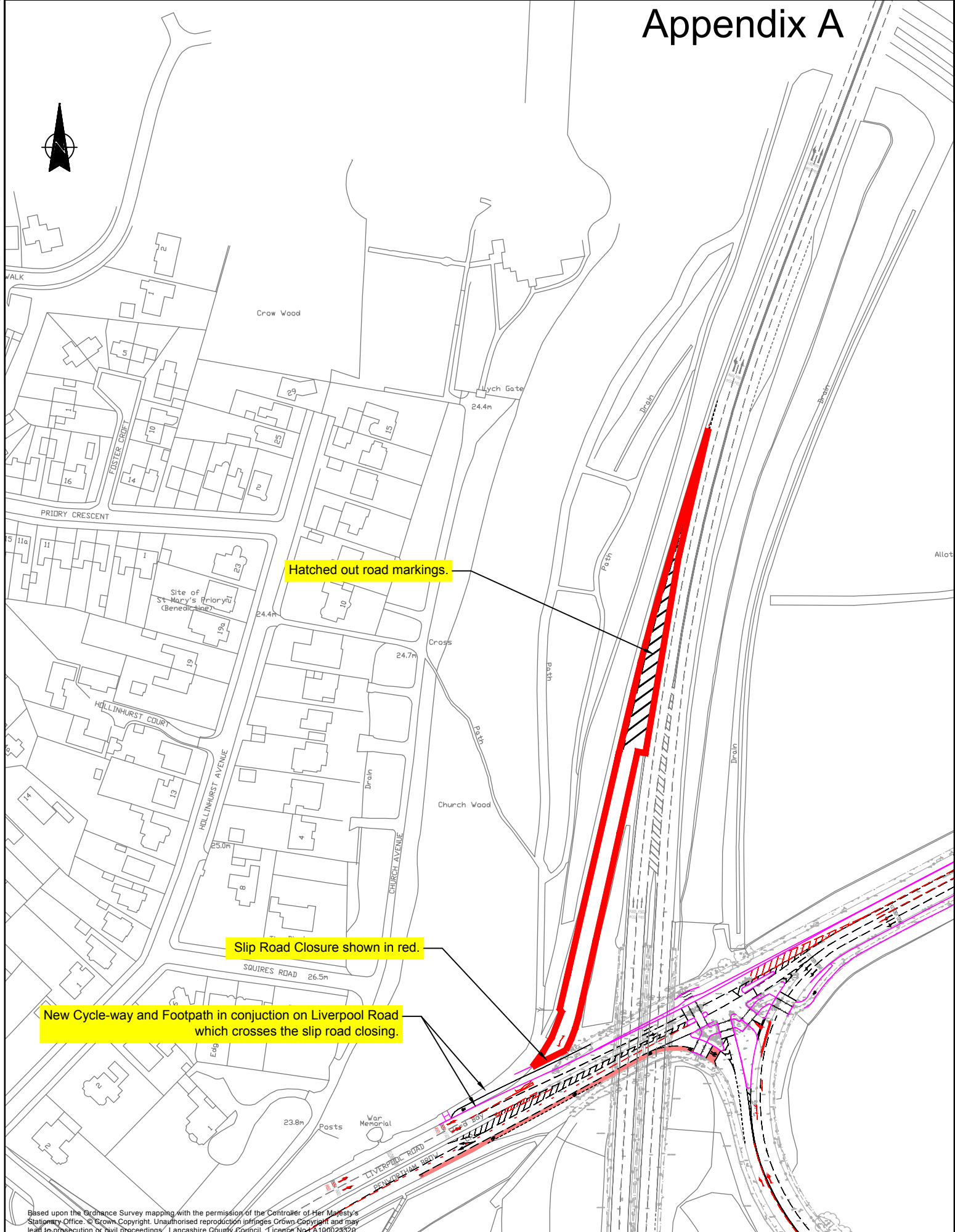
Reason for inclusion in Part II, if appropriate

N/A





# Appendix A



Hatched out road markings.

Slip Road Closure shown in red.

New Cycle-way and Footpath in conjunction on Liverpool Road which crosses the slip road closing.

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**Lancashire County Council** Planning & Environment

PROJECT TITLE:	CLM13 Penwortham Triangle
DRAWING TITLE:	Appendix A

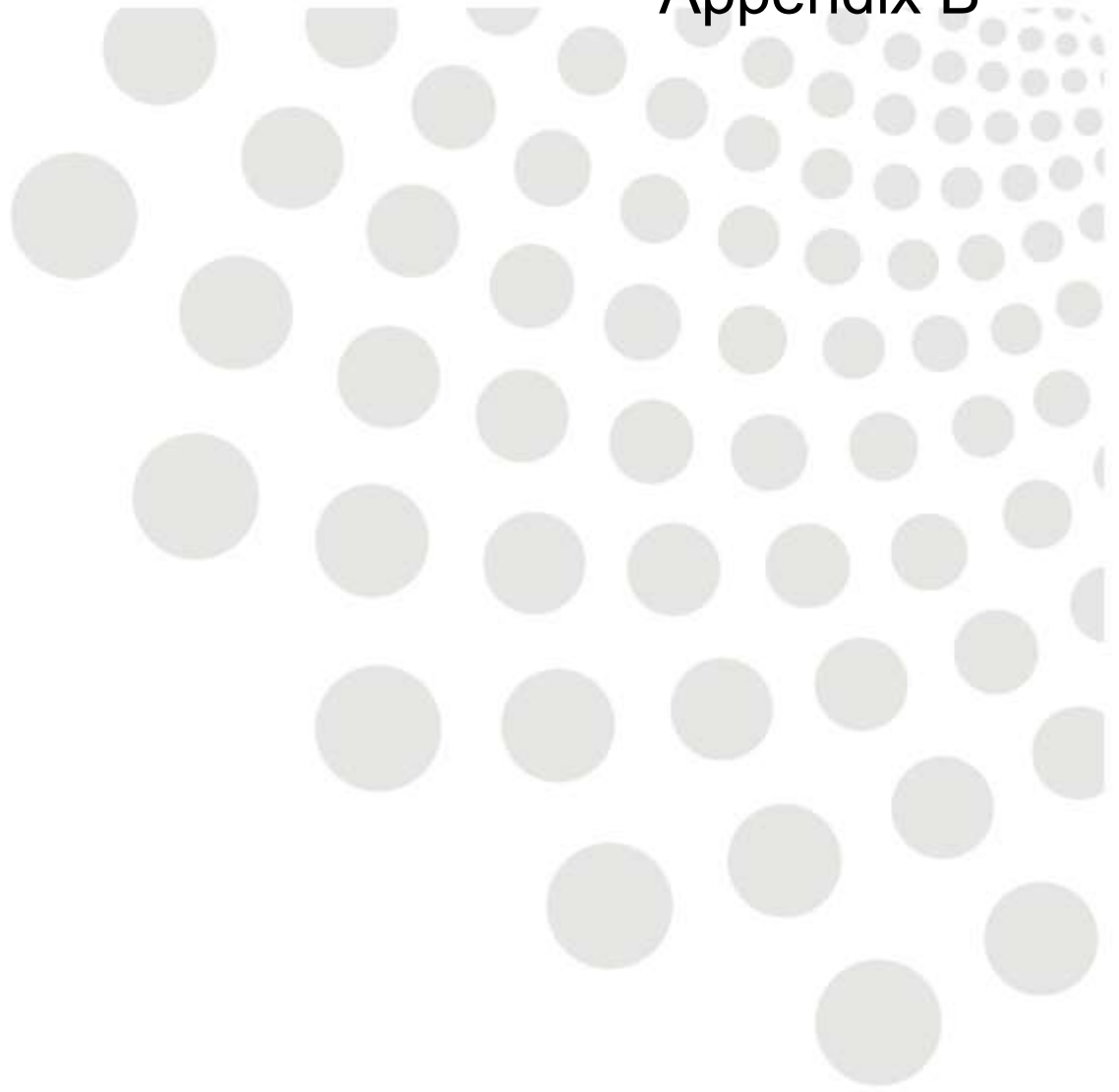
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**CITY DEAL** City Deal Delivery Team

DRAWING No.	CLM01-LCC-DR-0100-2469
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SHEET No.	REVISION:
1 OF 1	P.01





# Traffic Modelling and Transport Impacts Report

**Proposed closure of slip road between A59 Liverpool Road (Penwortham Brow) and Guild Way**

April 2019

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## 1. Introduction

- 1.1 This report summarises the traffic modelling assessment undertaken to determine the highway network and transport impacts resulting from the proposed removal (closure) of the link (slip road) between A59 Liverpool Road (Penwortham Brow) and Guild Way.
- 1.2 Closure of the slip road is proposed in accordance with Condition 10 of the Penwortham Bypass planning permission – *provide details of highways works to discourage through-traffic passing through Penwortham Centre along the A59.*
- 1.3 The proposed closure also promotes active travel by enabling the delivery of a Hutton to Preston City Centre Cycle Superhighway, providing health and wellbeing benefits. Plans for improved cycling and walking along Liverpool Road are in accordance with the Lancashire Cycling & Walking Strategy delivery plan and the Central Lancashire Highway and Transport Masterplan. A cycle superhighway along this route also overlaps with aspirations outlined in the Preston Transforming Cities Fund bid.
- 1.4 The proposal further supports air quality improvement in South Ribble Borough Council Air Quality Management Area (AQMA) no.1, which stretches along Liverpool Road from Queensway to Kingsway and along Priory Lane / Cop Lane between Kingsway and Moorhey Drive, by tackling air pollution and reducing carbon emissions.
- 1.5 The traffic assessment included modelling across three levels: macroscopic (strategic network); empirical (local junction); and, microscopic (local network), ensuring network impacts were fully understood. Modelling considered forecast traffic demand in the year 2022 providing analysis post opening of the Penwortham Bypass.

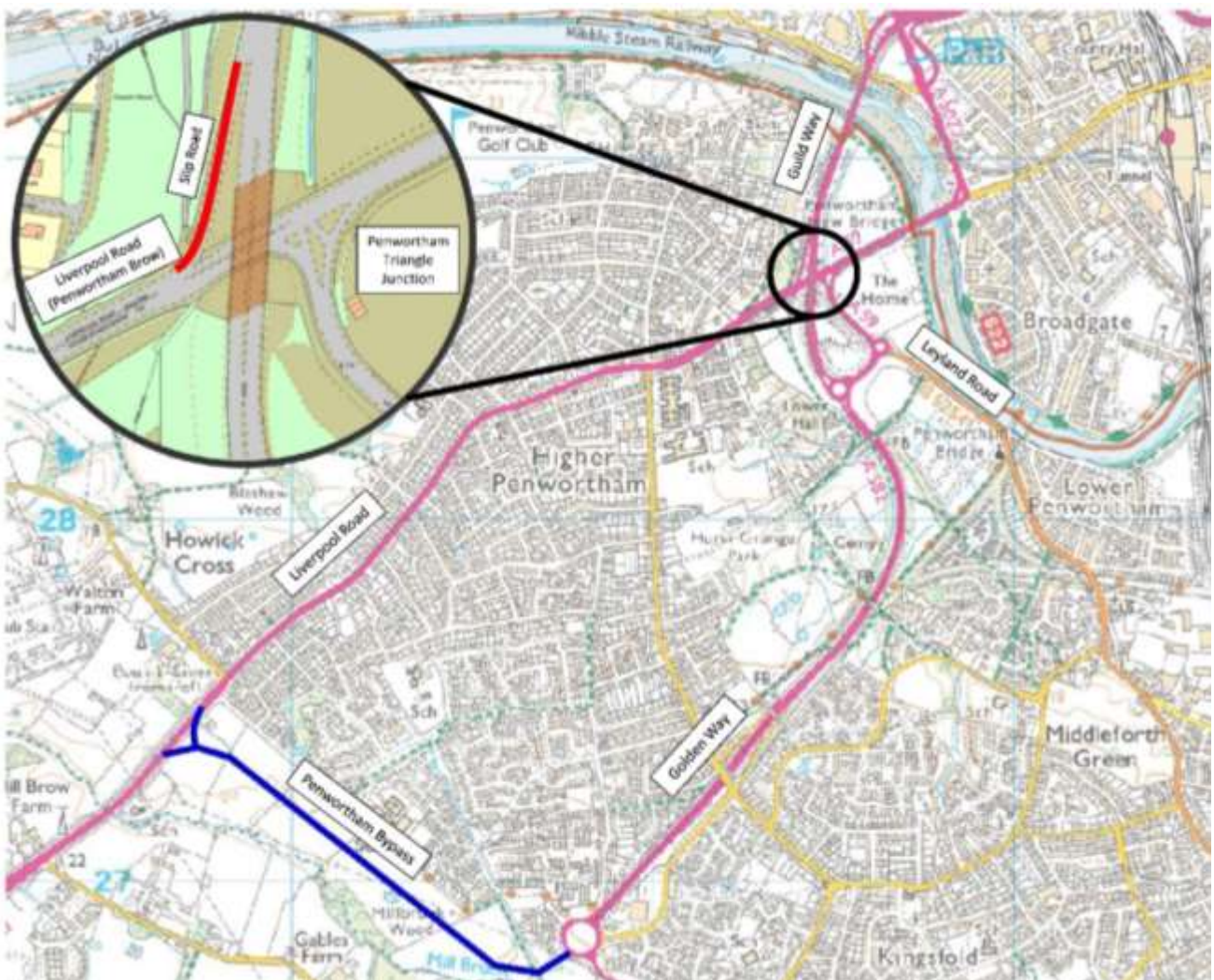
## 2. Current function of the slip road (pre-Penwortham Bypass)

- 2.1 The slip road currently provides a link between A59 Liverpool Road and A59 Guild Way serving an important function for northbound strategic trips on the A59 originating south-west of Preston travelling into Preston, towards Blackpool and onward journeys along the A59. The slip road also provides a shortened connection for local traffic from Penwortham travelling towards Preston city centre and the Docklands area.

### 3. Future function of the slip road (post Penwortham Bypass opening)

- 3.1 Completion of the Penwortham Bypass (currently under construction) will considerably alter the function of slip road. The bypass provides a new connection between the A59 Liverpool Road, west of Howick Moor Lane, and A59 Guild Way via the A582 Golden Way.
- 3.2 The intended purpose of the bypass is to remove through-traffic (strategic trips) from Penwortham Town Centre; alleviating the associated congestion. The bypass therefore replaces the slip road as the primary route for strategic trips travelling on the A59. Retention of the slip road provides a shortened connection for local traffic from Penwortham travelling towards Preston City Centre and the Docklands area, however, it also provides an alternative to bypass, attracting through-traffic and lessening the benefits of the bypass.

### 4. Location plan





## **5. Reason for proposed changes**

- 5.1 Closure of the slip road is proposed to reduce the attraction of strategic trips continuing along Liverpool Road through Penwortham and to maximise the potential of the bypass. This proposal is in line with planning condition 10 of the bypass planning permission '*to discourage through-traffic passing through Penwortham Centre along the A59*'.
- 5.2 The slip road is predominantly used by traffic travelling along the A59 Liverpool Road south-west of Preston passing through Penwortham. Completion of the Penwortham Bypass will provide an alternative route between the A59 at its junction with the bypass and Guild Way via A582 Golden Way. In order to promote use of the bypass and discourage through-traffic continuing to pass through Penwortham it is proposed to close the slip road to vehicles.
- 5.3 The closure also supports the planned corridor improvements along Liverpool Road enabling the delivery of a cycle superhighway both through the further reduction in vehicle traffic and the removal of a conflict point. As a free flowing link the slip road is barrier to the provision of segregated cycle facilities and presents a significant risk of collision to cyclist travelling on carriageway towards the City Centre via Fishergate Hill. The planned cycle route between Hutton and Preston City Centre will complement the Transforming Cities Fund (TCF) bid, providing transformational investment, promoting sustainable transport and encouraging modal shift away from car journeys. The TCF bid includes the Fishergate Hill section of the cycle superhighway route from Strand Road to Preston city centre.

## **6. Associated highway works**

- 6.1 Works at the junction of A59 Liverpool Road and A59 Leyland Road (Penwortham Triangle junction) are planned in accordance with condition 10 of the Penwortham Bypass planning permission. Modification of the road layout at the Penwortham Triangle junction will promote use of the bypass and discourage through-traffic passing through Penwortham from Preston. Junction alterations will reduce ahead movements for vehicles travelling southbound from Preston to a single lane and increase the left turn to 2 lanes reflecting the change in priority away from Liverpool Road and towards the Penwortham Bypass via the A582.
- 6.2 The works at Penwortham Triangle provide the opportunity to provide additional minor carriageway alterations and reconfiguration of traffic signal timings to complement the proposed closure of the slip road. Complementary associated works at Penwortham Triangle will ensure junction operational capacity is provided in accordance with local traffic demand.

## 7. Traffic Modelling Methodology

- 7.1 *Strategic Network* – The Central Lancashire Traffic Model (CLTM) has been used to analyse network impacts and generate forecast traffic flows for the year 2022. Updates to the model enabled a comparison of traffic flows and network delay with and without the slip road in place.
- 7.2 *Local Junction Modelling* – The impacts of the slip road closure at the junction of Liverpool Road and Leyland Road (Penwortham Triangle) have been assessed using industry standard local junction modelling software LinSig (v3). 2022 forecast traffic flows extracted from the CLTM were used to analyse junction capacity and to inform highways design and traffic signal timing requirements to complement the slip road closure.
- 7.3 *Local Network* – Microsimulation modelling software package Aimsun (v8.3) was used to evaluate traffic movements across a small localised network within the vicinity of the slip road comprising of Liverpool Road, Leyland Road, Golden Way, Guild Way and the 3 junctions associated junctions. A cordon covering the extents of the micro-network was applied to the CLTM to extract origin-destination matrices for the 2022 forecast year AM and PM peak hours. These matrices were then entered into the model. Traffic signal timings and updated lane arrangements at the Penwortham Triangle junction informed by local junction modelling were applied into the network to represent optimised capacity arrangements. Further planned modifications at the Leyland Road roundabout were also included in the network.
- 7.4 The Stochastic Route Choice fixed-assignment approach was used to replicate the demand patterns extracted from the CLTM. A total of twenty simulations using were run using the model to assess the network performance across a variety of traffic flow distribution conditions; ten in the AM peak hour and ten in the PM peak hour. An average was then taken to determine link delay time within each peak hour. A 15 minute warm-up period was applied to ensure traffic was fully assigned onto the network for the full 1 hour time set across each peak.
- 7.5 The microsimulation model enabled the impacts of the proposed slip road closure to be analysed in real time, providing visual outputs of traffic flows, junction capacity and the overall operational performance of the network.



## 8. Strategic Network Modelling

- 8.1 The CLTM is a strategic traffic model which has been used in the assessment of all multiple major City Deal schemes in Preston and South Ribble. The model has supported submission of the Preston Western Distributor (PWD) Road Full Business Case to DfT and planning applications for the PWD, Penwortham Bypass and the A582 dualling schemes. The forecast traffic flows reflect local growth (increased traffic) on the network and included all Local Plan development sites.
- 8.2 Network coding in the CLTM was updated to generate a new scenario representing the network without the link (slip road) between A59 Liverpool Road (Penwortham Brow) and Guild Way.
- 8.3 Comparison of the network **with** the slip road and **without** the slip road demonstrated traffic flow displacement and changes in delay resulting from the network alteration in the year 2022. Traffic flows results are shown as Passenger Car Units (PCUs) and delay values are shown in seconds. Network output plots showing the change in traffic flows for the AM and PM peak hours is included in **Appendices A and B** respectively. The total traffic flow on the network without the slip road is included in **Appendices C and D** respectively. Plots showing delay changes on the network in the AM and PM peak hours resulting from the slip road closure are included in **Appendices E and F** respectively.

### AM Peak – Traffic Flows

- 8.4 Modelling showed that in the AM peak hour, **closure of the slip road resulted in 207 PCUs re-routing to the Penwortham Bypass in place of Liverpool Road. This represented a reduction of 196 PCUs travelling northbound through Penwortham Town Centre** and a total northbound reduction of 246 PCUs on Penwortham Brow.
- 8.5 Along Liverpool Road the model showed some slight southbound flow increase west of Carleton Drive as local traffic re-routes west towards the bypass in place of alternative routes to the north.
- 8.6 Within Penwortham Local Centre the **2-way traffic flow**, as shown in Annex C, **is 627 PCUs in the AM peak.**
- 8.7 Along Cop Lane between Liverpool Road and Manor Lane re-routing results in traffic flow reductions of up to 63 PCU. South of Manor Lane there are increase of up to 44 PCUs as

Cop Lane local traffic re-routes to Golden Way. The model demonstrated that re-routing of traffic through residential routes such as Blackthorn Drive would not occur.

- 8.8 At the Penwortham Triangle junction 27 PCUs re-route towards Leyland Road and 154 PCUs are re-route towards Strand Road. There were parallel reductions on Guild Way and on Junction Road at the junction of Strand Road.

#### AM Peak – Delay

- 8.9 Reductions in delay of up to 47 seconds on Guild Way between Liverpool Road and Marsh Lane resulting from the relief of merge conflicts on Guild Way at the top of the slip road and a reduction in weaving on Guild Way.
- 8.10 There are slight increases in delay of 8 seconds northbound at the junction of Strand Road / Port Way, 10 seconds northbound on Liverpool Road at Penwortham Triangle, and 13 seconds on Cop Lane southbound at the junction with the Cromwell Road and the Golden Way slip road and as local traffic is redistributed.
- 8.11 No significant resulting delay impacts elsewhere on the network in the AM peak.

#### PM Peak

- 8.12 Across the PM peak the pattern of traffic flow displacement was generally the same as the AM peak. Re-routing to the bypass in place of Liverpool Road for northbound traffic occurs. **Modelling shows an increase of 72 PCUs on the bypass and a reduction of 87 PCU through Penwortham Town Centre in the PM peak resulting from the slip road closure.** There is a reduction of 139 PCU on Penwortham Brow.
- 8.13 Southbound Liverpool Road flows are increased slightly south of Central Drive as local traffic from the southern end of Penwortham re-routing to the bypass.
- 8.14 Within Penwortham Local Centre the **2-way traffic flow, as shown in Annex D, is 623 PCUs in the PM peak.**
- 8.15 Along Cop Lane there are reductions northbound of up to 51 PCUs and southbound increases of up to 61 PCUs as local traffic re-routes towards Golden Way. There are some very minor flow changes along residential routes as residents of the estate south of Liverpool Road choose alternative routes in and out of the estate. Corresponding northbound reductions confirm that southbound increase originate from displacement within the estate and are not a result of rat-running.

8.16 38 PCUs re-route towards Leyland Road at the Penwortham Triangle junction and 113 PCUs re-route towards Strand Road. As per the AM there are parallel reductions on Guild Way of up to 111 PCUs and Junction Road at the junction of Strand Road of up to 56 PCUs.

#### PM Peak – Delay

8.17 There is a neutral impact on delay across the network in the PM peak resulting from the slip road closure.

#### Summary

8.18 The CLTM demonstrates that **closure of the slip road is an effective method of discouraging through-traffic passing through Penwortham Centre** along Liverpool Road instructed by the planning condition. There is an estimated northbound Annual Average Daily Traffic (AADT) reduction of 2,001 PCUs which is displaced to the bypass.

8.19 The displacement of strategic traffic in addition to that provided by the completion of the bypass does not induce rat-running on local roads in Penwortham. Modelling forecasts for the year 2022 demonstrate that, inclusive of measure to discourage through-traffic, there would remain an estimated 2-way AADT flow of 7,188 PCUs on Liverpool Road through Penwortham Town Centre.

8.20 There are benefits to the network of reduced delay on Guild Way in the AM peak and some minor delay time increases on Strand Road and Cop Lane as local traffic is redistributed. PM delay impacts are neutral.

## **9. Local Junction Modelling**

9.1 Junction performance is measured in Practical Reserve Capacity (PRC) and degrees of saturation. A degree of saturation value of 100% means that demand and capacity on the lane are equal. Values of over 90% are typically regarded as congested with queues beginning to form, resulting in a negative PRC.

#### Junction of Liverpool Road / Leyland Road (Penwortham Triangle)

9.2 The Penwortham Triangle junction will operate with an AM peak PRC of +16.0% and a PM peak PRC of +20.9%. A full modelling report is included in Annex G.

9.3 Traffic flow changes resulting from slip road closure can be accommodated at the junction by optimizing the signal timings to provide additional green time to the Liverpool Road northbound approach. In the AM peak the ahead lane will operate with degree of saturation

of 77.6% and the right turn lane of 51.3%. In the PM peak ahead lane and right turn lane degrees of saturation are 24.1% and 50.8% respectively. Degrees of saturation remains below 90% on all other approach arms across both peaks. Positive PRC values of +16% and +20.9% in the AM and PM peaks respectively demonstrate that the junction is operating with spare capacity and can accommodate additional demand if required.

#### Junction of Liverpool Road / Strand Road / Fishergate Hill

- 9.4 Traffic flow reductions resulting from the introduction of the Penwortham Bypass provide sufficient spare capacity at the Strand Road / Fishergate Hill to accommodate the redistribution of local traffic resulting from the slip road closure.
- 9.5 The junction will operate with an AM peak PRC of +46.0% and a PM peak PRC of +12.4% demonstrating that delay at the junction will not be incurred. A full modelling report is included in Annex H.
- 9.6 The CLTM demonstrates an increase in left turning movements from Liverpool Road to Stand Road. This lane operates with a degree of saturation of 61.6% in the AM and 19.0% in the PM, well within the 90% threshold.

### **10. Microsimulation Modelling**

- 10.1 Real times outputs from the model were used to observe local network performance with the slip road closed. Results are best viewed in video format (available on request); snapshots are included in Annex I. Figure 1 shows the modelled area.
- 10.2 Modelling demonstrated that removal of the slip road does not negatively impact the network performance in this area. Traffic will continue to flow freely within the model area across both the AM and PM peak hours.
- 10.3 Additional strategic trips relocated onto the Penwortham Bypass and Golden Way are efficiently managed by the signalised junction on Golden Way in both peak periods as they continue onto Guild Way.
- 10.4 Local traffic that re-routes via the Penwortham Triangle junction is also efficiently managed by traffic signals at the junction across both peak periods without queues forming. Onward re-routed local trips travelling through the uncontrolled Leyland Road roundabout and on the east arm of the Golden Way signalised junction do not impact network performance.



**Figure 1: Microsimulation Model Network**

- 10.5 Some unrelated queuing occurs on the south arm of the junction in the AM peak however cycle times are sufficient for queues to clear without resulting in disruption to the network.
- 10.6 Figures 2 and 3 show the average link delay on the network in each peak hour. Link delay at traffic signal is expected due traffic signal timings requiring stoppages whilst green time is allocated to other arms on the junction. The model demonstrates without the slip road, the network within the modelled area will operate without any significant delay across both the AM and PM peak hours.



## 11. Summary of Highway Impacts

11.1 Impacts on the highway network resulting from the closure of the link between Liverpool Road (Penwortham Brow) and Guild Way can be summarised as follows:

- Further reduction in through-traffic on Liverpool Road through Penwortham, in accordance with Penwortham Bypass planning condition 10;
- Traffic flow increases on the Penwortham Bypass resulting from an estimated displacement of 2,000 trips per day travelling in to Preston;
- Remaining two-way traffic flow of approximately 7,000 trips per day on Liverpool Road in Penwortham;
- Improved road safety through the removal of conflict points at both ends of the slip road;
- No evidence of rat running on local roads resulting from changes to network;
- Reduced delay time on Guild Way demonstrating improved flow of traffic resulting from relief of merge conflicts on Guild Way at the top of the slip road and reduction in weaving on Guild Way;
- Some slight AM delay time increases towards Preston at the junctions of Cop Lane / Golden Way, Strand Road / Port Way and Liverpool Road / Leyland Road resulting from the redistribution of local traffic; and,
- No resulting junction capacity issues.

## 12. Health & Wellbeing Benefits

12.1 The slip road is currently a barrier to cycle journeys and an attraction to vehicle journeys. The proposed closure of the slip road supports the promotion of active travel and provides positive impacts in relation to road safety and air quality.

12.2 By reducing through-traffic and enabling improved cycle connections to Preston city centre and the Guild Wheel, the proposal has the potential to provide considerable health & wellbeing benefits to the conurbation of Penwortham through air quality improvements and increased physical activity.

12.3 National guidance provided by Public Health England states that short car trips (under 5 miles) are a prime area for switching to active travel and to public transport. Figure 4 shows a 2 miles radius from Penwortham Town Centre. Trips from Penwortham (and beyond to Hutton) to popular destinations such as Preston city centre and Docklands are comfortably within the 5 miles catchment defined as short trips.

12.5 The Hutton to Preston city centre corridor therefore provides the ideal opportunity to promote active travel.

12.4 Closure of the slip road supports plans to develop a Hutton to Preston city centre cycle superhighway through the removal of a free flowing traffic lane that presents an obstacle to the delivery of a safe dedicated cycle route.

12.5 The provision of a segregated cycle superhighway would be anticipated to result in modal shift to cycling from car (particularly single occupancy). By changing travel behaviour, the promotion of active travel has the potential to further reduce the number of vehicles on the network and provide exponentially increasing health & wellbeing benefits.

12.6 Road safety would significantly improve for on carriageway cycle journeys travelling northbound on Liverpool Road through the removal of the conflict point at the slip road diverge. The current provision is for cyclists traveling towards Fishergate Hill to exit the carriageway and wait to cross the slip road at a controlled crossing. On carriageway cyclist are required to change lanes and weave with free flowing traffic to divert away from the slip road and continue along Liverpool Road towards Preston.

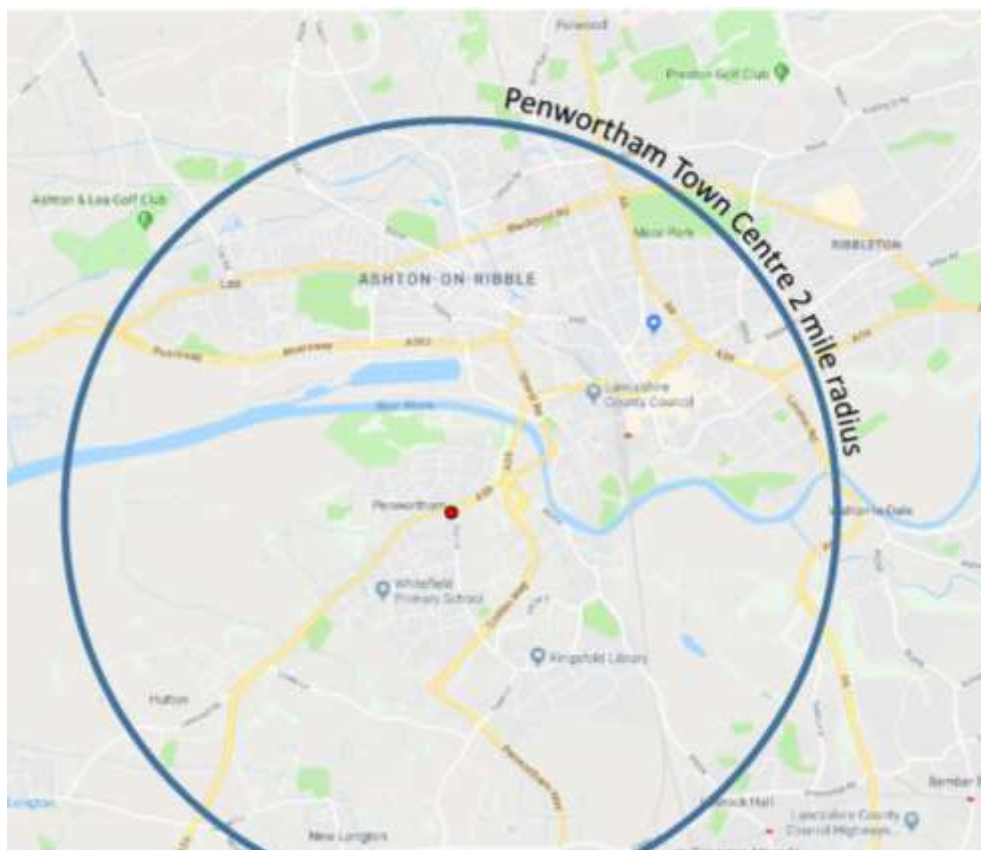


Figure 4: Destinations within a 2 mile radius of Penwortham Town Centre



## **13. Local planning policy and other investments**

13.1 Increased travel by sustainable modes and improved air quality is high on the local policy agenda.

13.2 Through the Preston, South Ribble and Lancashire City Deal, the County Council is delivering significant investment to support economic growth in Central Lancashire including public and sustainable transport improvements along key corridors. Further investment public and sustainable transport is being sought through the Transforming Cities Fund.

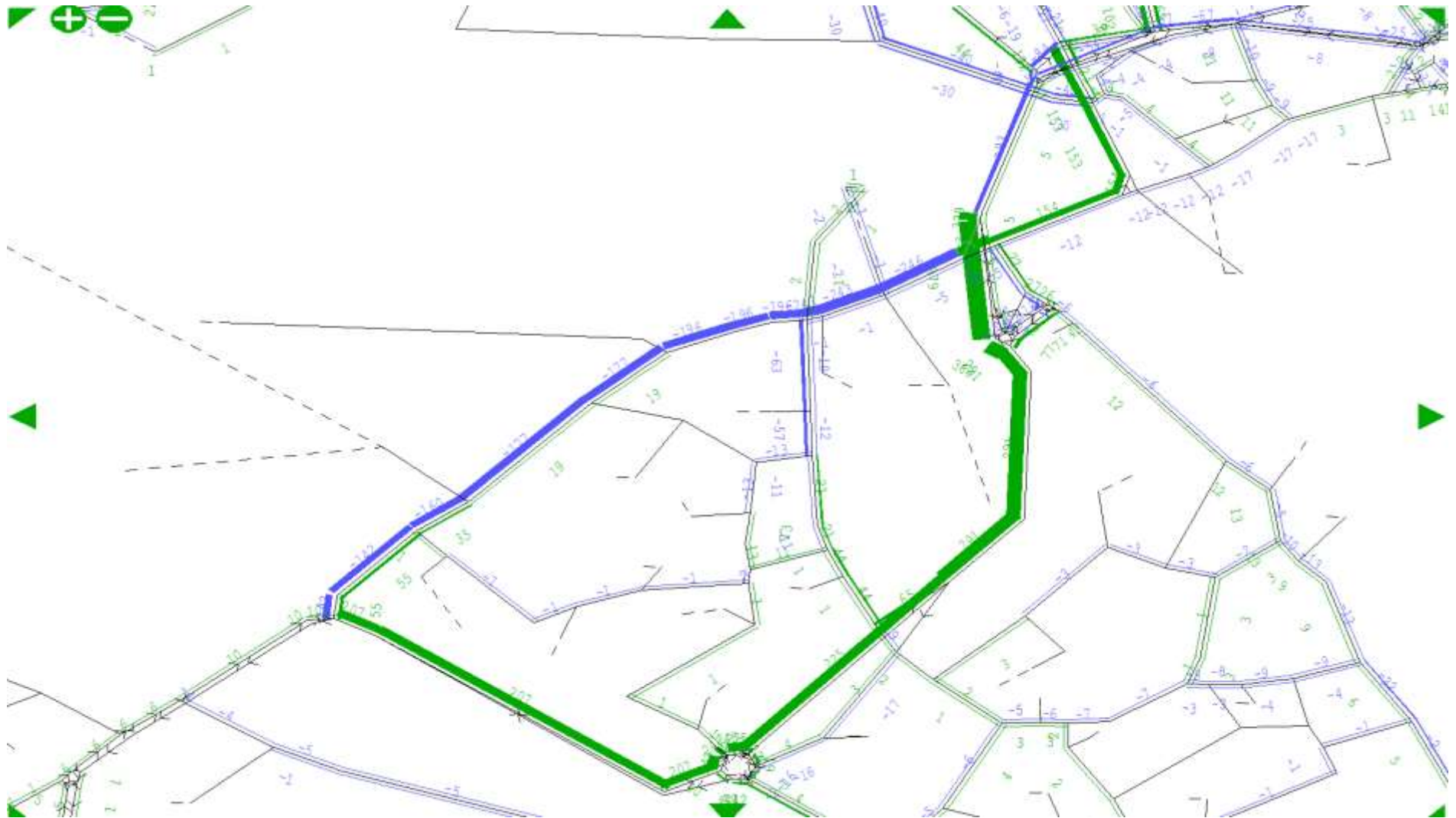
13.3 The proposed closure of the slip road:

- Supports the Central Lancashire Core Strategy Policy 3 by improving opportunities for cycling and enabling travellers to change their mode of travel and Policy 30 to improve air quality through taking account of air quality which prioritising measures to reduce road traffic congestion;
- Supports the South Ribble Local Plan Policy G8 by providing access to well-designed cycleways (both on and off road) to help link local services and facilities;
- Further supports planned City Deal sustainable transport improvements along the Penwortham Corridor and enhancements in Penwortham Centre as identified in the Central Lancashire Highways and Transport Masterplan;
- Enables delivery of cycle superhighway in line with Lancashire Cycling & Walking strategy;
- Is in accordance with the emerging Preston City Transport Plan which promotes increased cycling;
- Supports Local Transport Plan (LTP3) by increasing the attractiveness of cycling & walking and reducing the fear of traffic;
- Supports transformational investment (TCF bid) for sustainable transport routes into Preston City Centre; and,
- Provides air quality improvements in Penwortham (AQMA No.1) in accordance with the South Ribble Borough Council Air Quality Action Plan.

## 14. Recommendation

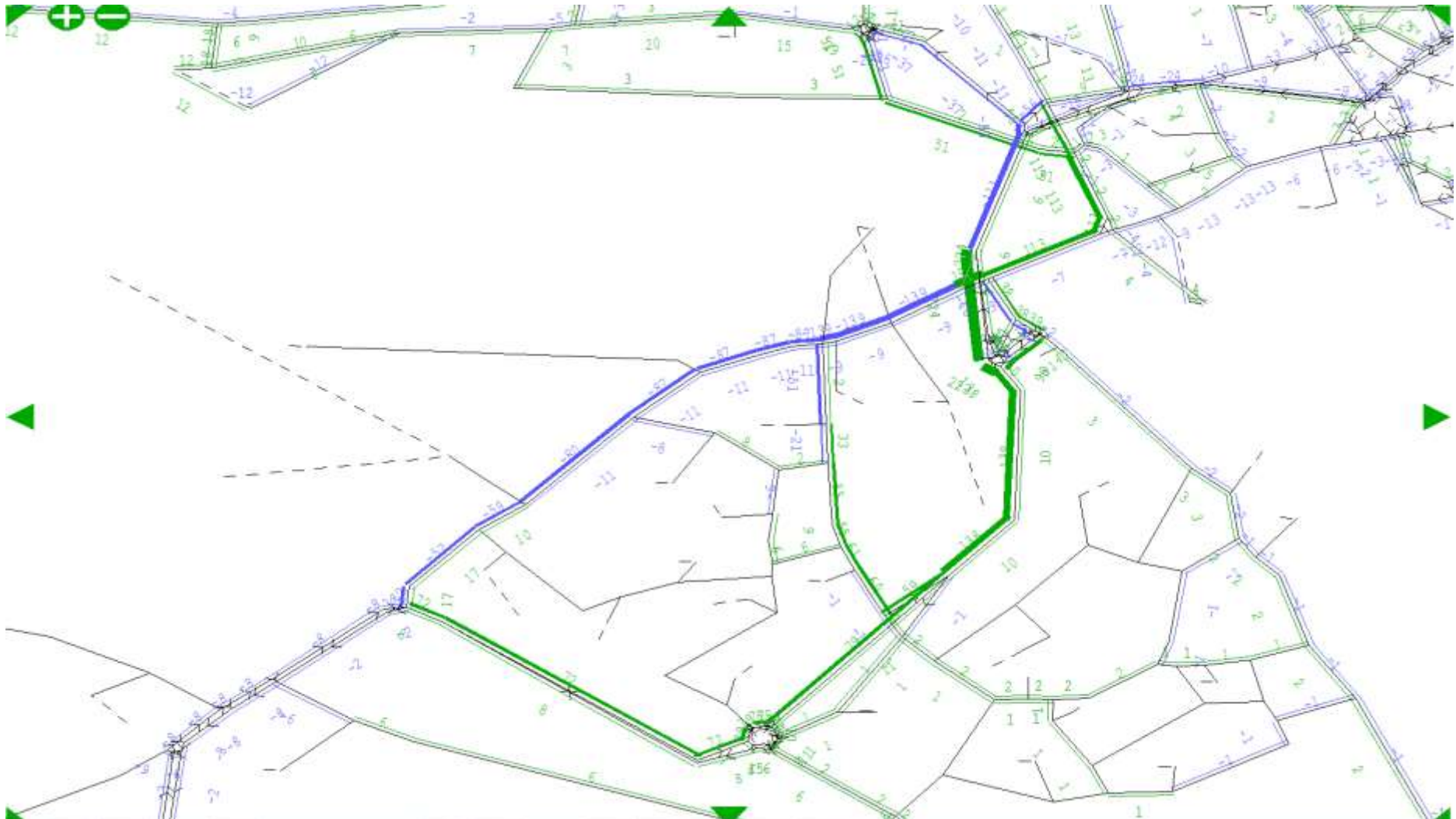
- 14.1 Based on the findings of this report the proposed removal (closure) of the link (slip road) between A59 Liverpool Road (Penwortham Brow) and Guild Way should be considered as a measure to discourage through-traffic passing through Penwortham centre along the A59.
- 14.2 Traffic modelling demonstrates the closure will result in additional strategic traffic transferring to the bypass, further reducing congestion in Penwortham and providing additional air quality benefits.
- 14.3 Rerouting of local traffic would result in minor delay time increases of up to 13 seconds on local roads however reductions of up to 47 seconds on Guild Way, generated by the removal of merging traffic and a reduction in weaving, would result in an overall net journey time saving.
- 14.4 Road safety improvements are also provided through removal of vehicular conflicts at the slip road merge on with Guild Way and conflicts between vehicles and northbound on-carriageway cyclists at the slip road diverge on Penwortham Brow.
- 14.5 The proposal is vital to enabling the delivery of high quality cycle superhighway infrastructure along the Hutton to Preston corridor where achieving Public Health England guidance to encourage the switch to active travel in place of short car journeys is highly achievable.
- 14.6 Closure of the slip supports multiple local planning policy objectives and provides synergy with existing and future investment strategies in Central Lancashire.

ANNEX A – 2022 AM traffic flow changes resulting from closure of slip road



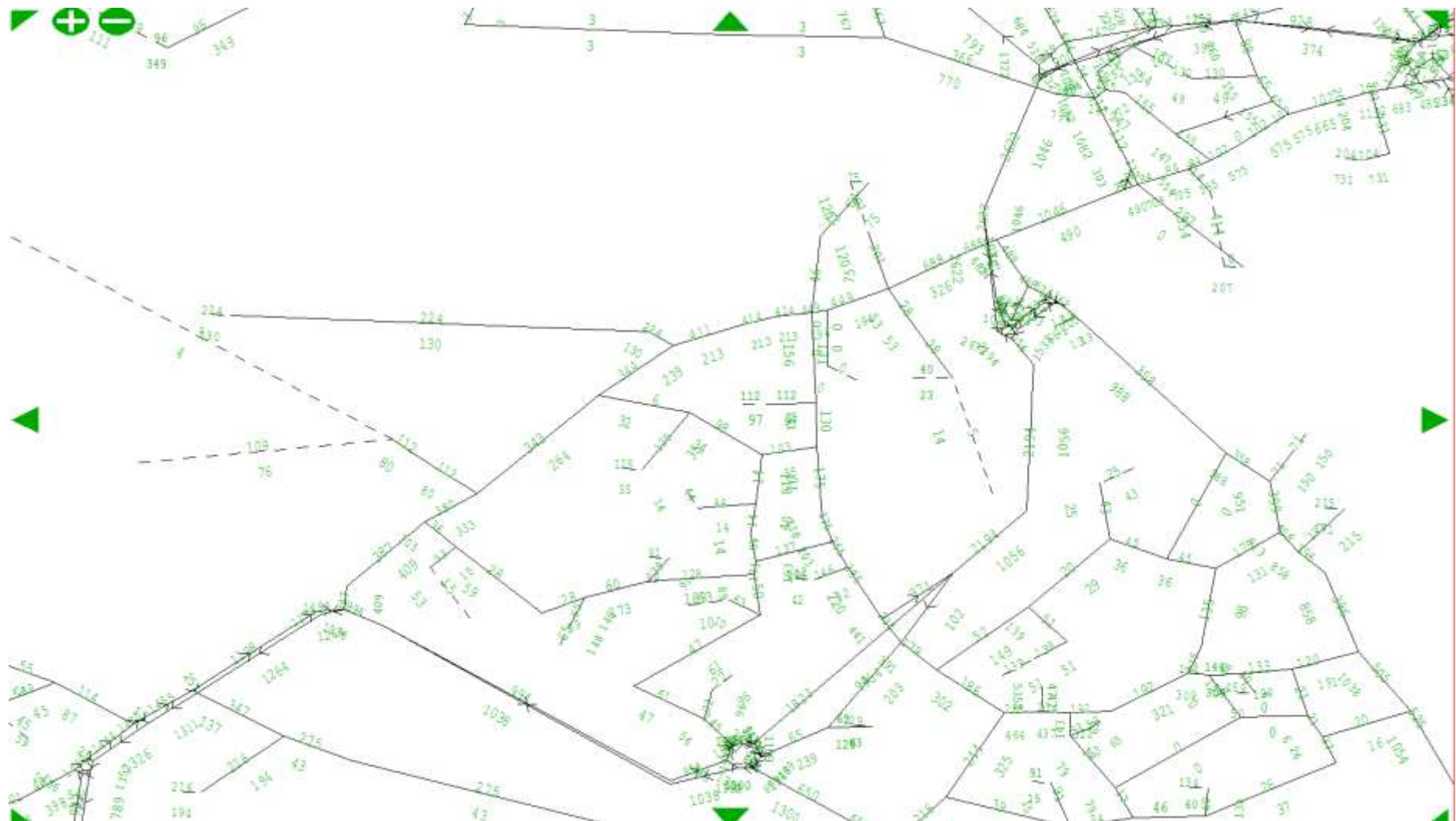
All values shown in PCU

**ANNEX B – 2022 PM traffic flow changes resulting from closure of slip road**



All values shown in PCU

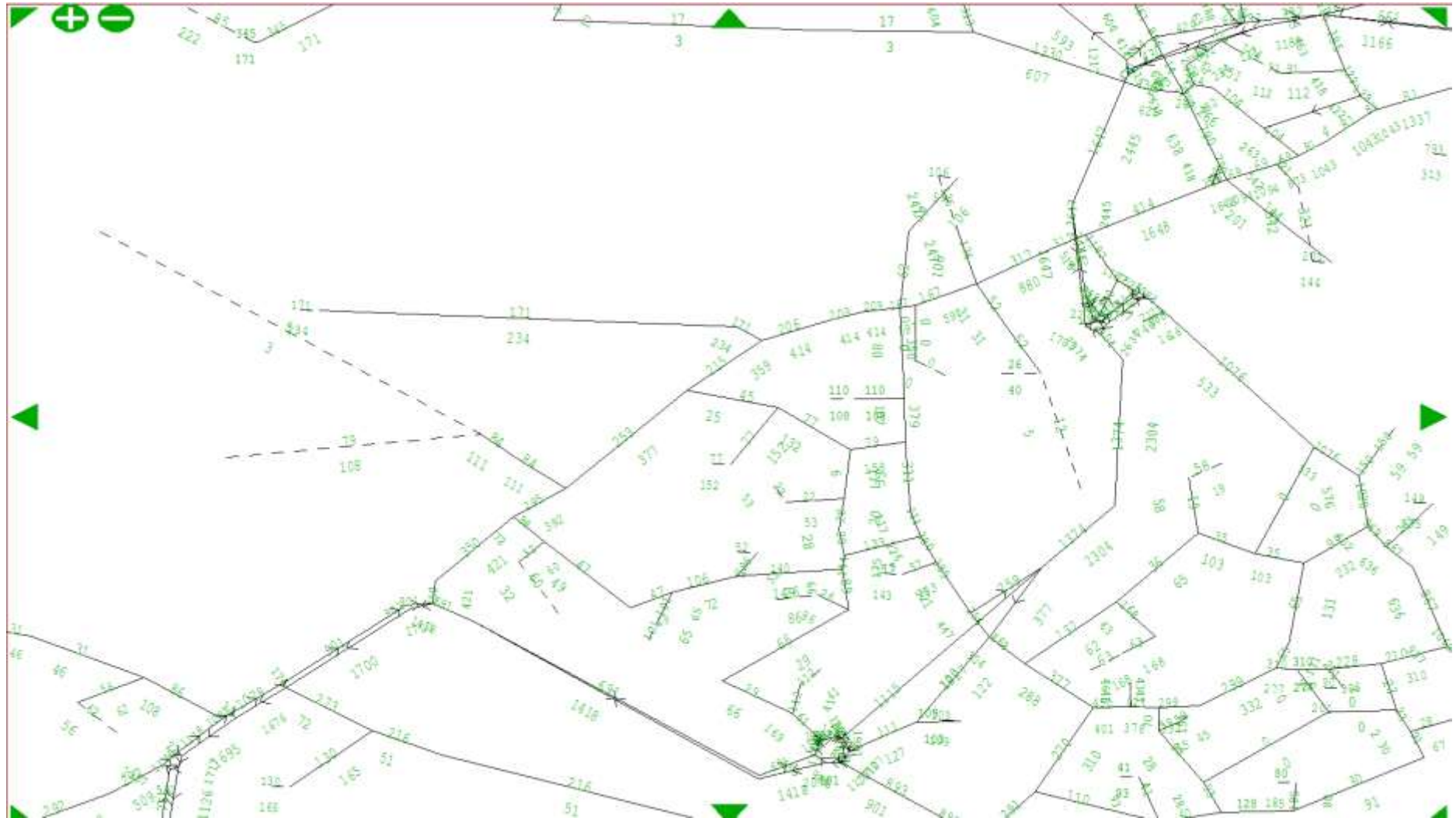
ANNEX C – 2022 AM total traffic flow without slip road



All values shown in PCU

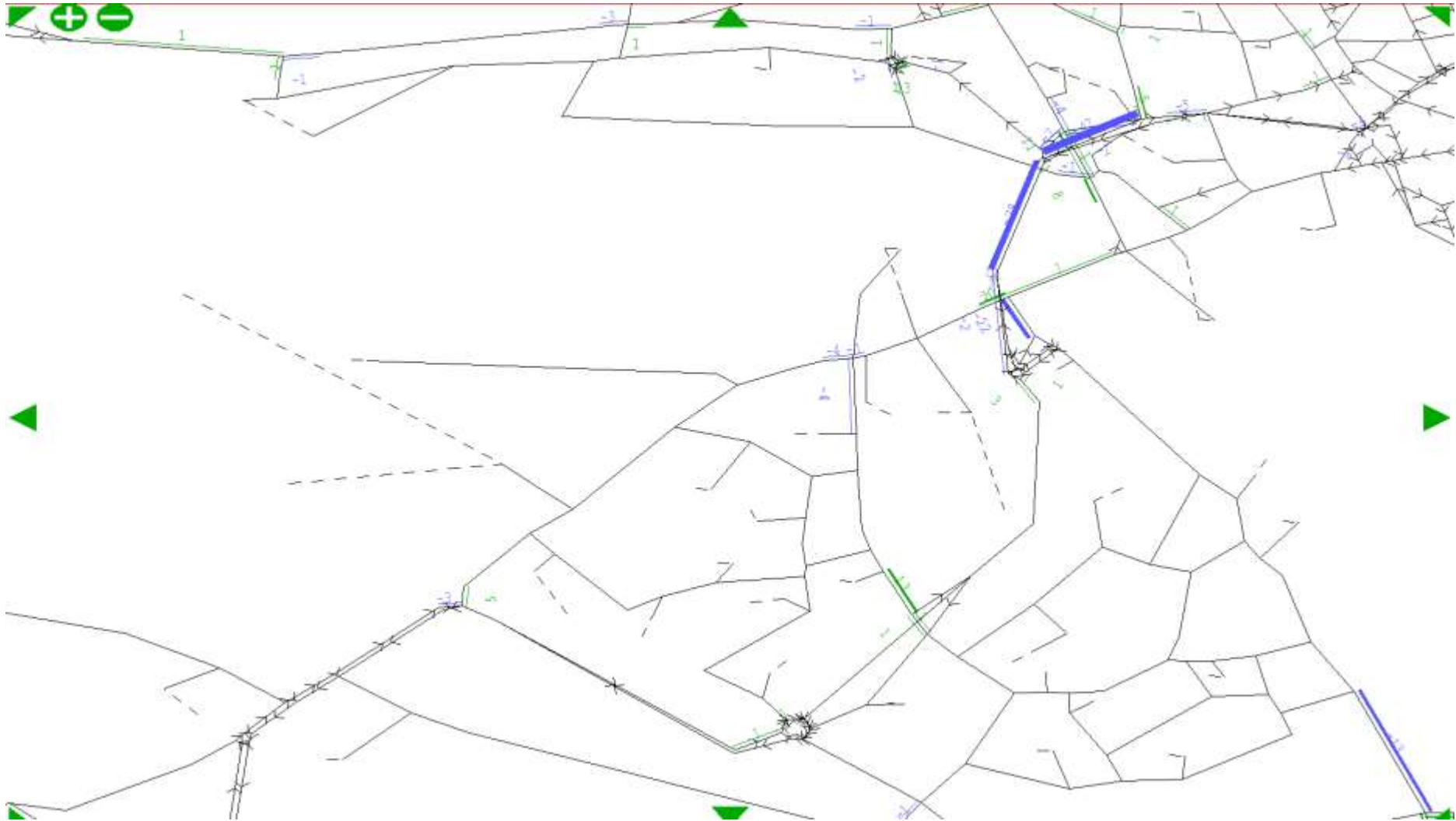


ANNEX D – 2022 PM total traffic flow without slip road



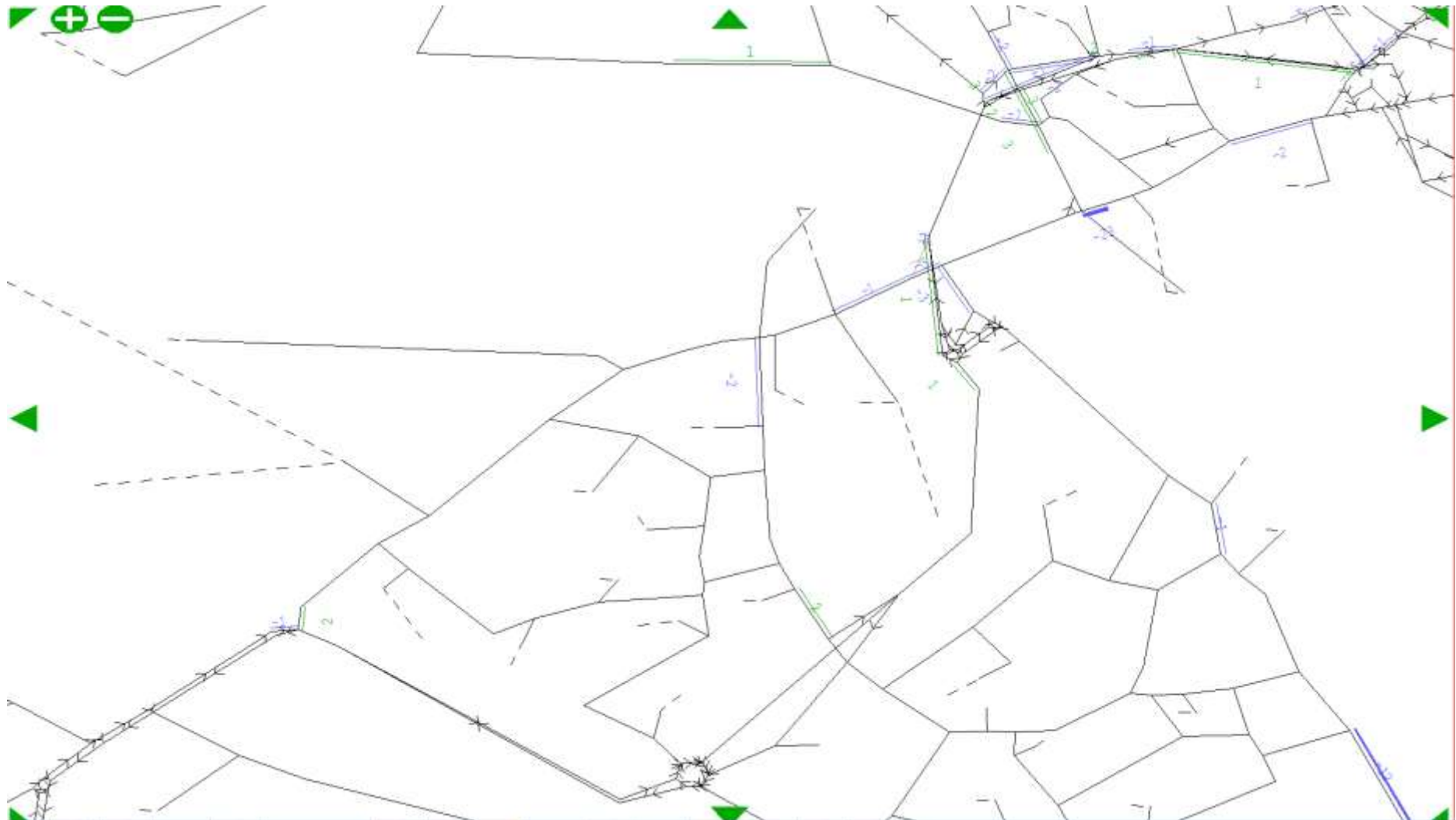
All values shown in PCU

ANNEX E – 2022 AM delay time changes resulting from closure of slip road



All values shown in time (seconds)

**ANNEX F – 2022 PM delay time changes resulting from closure of slip road**



All values shown in time (seconds)



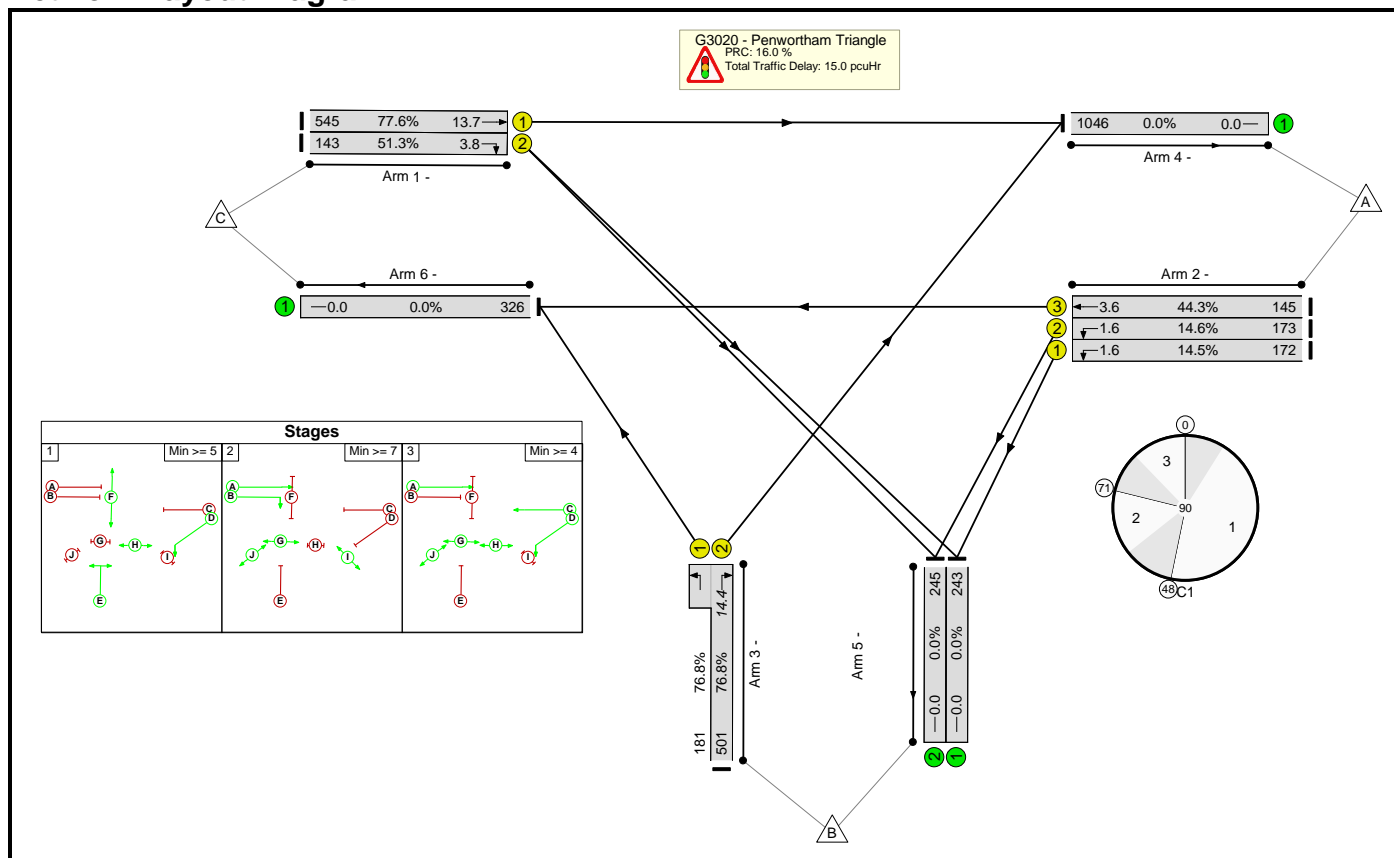
**Basic Results Summary**

**User and Project Details**

<b>Project:</b>	<b>CLM13 Penwortham Triangle</b>
<b>Title:</b>	<b>Penwortham Triangle proposed junction arrangement</b>
<b>Location:</b>	Liverpool Road / Leyland Road
<b>Flow Details:</b>	CLTM v1115
<b>Additional detail:</b>	Proposed junction arrangement
<b>File name:</b>	Penwortham Triangle - Junction A_Liverpool Road DS_slip closed (Saturn v1115 update).lsg3x
<b>Author:</b>	R Askew
<b>Company:</b>	LCC
<b>Address:</b>	County Hall, Preston, UK

Scenario 1: '2022 AM v1115' (FG3: '2022 AM updated', Plan 1: 'Network Control Plan 1')

**Network Layout Diagram**



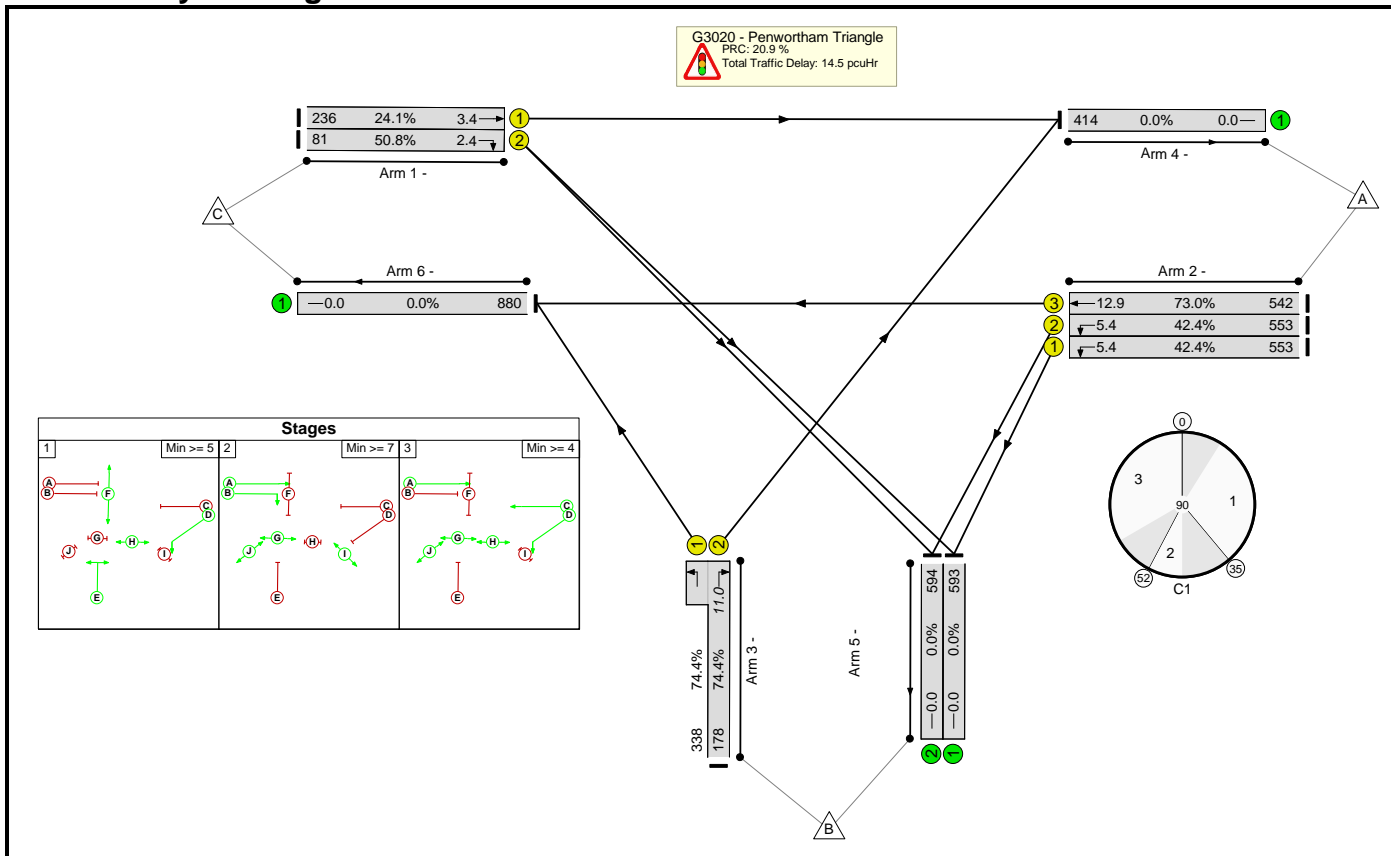
Basic Results Summary

**Network Results**

Item	Lane Description	Lane Type	Full Phase	Arrow Phase	Num Greens	Total Green (s)	Arrow Green (s)	Demand Flow (pcu)	Sat Flow (pcu/Hr)	Capacity (pcu)	Deg Sat (%)	Turners In Gaps (pcu)	Turners When Unopposed (pcu)	Turners In Intergreen (pcu)	Total Delay (pcuHr)	Av. Delay Per PCU (s/pcu)	Mean Max Queue (pcu)		
<b>Network: Penwortham Triangle</b>	-	-	-		-	-	-	-	-	-	77.6%	0	0	0	15.0	-	-		
<b>G3020 - Penwortham Triangle</b>	-	-	-		-	-	-	-	-	-	77.6%	0	0	0	15.0	-	-		
1/1	Ahead	U	A		1	32	-	545	1915	702	77.6%	-	-	-	5.5	36.4	13.7		
1/2	Right	U	B		1	13	-	143	1793	279	51.3%	-	-	-	1.9	48.0	3.8		
2/1	Left	U	D		1	60	-	172	1752	1187	14.5%	-	-	-	0.3	7.0	1.6		
2/2	Left	U	D		1	60	-	173	1752	1187	14.6%	-	-	-	0.3	7.0	1.6		
2/3	Ahead	U	C		1	14	-	145	1965	327	44.3%	-	-	-	1.8	43.6	3.6		
3/2+3/1	Right Left	U	E		1	41	-	682	1750:2011	653+236	76.8 : 76.8%	-	-	-	5.2	27.4	14.4		
C1		PRC for Signalled Lanes (%):		16.0		PRC Over All Lanes (%):		16.0		Total Delay for Signalled Lanes (pcuHr):		15.04		Total Delay Over All Lanes (pcuHr):		15.04		Cycle Time (s): 90	

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Network Layout Diagram



**Network Results**

Item	Lane Description	Lane Type	Full Phase	Arrow Phase	Num Greens	Total Green (s)	Arrow Green (s)	Demand Flow (pcu)	Sat Flow (pcu/Hr)	Capacity (pcu)	Deg Sat (%)	Turners In Gaps (pcu)	Turners When Unopposed (pcu)	Turners In Intergreen (pcu)	Total Delay (pcuHr)	Av. Delay Per PCU (s/pcu)	Mean Max Queue (pcu)
<b>Network: Penwortham Triangle</b>	-	-	-		-	-	-	-	-	-	74.4%	0	0	0	14.5	-	-
<b>G3020 - Penwortham Triangle</b>	-	-	-		-	-	-	-	-	-	74.4%	0	0	0	14.5	-	-
1/1	Ahead	U	A		1	45	-	236	1915	979	24.1%	-	-	-	1.0	14.7	3.4
1/2	Right	U	B		1	7	-	81	1793	159	50.8%	-	-	-	1.4	61.8	2.4
2/1	Left	U	D		1	66	-	553	1752	1304	42.4%	-	-	-	1.0	6.7	5.4
2/2	Left	U	D		1	66	-	553	1752	1304	42.4%	-	-	-	1.0	6.7	5.4
2/3	Ahead	U	C		1	33	-	542	1965	742	73.0%	-	-	-	5.0	32.9	12.9
3/2+3/1	Right Left	U	E		1	28	-	516	1750:2011	239+454	74.4 : 74.4%	-	-	-	5.1	35.8	11.0
C1					PRC for Signalled Lanes (%):			20.9	Total Delay for Signalled Lanes (pcuHr):			14.49	Cycle Time (s):		90		
					PRC Over All Lanes (%):			20.9	Total Delay Over All Lanes(pcuHr):			14.49					



Basic Results Summary

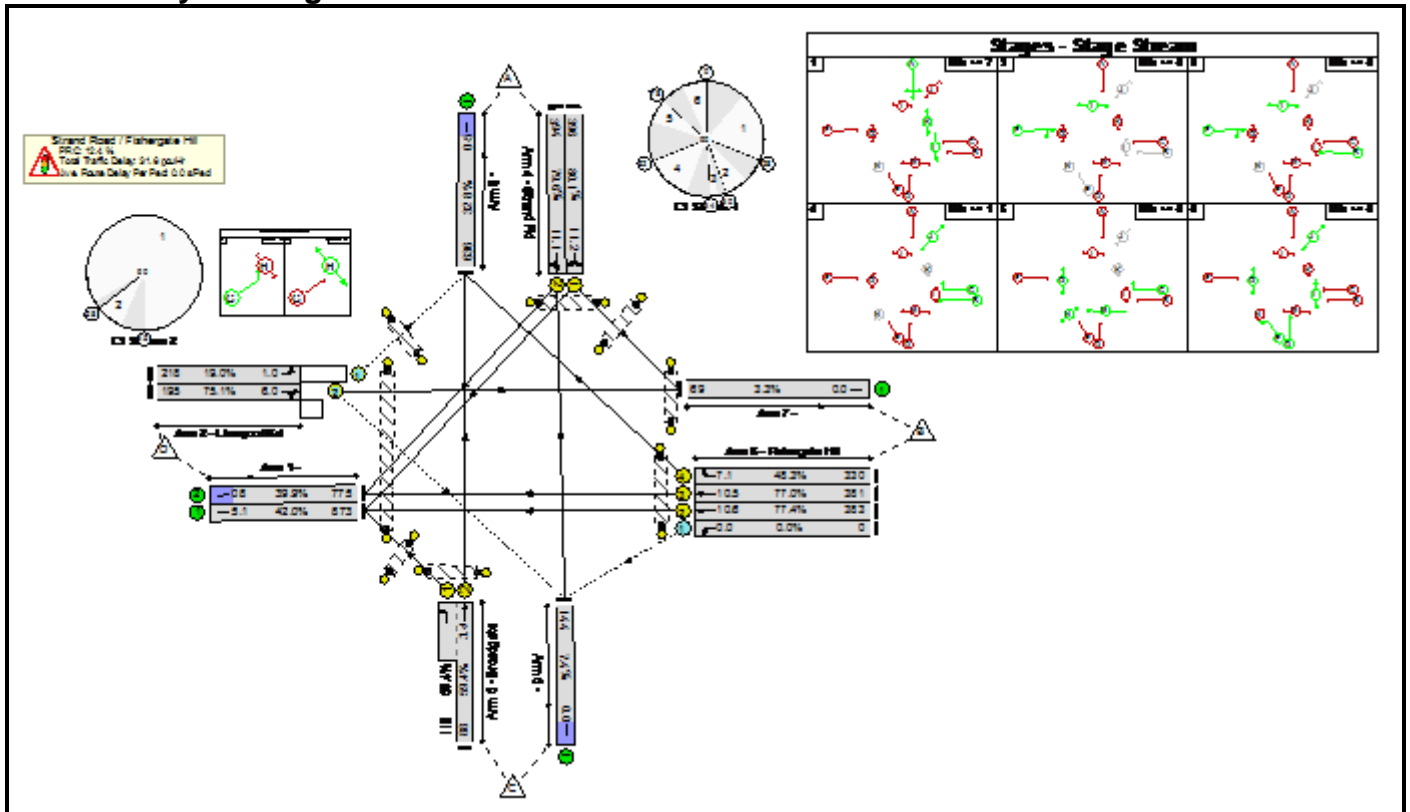
**Network Results**

Item	Lane Description	Lane Type	Full Phase	Arrow Phase	Num Greens	Total Green (s)	Arrow Green (s)	Demand Flow (pcu)	Sat Flow (pcu/Hr)	Capacity (pcu)	Deg Sat (%)	Turners In Gaps (pcu)	Turners When Unopposed (pcu)	Turners In Intergreen (pcu)	Total Delay (pcuHr)	Av. Delay Per PCU (s/pcu)	Mean Max Queue (pcu)
<b>Network</b>	-	-	-		-	-	-	-	-	-	<b>61.6%</b>	<b>273</b>	<b>675</b>	<b>34</b>	<b>13.3</b>	-	-
<b>Strand Road / Fishergate Hill</b>	-	-	-		-	-	-	-	-	-	<b>61.6%</b>	<b>273</b>	<b>675</b>	<b>34</b>	<b>13.3</b>	-	-
1/1		U	-		-	-	-	236	2080	2080	11.3%	-	-	-	0.1	1.0	0.1
1/2		U	-		-	-	-	254	1940	1940	13.1%	-	-	-	0.1	1.1	0.1
2/1	Liverpool Rd Left	O	G		1	75	-	775	1940	1257	61.6%	234	507	34	1.5	7.0	5.8
2/2	Liverpool Rd Right Ahead	O	F		1	28	-	267	2120	434	61.5%	39	168	0	2.6	35.2	5.9
3/1		U	-		-	-	-	1078	1940	1940	55.6%	-	-	-	0.7	2.3	5.1
4/1	Strand Rd Right Left	U	A		1	9	-	57	2120	236	24.2%	-	-	-	0.7	46.6	1.5
4/2	Strand Rd Right Ahead	U	A		1	9	-	55	2120	236	23.3%	-	-	-	0.7	46.5	1.4
5/2+5/1	Broadgate Left Ahead	U	D E		1	9	-	0	2120:2120	224+224	0.0 : 0.0%	-	-	-	0.0	0.0	0.0
6/1		U	-		-	-	-	207	1940	1940	10.7%	-	-	-	0.1	1.0	0.1
7/1		U	-		-	-	-	84	2120	2120	4.0%	-	-	-	0.0	0.9	0.0
8/1	Fishergate Hill Left	O	-		-	-	-	0	1940	1610	0.0%	0	0	0	0.0	0.0	0.0
8/2	Fishergate Hill Ahead	U	B		1	24	-	203	2120	589	34.5%	-	-	-	1.7	30.6	4.3
8/3	Fishergate Hill Ahead	U	B		1	24	-	199	2120	589	33.8%	-	-	-	1.7	30.5	4.2
8/4	Fishergate Hill Right	U	C		1	20	-	303	2120	495	61.3%	-	-	-	3.4	40.2	7.5
Ped Link: P1	Unnamed Ped Link	-	M		1	7	-	0	-	0	0.0%	-	-	-	-	-	-
Ped Link: P2	Unnamed Ped Link	-	K		1	7	-	0	-	0	0.0%	-	-	-	-	-	-

Basic Results Summary

Ped Link: P3	Unnamed Ped Link	-	O		1	20	-	0	-	0	0.0%	-	-	-	-	-	-
Ped Link: P4	Unnamed Ped Link	-	N		1	16	-	0	-	0	0.0%	-	-	-	-	-	-
Ped Link: P5	Unnamed Ped Link	-	L		1	25	-	0	-	0	0.0%	-	-	-	-	-	-
Ped Link: P6	Unnamed Ped Link	-	J		2	24	-	0	-	0	0.0%	-	-	-	-	-	-
Ped Link: P7	Unnamed Ped Link	-	I		1	27	-	0	-	0	0.0%	-	-	-	-	-	-
Ped Link: P8	Unnamed Ped Link	-	H		1	7	-	0	-	0	0.0%	-	-	-	-	-	-
		C1	Stream: 1 PRC for Signalled Lanes (%):		46.2		Total Delay for Signalled Lanes (pcuHr):		10.85		Cycle Time (s):		90				
		C1	Stream: 2 PRC for Signalled Lanes (%):		46.0		Total Delay for Signalled Lanes (pcuHr):		1.51		Cycle Time (s):		90				
			PRC Over All Lanes (%):		46.0		Total Delay Over All Lanes(pcuHr):		13.28								

Network Layout Diagram





**Network Results**

Item	Lane Description	Lane Type	Full Phase	Arrow Phase	Num Greens	Total Green (s)	Arrow Green (s)	Demand Flow (pcu)	Sat Flow (pcu/Hr)	Capacity (pcu)	Deg Sat (%)	Turners In Gaps (pcu)	Turners When Unopposed (pcu)	Turners In Intergreen (pcu)	Total Delay (pcuHr)	Av. Delay Per PCU (s/pcu)	Mean Max Queue (pcu)
<b>Network</b>	-	-	-		-	-	-	-	-	-	<b>80.1%</b>	<b>131</b>	<b>221</b>	<b>10</b>	<b>31.6</b>	-	-
<b>Strand Road / Fishergate Hill</b>	-	-	-		-	-	-	-	-	-	<b>80.1%</b>	<b>131</b>	<b>221</b>	<b>10</b>	<b>31.6</b>	-	-
1/1		U	-		-	-	-	873	2080	2080	42.0%	-	-	-	0.4	1.5	5.1
1/2		U	-		-	-	-	775	1940	1940	39.9%	-	-	-	0.4	1.8	0.8
2/1	Liverpool Rd Left	O	G		1	75	-	218	1940	1144	19.0%	99	109	10	0.2	3.5	1.0
2/2	Liverpool Rd Right Ahead	O	F		1	11	-	195	2120	260	75.1%	32	112	0	3.6	67.3	6.0
3/1		U	-		-	-	-	636	1940	1940	32.8%	-	-	-	0.3	1.4	0.5
4/1	Strand Rd Right Left	U	A		1	20	-	396	2120	495	80.1%	-	-	-	5.5	50.1	11.2
4/2	Strand Rd Right Ahead	U	A		1	20	-	394	2120	495	79.6%	-	-	-	5.4	49.7	11.1
5/2+5/1	Broadgate Left Ahead	U	D E		1	7	-	200	2120:2120	148+188	59.4 : 59.4%	-	-	-	2.9	52.3	3.4
6/1		U	-		-	-	-	144	1940	1940	7.4%	-	-	-	0.0	1.0	0.0
7/1		U	-		-	-	-	69	2120	2120	3.3%	-	-	-	0.0	0.9	0.0
8/1	Fishergate Hill Left	O	-		-	-	-	0	1940	1341	0.0%	0	0	0	0.0	0.0	0.0
8/2	Fishergate Hill Ahead	U	B		1	20	-	383	2120	495	77.4%	-	-	-	5.1	47.9	10.6
8/3	Fishergate Hill Ahead	U	B		1	20	-	381	2120	495	77.0%	-	-	-	5.0	47.6	10.5
8/4	Fishergate Hill Right	U	C		1	28	-	330	2120	683	48.3%	-	-	-	2.7	29.6	7.1

Basic Results Summary

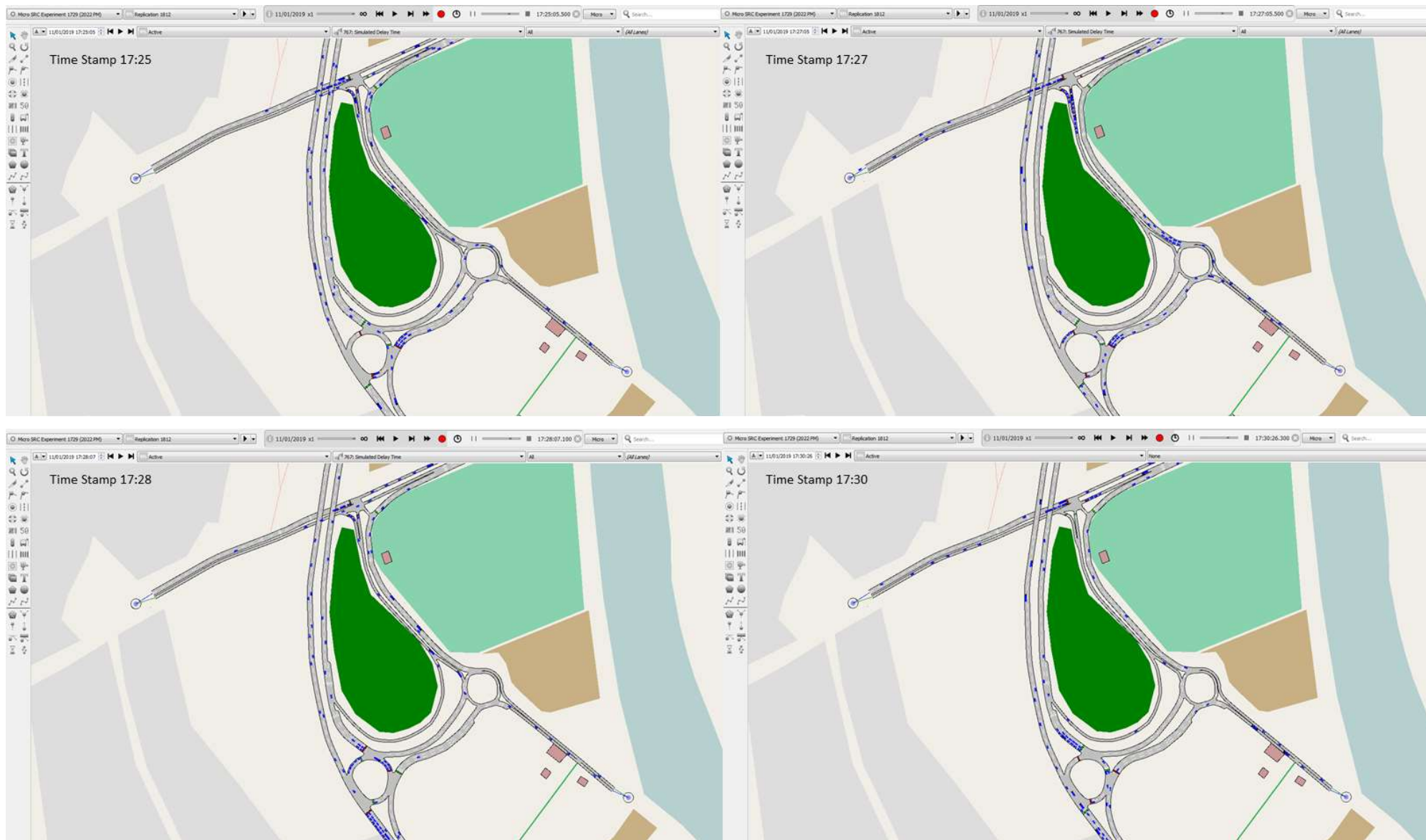
Ped Link: P1	Unnamed Ped Link	-	M		1	7	-	0	-	0	0.0%	-	-	-	-	-	-
Ped Link: P2	Unnamed Ped Link	-	K		1	18	-	0	-	0	0.0%	-	-	-	-	-	-
Ped Link: P3	Unnamed Ped Link	-	O		1	18	-	0	-	0	0.0%	-	-	-	-	-	-
Ped Link: P4	Unnamed Ped Link	-	N		1	16	-	0	-	0	0.0%	-	-	-	-	-	-
Ped Link: P5	Unnamed Ped Link	-	L		1	34	-	0	-	0	0.0%	-	-	-	-	-	-
Ped Link: P6	Unnamed Ped Link	-	J		2	30	-	0	-	0	0.0%	-	-	-	-	-	-
Ped Link: P7	Unnamed Ped Link	-	I		1	10	-	0	-	0	0.0%	-	-	-	-	-	-
Ped Link: P8	Unnamed Ped Link	-	H		1	7	-	0	-	0	0.0%	-	-	-	-	-	-
				C1	Stream: 1 PRC for Signalled Lanes (%)		12.4		Total Delay for Signalled Lanes (pcuHr):			30.36		Cycle Time (s): 90			
				C1	Stream: 2 PRC for Signalled Lanes (%)		372.5		Total Delay for Signalled Lanes (pcuHr):			0.21		Cycle Time (s): 90			
					PRC Over All Lanes (%)		12.4		Total Delay Over All Lanes(pcuHr):			31.65					

### ANNEX I – Microsimulation Modelling Snapshots

2022 AM Network 08:35 to 08:40



2022 PM Network 17:25 to 17:30



**Report to the Cabinet**

Meeting to be held on Thursday, 7 November 2019

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

Electoral Division affected:  
All in South Ribble;

**A582/B5253 South Ribble Western Distributor and Realignment of Footpath Network - Approval for Use of Powers and Preparation of Various Orders and Schemes including Compulsory Purchase Order**  
(Appendix 'A' refers)

Contact for further information:

Marcus Hudson, Tel: (01772) 530696, Planning Manager,  
marcus.hudson@lancashire.gov.uk

**Executive Summary**

Design work and the progression of the planning application is ongoing for the dualling of the A582 and B5253 South Ribble Western Distributor. To maintain programme milestones and to ensure the scheme can be delivered, it is essential that the county council has possession of all the necessary land. Negotiations are ongoing with the landowners however, agreement may not be achievable in time or at all. Consequently, it may be necessary to use Compulsory Purchase powers available to the county council, in particular under the Highways Act 1980, to acquire the land.

Additionally a Side Roads Order under the Highways Act 1980 will also be required to enable alterations to be made to the existing highways and private means of access.

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

**Recommendation**

Cabinet is asked to:

- (i) Approve the use of the county council's powers of Compulsory Purchase contained in the Highways Act 1980, and all other enabling legislation, to acquire all the necessary land and rights for the construction/improvement and future maintenance and drainage of the dualled A582 and B5253 South Ribble Western Distributor and the realigned vehicular and public rights of way network together with landscaping and ecological mitigation;

- (ii) Authorise both the preparation of Compulsory Purchase and Side Road Orders for the scheme and other appropriate Notices, Orders and Schemes under the Highways Act 1980 and the taking of all other procedural steps in connection with the making of the Orders, prior to approval and sealing and making of the formal Orders and Schemes; and
- (iii) Approve the acquisition by agreement in advance of Compulsory Purchase powers of all rights, interests, enabling arrangements to facilitate the scheme.
- (iv) Authorise the taking of procedural steps to facilitate the delivery of the scheme at the location of the two rail bridges referred to in the report.

### **Background and Advice**

The Central Lancashire Highways and Transport Masterplan was published in March 2013 and provides the basis for determining future transport investment priorities across Preston, South Ribble and Chorley. Many of the transport priorities identify large-scale improvements and additions to the existing highway network. The widened A582 and B5253 South Ribble Western Distributor road is one of the most substantial road schemes proposed in Central Lancashire; a 6.4 kilometre long dual carriageway linking the A59 at Penwortham to the A6 M55 at Cuerden and B5253 Schleswig Way at Moss Side. It will provide direct access to all four of the major sites for development shown in the South Ribble Local Plan (adopted 2015).

The South Ribble Western Distributor will also enable provision of, and provide a direct connection between the motorway network and Preston city centre, and much improved access to Lancashire Business Park and Leyland Trucks at Farington and Walton Summit. Importantly, this new road capacity will provide relief to peak hour congestion for journeys currently using city centre routes and travelling through built up primarily residential areas, and allow bus priority measures, public realm enhancements and improvements to prioritise and promote walking and cycling along existing road corridors.

The scheme will enable the rights of way network at that location to be improved and give better amenity and access for local residents and other members of the public.

### **Route for South Ribble Western Distributor**

Since its approval and adoption by the Cabinet Member for Highways and Transport in September 2015, a widening scheme for the South Ribble Western Distributor has been developed within the same proposed route informed by the physical, environmental, engineering and land property constraints. The route is shown for illustrative purposes only at Appendix 'A'.

The road widening scheme will see the remaining lengths of single carriageway widened to provide dual carriageway (two lanes in each direction) along the full length of the A582 between the M65/M61/M6 motorway network at Cuerden and Preston city centre.

Specifically, the scheme will comprise the widening of the A582 east-west for 2.2km along Farington Road and Flensburg Way, between the roundabout connecting Stanifield Lane and the dualled Lostock Lane, and the 'Tank' roundabout (by Farington Household Waste Recycling Centre). This section will also include new traffic-signal controlled junctions at Sherdley Road and with Croston Road and Lancashire Business Park, and a new bridge over the West Coast Main Line railway.

The scheme will widen the A582 north-south for 2.9km along Penwortham Way and Golden Way, between the Tank roundabout and Broad Oak roundabout (by the Brown Hare) where it will join with the dual carriageways of Golden Way and the soon to be completed section of the Penwortham Bypass. This section will also include a new bridge to carry the Preston-Ormskirk railway over the widened A582.

The scheme will also widen the B5253 Flensburg Way north-south for 1.3km between the Tank roundabout and the roundabout connecting Longmeanygate, Comet Road and Schleswig Way which will be upgraded to a signal controlled junction.

Importantly, the scheme designed does not necessitate demolition of any residential or other buildings.

The road will be widened to a dual carriageway with separate three metre wide shared use cycle track for use on cycle and foot for the entire length with links into existing cycle routes.

Once widened the boundary areas will be landscaped and new foliage will be planted to sufficiently screen the road from nearby homes.

As referred to above the present highway at one point goes under a Network Rail bridge carrying the Preston-Ormskirk railway and at another location goes over the West Coast Main Line railway on a bridge owned by the county council. Both bridges will need to be rebuilt to accommodate the widened highway. Discussions are already advanced with Network Rail and these two locations will require careful consideration as the Orders are prepared and other procedural steps taken if authorised.

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

Transport for the North identifies the widening of the A582 in its newly published investment plan which outlines a pipeline of transport interventions to better connect the North. As part of its programme of specific interventions before 2027, it identifies the upgrading of the A582 between Stanifield Lane and Broad Oak roundabout to dual carriageway standard. Transport for the North's Regional Evidence Base, submitted to the Department for Transport in July 2019 includes this scheme as part of a bid for a £700 million investment in the region's roads over the next five years as part of the National Roads Fund, in order to unlock economic growth, deliver new homes, increase active travel and improve public transport.

Turning to locally-set priorities, the Central Lancashire Core Strategy was prepared jointly by Preston City Council, Chorley Council and South Ribble Borough Council

and adopted in July 2012. The Strategy's objective concerning travel sets out to reduce the need to travel by promoting more sustainable modes of transport and to improve the road network to the north and south of Preston. The Strategy acknowledges that future traffic growth will bring increased pressure to improve the A582 and provide a better link between the A59 and the M56 and M6 motorways. Accordingly, Policy 3 sets out to improve the road network by improving the A582 to provide a better link between the A59 and the M65 and M6 motorways.

The Central Lancashire Highways and Transport Masterplan was published in March 2013 and provides a means for determining future transport investment priorities across Preston, South Ribble and Chorley. The Masterplan introduces the "*Better Roads Initiative*" to contribute towards the Integrated Transport Vision. This initiative sets out the need for the "*creation of new highway capacity to support new development and allow [Lancashire County Council] to solve specific problems.*" The South Ribble Western Distributor supports this by addressing identified problems with East/West movements in South Ribble and supporting the new developments in the South Ribble Local Plan and Central Lancashire Core Strategy. The Better Roads initiative focuses on four major road schemes including the South Ribble Western Distributor, stating "*The schemes will enable planned new development to go ahead, achieve marked improvements for local communities and their environment and allow significant complementary improvements to sustainable transport provision.*"

The Preston, South Ribble and Lancashire City Deal was agreed in September 2013 and provides a financial structure to deliver these roads, subject to planning, land assembly and other statutory procedures, and in advance of the bulk of development so to minimise as far as possible the impacts on the existing transport network and on local communities and road users. The current programme for South Ribble Western Distributor was agreed in 2019.

The South Ribble Local Plan was adopted in July 2015. The Local Plan expands on the policy set out in the Central Lancashire Core Strategy and presents planning policies associated with key development sites. On the provision of infrastructure, the Local Plan states '*Part of the site allocations process has been to review the infrastructure elements of the South Ribble Local Plan 2000. The majority of infrastructure schemes that were included within the South Ribble Local Plan have been delivered. However, there is still a need to increase accessibility, ease congestion and support economic growth by carrying forward particular infrastructure schemes...*'. With its planned delivery established in Core Strategy and Central Lancashire Highways and Transport Masterplan, the South Ribble Western Distributor will align with this policy by easing congestion in South Ribble and supporting planned housing and economic growth. In this respect, the Local Plan states '*There are currently a number of issues in the area related to traffic congestion, accessibility, public realm and local facilities...The upgrading of the A582 South Ribble Western Distributor to improve capacity on the existing A582 between Cuerden and Penwortham Triangle will support this [Pickering's Farm] development.*' The Local Plan Policies Map illustrates land reserved for the A582 dualling.



Site development master plans have been developed for major development allocations accessed by the South Ribble Western Distributor. The draft master plan published for the Pickering's Farm development site notes that the section of the South Ribble Western Distributor adjoining the site "*Penwortham Way is proposed to be improved from its current single lane in each direction to a formal two lane dual-carriageway.*" The master plan agreed for the Cuerden Strategic Site notes "*the improvements in the South Ribble area which will assist in minimising the impact of the Cuerden Masterplan on the highway Network. It is targeted to complete the dualling of the A582 from the current limit of dual carriageway at the Stanifield Lane Roundabout through Farington, Whitestake and Penwortham into Preston City Centre. This will provide a high capacity corridor from Preston and the existing developed areas and for the further planned residential developments along the route to join the motorway network at the Cuerden Site.*"

## **Consultations**

An initial six week public consultation was undertaken on the preferred route option for the scheme during February and March 2015. The scheme was subsequently approved and adopted by the county council in September 2015. Surveys and site visits have been undertaken since then to inform the design of the scheme and to highlight its implications on the area.

More recently, local communities, the wider public and stakeholders have been invited to comment on the emerging scheme in advance of the submission of a planning application, anticipated for February 2020. Public consultation was held over a 6 week period between June and August 2019. The affected communities, landowners and parish councils were invited to visit exhibitions, alongside web-based and media information that was presented as the technical justification for the planning application.

The consultation gave the public and stakeholders the chance to scrutinise and comment on the scheme prior to the planning application being submitted which have been factored into revisions to the scheme design.

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

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

A Side Roads Order, under the Highways Act 1980, would also be required. It is proposed to progress this and prepare the Order at the same time as the preparation of the Compulsory Purchase Order. A Side Roads Order gives the county council, as Highways Authority, the power to stop-up, divert, improve or otherwise alter a side road, public right of way or private means of access. Without this Order, the county council could not carry out the necessary alterations to the existing highway network

and accesses as part of the scheme and would have to seek to address them individually.

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

The actions set out in this report will enable draft Orders and other documents to be drafted in accordance with relevant regulations and procedures and to be produced next year in order to maintain the delivery programme for this scheme.

### **Financial**

The South Ribble Western Distributor and associated changes to the rights of way network, including costs associated with the preparation of the Orders and Schemes, will be funded by the Preston, South Ribble and Lancashire City Deal approved budget for preparatory works on the scheme. The delivery of the full scheme forms part of the overall City Deal delivery programme and is subject to annual reviews of funding availability. The funding package includes potential contributions from the Department for Transport's National Roads Fund.

### **Human Rights**

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

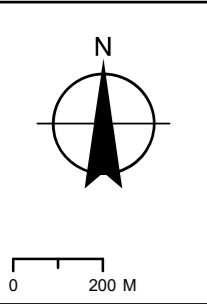
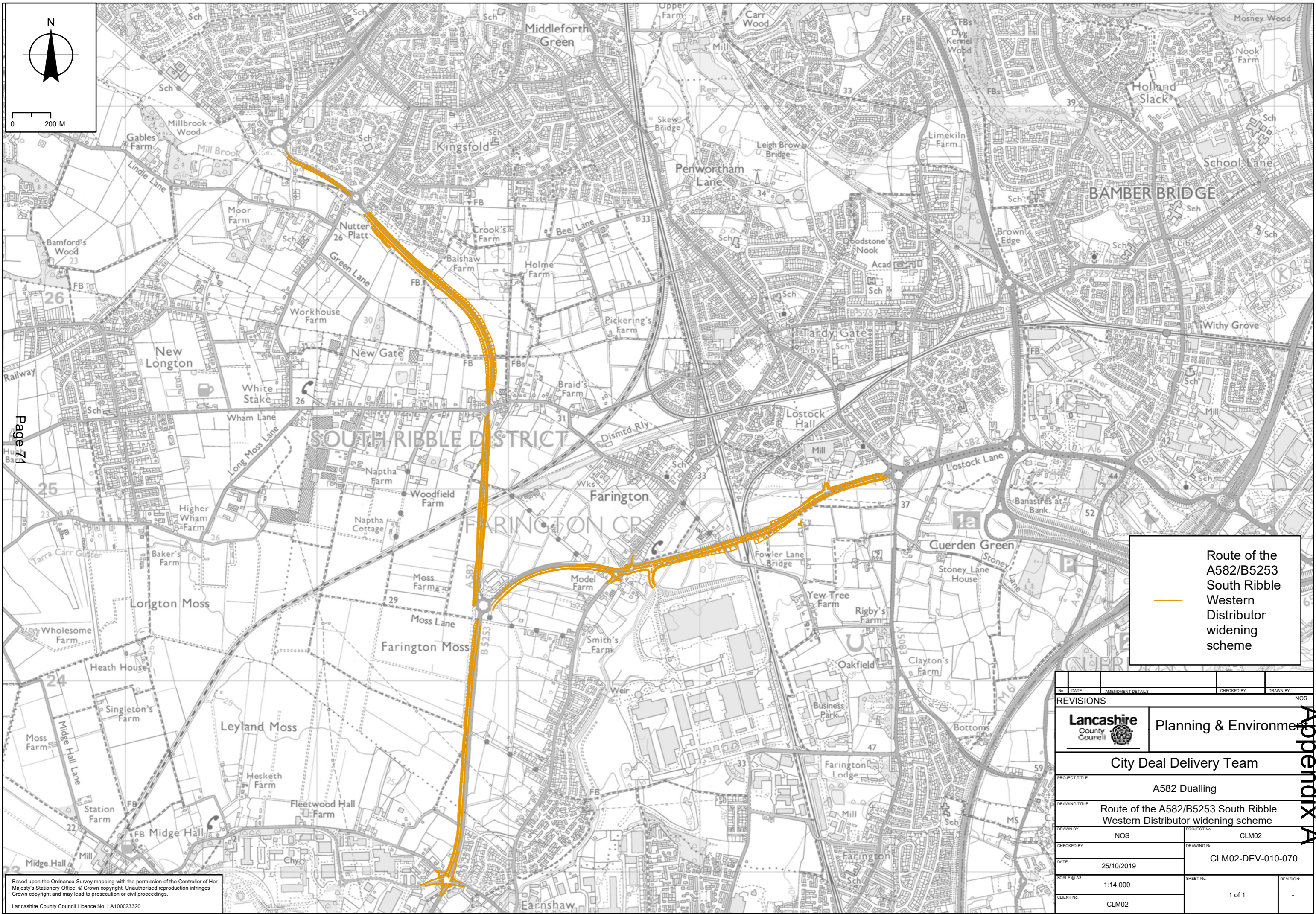
### **List of Background Papers**

Paper	Date	Contact/Tel
Adoption of the Route for the A582 Road Widening Improvement Works	14 September 2015 17 September 2015	Marcus Hudson/ (01772) 530696

Reason for inclusion in Part II, if appropriate

N/A





Route of the  
A582/B5253  
South Ribble  
Western  
Distributor  
widening  
scheme

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No.	DATE	AMENDMENT DETAILS	CHECKED BY	DRAWN BY
REVISIONS				
		<b>Planning &amp; Environment</b>		
<b>City Deal Delivery Team</b>				
PROJECT TITLE				
A582 Dualing				
DRAWING TITLE				
Route of the A582/B5253 South Ribble Western Distributor widening scheme				
DRAWN BY			PROJECT No.	
NOS			CLM02	
CHECKED BY			DRAWING No.	
NOS			CLM02-DEV-010-070	
DATE				
25/10/2019				
SCALE @ A3			SHEET No.	
1:14,000			1 of 1	
CLIENT No.				
CLM02				

Appendix A





**Report to the Cabinet**

Meeting to be held on Thursday, 7 November 2019

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

Electoral Divisions affected:  
All in Preston, South Ribble  
and Fylde

**Preston City Transport Plan and the Preston City Region Submission to the Transforming Cities Fund**

Contact for further information:

Marcus Hudson, Tel: (01772) 530696, Planning Manager,  
marcus.hudson@lancashire.gov.uk

**Executive Summary**

Consultants were commissioned in 2018 to prepare a Preston City Transport Plan setting out a 20 year vision for movement and connectivity focussing on travel to, from, and within the city centre. The consultant has now issued the Plan which presents a long-term strategy for reducing congestion, providing for better public transport, and transforming the city and the wider sub-region's streets and spaces. In support of this, the Plan sets out a programme of proposals to transition the city from a car-dominated network to a multi-modal network.

At its meeting on 14 October 2019, the Preston, South Ribble and Lancashire City Deal Executive received the Plan and agreed to its publication as evidence to inform current and future transport-related planning and investment programming.

Its publication is timely, with preparatory work underway for the Local Transport Plan, a review underway of Central Lancashire's Highways and Transport Master Plan, the Local Industrial Strategy, and the Central Lancashire Local Plan Review.

Its production also coincides with the bid preparation for Preston City Region under the government's Transforming Cities Fund. Preston is one of just 12 shortlisted Transforming Cities Fund city regions nationwide with the prospect of receiving a share of £1.2 billion, to be spent by March 2023, aimed at driving up productivity through improved public and sustainable transport connectivity. The Preston, South Ribble and Lancashire City Deal has provided a strong foundation for the sub-region's proposition to the Transforming Cities Fund, and the delivery of the four major road schemes under the City Deal provides the backdrop, and the means, to deliver meaningful and transformational public and sustainable transport measures across the city and wider sub region.

Work carried out separately for the City Deal including rail and bus scheme development and master planning; the aforementioned City Transport Plan; and a cycling and walking delivery plan; is assisting in preparing the Transforming Cities Fund bid, which is to be submitted to the Department for Transport in November this year.

### **Recommendation**

Cabinet is asked to

- (i) Note the advice received by consultants and presented in the Preston City Transport Plan document, and agree to its use as evidence to inform current and ongoing transport-related planning and investment programming.
- (ii) Approve the submission of a strategic outline business case in support of a funding bid to the Department for Transport's Transforming Cities Fund and authorise the Director of Growth, Environment and Planning and s151 Officer, or nominated representative, in consultation with the Deputy Leader of the County Council and Cabinet Member for Highways and Transport, to finalise the details of the proposition.

### **Background and Advice**

Consultants were commissioned in 2018 through the Preston, South Ribble and Lancashire City Deal to prepare a 20-year vision for movement and connectivity in the city, focussing on travel to, from, and within the city centre. This recognised a gap in the evidence base to determining the transport offer within Preston, and how complementary master planning exercises carried out for the City Deal – to inform local centre and public transport corridor interventions and cycling and walking provision all serving the city and sub-region – would be implemented and operate, in a physical and network context, in the city.

The preparation of technical advice for the Preston City Transport Plan has undergone a comprehensive process of evidence gathering, workshops, local and political engagement, and analysis to identify issues and opportunities, ideas for transport options and interventions, sift and appraise potential schemes, and draw up a final set of proposals.

During its preparation, the City Deal Executive has received a series of reports, presentations and workshop engagement. Similarly, Members of the Central Lancashire Joint Advisory Committee for Strategic Planning have had the opportunity to input to these proposals. Most recently, the consultant has engaged with key business and transport stakeholders in the area who have inputted during the course of its preparation.

The consultant has now issued the City Transport Plan document which has been published and can be viewed at <https://www.lancashire.gov.uk/council/organisation-and-partnerships/partnerships/city-deal/preston-city-transport-plan/> (and can also be

viewed in the Members' Retirement Room). It presents a long-term strategy for reducing congestion, providing for better public transport, and transforming the city and the wider sub-region's streets and spaces. Its findings point to a city that is currently dominated by the private car – around 70% of trips to work are made by car – and a lack of real travel alternatives. It recognises Preston's importance at a sub-regional and pan-Lancashire level, and the city's inter-relationships across the Northern Powerhouse and nationally, and concludes that, Preston cannot simply carry on trying to accommodate today's level of car use, particularly commuting.

With a 20-year vision, it exceeds the lifespan of current policies and programmes, including both the current City Deal and existing local plans. Whilst the Transport Plan sets out deliverable short to medium term schemes, it also looks further into the future, setting out a programme of proposals to transition the city from a car-dominated network to a multi-modal network, reducing congestion and bolstering productivity, with added inclusivity, and helping Preston to become an 'accessible' city and a healthy environment to live, work and play.

Importantly, the Plan recognises that none of its policies or proposals have been adopted and will need to go through the formal due processes before achieving that status. In this respect, its production is timely, with the county council's Local Transport Plan and Highways and Transport Master Plan being reviewed, and so too the Local industrial Strategy and Central Lancashire Local Plan.

The Transport Plan's production also coincides with the bid preparation for Preston City Region under the government's Transforming Cities Fund. Prompted by the county council's expression of interest submitted to government in 2018, Preston has been chosen as one of just 12 shortlisted city regions nationwide with the prospect of receiving a share of £1.2 billion. A funding award will need to be spent by March 2023, and bids will be assessed according to the aim to drive up productivity through improved public and sustainable transport connectivity in some of England's largest cities. The focus for this is on improved connections on key intra-urban corridors between urban centres and suburbs.

The county council's Highways and Transport Master Plan for Central Lancashire, and its delivery through the City Deal, provided a strong foundation for the initial proposition to government submitted last year. This recognised the economic strengths of the area and its strong economic performance over recent years, but also that this could come to be hampered by a struggling transport network. The importance of delivering the four critical road schemes under the City Deal provides the backdrop, and the means, to delivering a substantial and interlinked package of public and sustainable transport measures – new rail capacity, bus, cycling and walking infrastructure, junction and road space reconfiguration, supported by new technology - to boosting productivity and unlocking new jobs and new housing.

Complementary and cross-cutting priorities for the Transforming Cities Fund also include promoting low carbon journeys, tackling air pollution, and encouraging the use of new mobility systems and technology as part of the government's Grand Challenge on the Future of Mobility.

Work carried out separately for the City Deal, including rail and bus scheme development and master planning, and the Transport Plan, is assisting in preparing the bid, and so too is the Cycling and Walking Delivery Plan produced for the City Deal. Cycling and walking proposals to the Transforming Cities Fund derived and prioritised using the governments 'Local Cycling and Walking Infrastructure Plan process (which the City Deal's delivery plan now represents) will be viewed more favourably in the bid determination process.

The bid proposition and strategic outline business case to support its submission are being co-developed with the assistance of the Department for Transport. The development process has benefitted from a 'mock' business case submission in June of this year, which contained a draft programme, presented as a series of low, medium and high funding scenarios of between £111m and £190m. The Department's feedback at that time, and since then, has been particularly positive towards the proposals, and, indeed, has challenged for more innovation and transformation in the choice and design of schemes.

Based on the Department's guidance, a package of proposals is under development that will, once agreed, inform a Strategic Outline Business Case to be submitted to the Department for Transport in November this year. At this point in time, the package considers a range of interlinked improvements along a series of key corridors serving the city and connecting existing and new residential areas and centres of employment.

The corridors currently being considered are consistent with the public transport priority corridors identified in the county council's own Central Lancashire Highways and Transport Masterplan and since taken up in the Preston City Transport Plan issued by the consultant and described above. These represent the key radial routes linking suburban and local service and employment centres to the city centre, including Bamber Bridge, Lostock Hall, Ribbleton, Fulwood, Ashton, and the major employment and new housing areas at Cuerden, Samlesbury, Warton, south Blackpool and North West Preston. Key city centre destinations that feature in these considerations include the rail station, bus station, Ringway, Cardinal Newman College and University of Central Lancashire.

Consideration is currently being given to bus priority measures, such as new bus lanes, bus gates, traffic signal-controlled junctions and other technology improvements; cycling and walking priority measures, including separated cycle ways and enhanced footways; and rail improvements, including new station development and capacity improvements to existing rail facilities.

Given the rapidly evolving package of measures and the deadline to submission of the proposition and supporting business case, Cabinet is asked to give authority to finalise the details of the proposition and submit the strategic outline business case in support of this funding bid, to the Director of Growth, Environment and Planning and s151 Officer, or nominated representative, in consultation with the Deputy Leader of the County Council and Cabinet Member for Highways and Transport.



## **Consultations**

Measures are being developed working with relevant district local authorities and engagement with local transport providers and other key stakeholders.

## **Implications:**

This item has the following implications, as indicated:

## **Risk management**

In the event that the county council does not submit a bid to the Transforming Cities Fund it would forego the opportunity to realise substantial Department for Transport funding towards sustainable and active travel provision serving the Preston city region. This would impede efforts to reduce the reliance on the private car for journeys into the city centre and to remove through-traffic and result in continuing and increasing levels of congestion, worsening journey times and reliability, to the detriment of productivity and growth, air quality and carbon reduction goals.

## **Financial**

The bid application will be expected to confirm the amount of local or third party contribution towards the cost of this proposition. As a general guideline recent Department for Transport guidelines suggest schemes should aim for a contribution to be at least 15% of the total scheme costs. Guidance published for this fund explains that the greater the overall local contribution towards the costs and the more the contribution is from the private sector and other external organisations, the more positively the business case will be considered in the assessment process.

For this bid, the local contribution will be met from a combination of sources, including the county council's transport capital programme, secured developer contributions under s106 agreements, and funding under the Preston, South Ribble and Lancashire City Deal budget, in all cases this comprises funding already in place towards schemes within this proposition. No additional borrowing by the county council is anticipated under this bid and this would not be authorised under the delegations asked for under the recommendation set out in this report. The county council is also actively engaging with local transport providers in the area to explore opportunities for third-party contributions, including the prospect for investment in service improvements, to support this bid.

## **List of Background Papers**

Paper	Date	Contact/Tel
None		

Reason for inclusion in Part II, if appropriate

N/A

**Report to the Cabinet**

Meeting to be held on Thursday, 7 November 2019

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

Electoral Division affected:  
None;

**Use of Resources for County Councillors - Revised Protocol**

(Appendix 'A' refers)

Contact for further information:

Josh Mynott, Tel: (01772) 534580, Democratic and Member Services Manager,  
josh.mynott@lancashire.gov.uk

**Executive Summary**

In order to provide and clarify guidance and support for Councillors in understanding what is and is not acceptable in the use of County Council resources, a revised Use of Resources Protocol is presented for approval, including Disability Statement and Parental Support Policy for County Councillors.

**Recommendation**

Cabinet is asked to approve the revised County Councillor Use of Resources Protocol as set out at Appendix 'A'.

**Background and Advice**

A protocol for the Provision of Authority Resources to County Councillors was first approved by the Deputy Leader on 12 August 2009. Since then there have been a number of changes to working practices and ICT, and the protocol has been regularly reviewed and updated to reflect these changes.

The revised protocol is attached as Appendix 'A', the key changes refer to:

- Support for County Councillors with disabilities; and
- Parental Support for County Councillors

These new support arrangements were developed by Overview and Scrutiny, through the "Does Local Government Work for Women?" Task and Finish Group.

## **Consultations**

N/A

## **Implications:**

This item has the following implications, as indicated:

### **Risk management**

No significant risks have been identified in relation to the proposals contained within this report.

### **Financial**

There are no additional calls on resources as a result of the changes proposed in this report. Any requests for support from councillors with disabilities or requests for maternity and parental support would be met from the existing County Councillor budget.

## **List of Background Papers**

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A

# Appendix A

## Protocol for Provision of Council Resources to County Councillors

Lancashire County Council's Members' and Co-opted Members' Code of Conduct says:

"You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly (including for political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986."

This protocol sets out in detail what resources are provided to County Councillors, and what may constitute inappropriate use.

Councillors must also abide by the Internet and E-Mail Acceptable Use Policy at Appendix A and the Council's policies on Information Governance in relation to the use of data and information.

### 1. Resources

1.1 The term "resources" includes:-

- a. ICT equipment, including software and systems, provided by the council
- b. Rooms and accommodation, including office furniture, provided by the council
- c. Stationery equipment and office consumables provided by the council
- d. Printing and photocopying using the council's equipment.
- e. Support given by officers of the council
- f. Allowances and expenses paid by the council to councillors in their official capacity
- g. Travel, hospitality and hotel accommodation provided by the council
- h. Data and information in any form (electronic, paper etc) provided by the council

1.2 It does not include:

- a. ICT equipment provided by the councillor (although software that is provided by the council and used on such a device is included)
- b. Vehicles used by the Councillor, except where they are provided by the council
- c. Social media sites created or owned by councillors
- d. Equipment and resources provided by political parties
- e. Any other resources not paid for or provided by the council

### 2. Appropriate and Inappropriate Use - General

2.1 In general, councillors must not use the county council's resources for political (including party political) purposes, personal use or for private business or commercial purposes other than:

- a. where that use will facilitate the functions of the council;
- b. in connection with any office that the councillor holds within the council;

Last updated – September 2019  
Owner – Democratic Services

- c. for the support of the business of political groups on the council;
- d. for normal electoral division business, such as responding to correspondence from members of the public, providing factual information about council activities (not as part of a party political leaflet or similar)

### **3. All Councillors**

#### **3.1 All Councillors will be provided with**

- a. An annual allowance and expenses in line with the Members Allowance Scheme, including an ICT allowance where applicable.
- b. An ID badge to access County Hall and other County Council buildings where appropriate.
- c. Access to County Hall Complex car parks
- d. The choice to 'opt' in to the Bring Your Own Device (BYOD) service to access their LCC emails from a personal device or an appropriate smartphone for the carrying out of council business
- e. Access to fixed PCs in the County Hall Complex
- f. Access to necessary ICT systems and support
- g. Access to the multi function devices for copying and printing
- h. If members of a political group, access to a lockable group office with fixed PCs
- i. Access to appropriate training and development
- j. Appropriate support from officers, in line with the Protocol on County Councillor/Officer Relations
- k. Access to agendas and meetings paperwork, in accordance with the Access to Information Procedure Rules
- l. Access to information held by the County Council, subject to the Protocol on the Disclosure of Confidential Information for Members of the County Council
- m. Reasonable provision of travel, subsistence and accommodation where appropriate for Councillors carrying out an approved duty
- n. Access to the Palatine Room – the Members Retiring Room, situated on the Committee Floor at County Hall. The room contains meeting facilities, ICT equipment and telephones.
- o. A reasonable supply of standard business cards. Requests for business cards should be emailed to [Democratic.Services@lancashire.gov.uk](mailto:Democratic.Services@lancashire.gov.uk)
- p. A printable electronic surgery poster which Councillors can personalise and download from the Councillors' portal, C-First
- q. Reasonable use of stationery and postage, including letter headed paper.
- r. Free use of appropriate County Council premises for surgeries.
- s. Use of the Council's facilities for the disposal of sensitive or confidential documents

### **4. Political Groups**

#### **4.1 All recognised political groups will be provided with:**

- a. An appropriate room at County Hall, including fixed PCs with access to County Council systems and printing/copying facilities
- b. Access to meeting rooms for group meetings

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Owner – Democratic Services

- c. Access to meeting rooms for party business that supports the smooth operation of the County Council

## **5. Postholders**

Certain postholders are entitled to additional resources. These additional resources are to support the Councillor in the Special Responsibility or role they have, and are not provided for other use. Additional resources are as follows:

### **5.1 Chairman and Vice Chairman of the County Council**

- a. The Chairman and Vice Chairman will be provided with PA support and reasonable ancillary services such as stationery, printing and photo-copying.
- b. A car will be provided for the use of the Chairman and Vice Chairman for official County Council business in connection with his or her role
- c. An annual allowance will be provided to the Chairman for the purpose of enabling the chairman to meet reasonable expenses incurred during their year of office.

### **5.2 Support for the Leader and Deputy Leader of the County Council and Cabinet Members**

- a. Both the Leader and Deputy Leader will be provided with PA support and reasonable ancillary services such as stationery, printing and photo-copying.
- b. All Cabinet members will also be provided with PA support and reasonable ancillary services such as stationery, printing and photo-copying.
- c. The Leader, Deputy Leader and Cabinet members may authorise for their PA support to be used by Lead Members, Champions or Group officers
- d. A car will be provided for the use of the Leader and Deputy Leader for official business in connection with official County Council business related to his or her role.

### **5.3. Support for Opposition Group Leaders**

- a. The Leader of the main opposition group and of the second largest opposition group on the County Council will be provided with PA support and ancillary services such as stationery, printing and photo-copying.
- b. The Leader of the main opposition may authorise for their PA support to be used by other spokespersons or group officers.

### **5.4. Chairs and Deputy Chairs of Overview and Scrutiny**

- a. Chairs and Deputy Chairs of the council's Overview and Scrutiny Committees will be provided with a dedicated meeting room, which may be booked via Democratic Services.

## **6. County Council Stationery**

Reasonable use is available to all councillors, subject to the following.

- a. Letter headed paper (or other stationery featuring the County Council's logo) must not be used for party political, personal or business use.
- b. Stationery must not be adapted to include political logos.
- c. County Council stationery and postage must not be used for:
  - i. Mass mailings (of more than 25 letters) without prior approval of the Monitoring Officer or Deputy Monitoring Officer.
  - ii. Campaigning leaflets and associated correspondence.
  - iii. Promoting yourself or others as candidates to the electorate particularly during an election period.
  - iv. Personal or business use

## **7. Information and Communications Technology (ICT) Equipment**

- a. Councillors will be provided with appropriate ICT facilities and support, as set out in Appendix C "IT provision to Lancashire County Councillors".
- b. Use of ICT facilities by councillors must be in accordance with Appendix A - Internet, Email and Telephone Acceptable Use Policy
- c. No other ICT equipment will be provided to councillors unless a business case is submitted and approved by the cabinet member responsible for councillor support and development.
- d. Councillors using social media must act in accordance with Appendix B - Rules for the Use of Social Media by County Councillors.
- e. LCC equipment will be replaced if it is damaged, lost or stolen provided that the rules set out in this Protocol and its Appendices have been followed.
- f. Democratic Services will arrange appropriate IT training for councillors. Councillors should email [Member.development@lancashire.gov.uk](mailto:Member.development@lancashire.gov.uk)

## **8. Support for Councillors with Disabilities**

Lancashire County Council is fully committed to supporting councillors who have a disability. The council will provide any special requirements necessary to support the work carried out by the Councillor whilst based at county council premises. The Council will make any reasonable adjustments to accommodate the needs of councillors with a disability to ensure that they are not placed at a disadvantage. Appendix D outlines the Council's Disability Statement for County Councillors.

## **9. Parental Support for County Council**

Lancashire County Council aims to ensure as far as possible that Councillors are supported should they wish to temporarily reduce or suspend their workload due to pregnancy or becoming a new parent. Appendix E outlines the Council's Parental Support Policy for County Councillors

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## 10. Interpretation

- a. Any advice needed in relation to this protocol should be sought from Josh Mynott on 01772 534580 or by email to [josh.mynott@lancashire.gov.uk](mailto:josh.mynott@lancashire.gov.uk)
- b. In the event of uncertainty as to the correct interpretation of this protocol the decision of the Monitoring Officer shall be final.

## **Appendix A Internet and Email Acceptable Use Policy**

The following policy relates to all Lancashire County Council Members and Co-opted members who capture, create, store, use, share and dispose of information on behalf of Lancashire County Council.

These persons shall be referred to as "Councillors" throughout the rest of this policy.

Lancashire County Council shall be referred to as 'the council' or 'we' throughout the rest of this policy.

### **Policy Statements**

The council will provide internet, email and telephone facilities to Councillors where they are required to carry out council duties.

Councillors must not use them in ways that the council considers unacceptable. The council may monitor all use of internet, email and telephone facilities and examine records without informing individual Councillors.

The council regards all messages and transmissions using these facilities as the council's property and responsibility. Councillors cannot assume that private transmissions will be private. When monitoring communications, such as emails, that are clearly marked personal, the council will avoid, wherever possible, opening those emails.

However, councillors must be aware that all messages and transmissions using council facilities can be monitored in full by the council to enforce the council's policies and code of conduct.

The council will not consider comments contained in emails or posted to any other system visible on the internet as formal statements issued by, or the official position of, the council and Councillors should not phrase them as such. A disclaimer appears on all outgoing emails.

The council prohibits the use of social media sites on its facilities unless it is for council business use. Councillors who use social media platforms should also refer to the social media protocol at Appendix B

The council permits some non-council business use of the internet, email and telephone, however all use for personal purposes remains subject to acceptable use rules relating to purposes and content as below.

You should not use your council email address for non-council business purposes.

Users must use the council's secure email encryption facility when sending emails containing personal or sensitive information.

Only council supplied SIM cards should be used in council supplied devices

The council defines unacceptable uses, purposes, frequent and/or time-consuming non-council business use, and content in the following paragraphs.

Whilst the following examples of acceptable and unacceptable uses, purposes, frequency and content, are comprehensive, they are not exhaustive or limited to those described.

#### **Acceptable Use:**

For councillors, "Council Business" means business relating to the work of the Council or Councillors, and includes

- Dealing with Correspondence from members of the public on constituency business
- Correspondence with officers of the council on matters relating to the business and operation of the Council
- Political Group business
- Subscribing to newsletters relating to the work of Councillors or Councils
- Frequenting chatrooms, discussion forums etc relating to the work of Councillors or Councils
- Use which facilitates the operation of the business of the County Council.

See Appendix B on the use of social media.

#### **Unacceptable uses:**

- Any use that is illegal, against council policy or contrary to the council's best interest, particularly:
- If it is a non-council business use and for an **unacceptable purpose**
- If it is a **frequent and/or time consuming non-council business use** of the internet, email or telephones
- If it contains **unacceptable types of content**

#### **Unacceptable purposes:**

Examples of non-council business use of the internet, email and telephone facilities, which are unacceptable at any time, include:

- Any use associated with running a private business, whether for profit or not.
- Any type of private, business or financial transaction including gambling and barter.
- Shopping and other personal financial transactions, including examples such as banking, operating a wedding present account with a store, placing orders for goods or services on auction sites.
- Computer crimes such as hacking.
- Harassment of any kind.
- Downloading and/or storing music and/or films.
- Any use of internet facilities, which would allow the concealing of unacceptable non-council business use of council systems.
- Accessing sites that are blocked for reasons of legality or taste without approval.

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Using your council email address for non-council business purposes, such as:

- Subscribing to email newsletters or services that do not relate to council business.
- As a contact address on websites for example selling goods and services.
- Use of social media web sites such as Twitter and Facebook and dating sites.
- Uploading photographs and information to web sites such as Flickr and Wikipedia.
- Online auction activity for example, eBay transactions.
- Producing publications for sale.
- Creating web sites and blogs.
- Frequenting chat rooms, discussion forums and personal messenger services.
- Peer to peer exchanges.

**Excessive Non-Council Business Use:**

Excessive use of the internet, email and telephone facilities for non-council business, such as:

- Excessive visits to sports results, commentaries and news sites.
- Personal non-council business distribution lists greater than five addresses.
- Bulk personal internal or external emails.
- Participating in chain letters or petitions.
- Sending non-council business emails with large attachments.
- Chatting or distributing jokes by email or text.

**Unacceptable Content:**

Some types of content that are unacceptable may be accessed or copied from websites or be contained in emails and messages as text, graphics or sound. Such as:

- Content that brings the council into any kind of disrepute.
- Content that infringes copyright.
- Content that others may reasonably construe as discriminatory, offensive, defamatory or obscene.
- Content that is derogatory about an individual's race, age, disability, religion, national or ethnic origin, physical attributes or sexual life.
- Content that contains abusive, profane or offensive language.
- Content that contradicts the council's values of respect for all and promoting shared values and safer communities' for example, content that promotes hate incidents or hate crime.
- Content that engages in extremist activity or espouses extremist views.

## Appendix B - Use of Social Media

### Section 1: Protocol

1. Social media refers to any kind of internet based tool that you can use for sharing information and ideas, networking or finding people with similar interests; including (but not limited to): blogs, micro-blogging, photo sharing, video sharing, social networks, mobile phone applications, texting, digital TV services, wikis, gaming and collaboration tools.
2. Examples of Social Media tools are Facebook, Twitter, Flickr, Stumbleupon, LinkedIn, YouTube as well as blogs, forums and wikis.
3. Social media can be a great way for councillors to connect and communicate with residents, and can be used to;
  - Support Councillors' community leadership role,
  - Create or take part in conversations,
  - Keep in touch with local views,
  - Campaign on local issues
4. The use of social media has the following legal implications;
  - Libel – publishing an untrue statement about an individual which would damage their reputation;
  - Copyright or Confidential material – publishing images or text from a copyrighted source or confidential material without permission
  - Data protection – publishing personal data of individuals without their written permission.

In each case legal action could result in civil proceedings being issued against a councillor which may in turn result in an award of damages and the payment of legal costs by the individual councillor.

5. Lancashire County Council does not provide social media accounts for councillors. Training on the use of social media is available from Member Development. Contact Catherine Earnshaw on 01772 533306 or councillors should refer to the LGA's Connecting Councillors – A social media handbook.
6. Councillors can use social media tools and may refer to their position as a county councillor, but must make clear that the activity, comments and views are those of the councillor and are not conducted in any official county council capacity. It is best practice to include a disclaimer, such as the "The views I express here are mine alone and do not necessarily reflect the views of Lancashire County Council".

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7. When using social media, councillors should have due regard for the Councillor's Code of Conduct, paying particular attention to the following general obligations;
  - Treating others with respect,
  - Not disclosing confidential information,
  - Not bringing the council or your office into disrepute,
  - Not improperly securing an advantage,
  - Complying with council's rules about use of resources

Complaints made under the Code may result in a councillor being referred to the Conduct Committee and in some circumstances may also form the basis for legal action to be taken against a councillor.

8. Councillors should not comment or post on official Lancashire County Council social media channels in a way that would cause political, including party political, comments to appear on County Council social media sites.
9. Councillors may use county council systems to access social media when that activity contributes to the discharge of the functions of the council or to the office to which the councillor has been appointed by the council. Examples of acceptable use from county council systems include;
  - Accessing sites to monitor or determine public opinion
  - Posting of non-political message, such as details of an activity undertaken as a county councillor
  - Support for county council messages and campaigns on other social media channels
10. Councillors must not install any software required by social media channels on LCC equipment.

## **Section 2: Advice and guidance**

Councillors should be aware that, as public figures, their social media accounts may be closely monitored by members of the public.

Councillors should exercise extra care in any posts, noting that:

- Some social media sites place restrictions on the length of a post or entry, and this tends to favour simplistic statements at the expense of balanced and nuanced arguments.
- Social media is the home of "trolls" who try to provoke reactions in others. Councillors should be aware of this and not respond to provocation. In general, you can never "win" an argument on social media, so it is not usually worth trying

- 'Posts' can cause others to take offence e.g. jokes can be misunderstood, 'banter' can be perceived as bullying, irony can be misread. Offence can easily be taken, even where none is intended.
- Once posted in a public arena, your views are no longer your own, and you should be aware of the possibility of being selectively quoted, or your comments being taken out of context.
- The use of #hashtags, retweets prevent any control of what is published by others.
- Whilst part of the point of social media is to allow real time reactions and dialogue, great care should be taken in posting a hasty response to a statement or news event. Developing events may prove your initial response to be inappropriate or incorrect, or you may in your haste not have used the most appropriate words to express your view.
- Consider writing out posts or entries in a word document, waiting, and then re-reading them before you post online.
- Use of social media may also compromise your personal and private data.

Councillors should be mindful of whether their social media profile gives the impression that they are acting in their "official capacity". Councillors should therefore;

- Set appropriate privacy settings.
- Not use their LCC email account when registering a social media account.
- Keep personal and political social media profiles separate. You may even want to consider having separate profiles for your personal life, your work as a councillor, and your political activities.
- Monitor 'posts' from others on your social media accounts, removing defamatory or obscene posts as soon as possible.
- Be mindful of publishing information that you would only have access to as a county councillor.
- Not publish anything, which might be seen to pre-determine any future decision, such as Development Control matters.
- Not request or accept LCC council employees as a "friend" on social networking sites.
- Think about what and how you 'post' on social media, would you be comfortable to make this statement in person or in writing?

## **Appendix C - IT Provision to County Councillors**

### **1. Equipment for individual Councillors**

- All councillors will be offered “Remote Access to Corporate Desktop (RACD)”. This will allow access to corporate systems via any computer/laptop/tablet device with an active internet connection. RACD is the primary secure access to the full desktop experience and is aimed to support councillors fully in their role.
- Councillors will also be provided with an appropriate smart phone to support councillors on 'the go', which gives telephone, email and intranet/internet access.
- Councillors will also be given the choice to 'opt' in to the Bring Your Own Device (BYOD) service. This will allow the councillor to access their LCC emails via their personal mobile or tablet device instead of being provided with a corporate mobile device. BYOD is also aimed to support councillors on 'the go' and should not be considered as the primary way to access the corporate network.

### **2. Shared Equipment and Facilities**

Fixed PCs will be made available to Cabinet Members, the Chairman and Vice Chairman of the Council, and in Political Group offices. Further PCs are available in the Members Retiring Room.

### **3. ICT Purchase Scheme**

From time to time, the council may offer an ICT purchase scheme to Councillors, to enable ICT equipment to be purchased through the council. Please contact [Member.Development@lancashire.gov.uk](mailto:Member.Development@lancashire.gov.uk) for further details on the current scheme.

### **4. Systems**

- Councillors will have access to the Microsoft Office software for emails, word processing, spreadsheets and presentations.
- Additionally, there are online systems for submitting expenses claims, registering interests and accessing committee papers
- Councillors have access to a dedicated intranet portal, C-First, for accessing all the information and support a councillor will need.
- Councillors will have access to the Modern.gov App, which is the system which the County Council uses to manage all its Committees and Meetings and is available to download as an app for any Android, IPAD or Windows device. Councillors will also be given access to the restricted version of the App, which allows access to view any Part II items.
- Councillors will have access to a dedicated Personal Device wifi connection. This service allows personal laptops and mobile devices access to wireless network connections whilst in County Hall. This is particularly useful for accessing the internet, corporate network, emails, calendars and relevant documents when in meetings and around County Hall, on your personal device.

### **5. Training**

- Councillors will receive initial ICT training at the Welcome Event for newly elected councillor and subsequent sessions for re-elected councillors. The

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rest of your ICT training will be provided through the Member Development Programme based on your individual training needs.

**6. Technical Advice and Support**

- Councillor experiencing problems with ICT equipment should telephone the ICT helpdesk on 01772 532626 or make a request via the ICT [Portal](#).
- This service is available from 8am to 6pm Monday to Friday

## **Appendix D - Disability Statement for County Councillors**

Lancashire County Council acknowledges the duty imposed by the Equality Act 2010 and is committed to supporting disabled individuals who are elected to the council to assist with any special requirements necessary to support the work carried out by the Councillor whilst based at county council premises. Lancashire County Council will make any reasonable adjustments to accommodate the needs of disabled councillors to ensure that they are not placed at a disadvantage. This includes but is not exclusive to;

- Sign language interpreters
- Extra travel and accommodation costs
- Meeting rooms fitted with audio loop systems
- Specialist office and IT software
- Accessibility to group offices and meeting rooms in Lancashire County Council premises
- Personalised Emergency Evacuation Plan where required from Lancashire County Council buildings

Where appropriate, Democratic Services will arrange specialist equipment where this is deemed necessary and ICT training tailored to suit your needs will be provided.

Councillors with a disability are encouraged to contact Democratic Services following their election to discuss their personal requirements.

## **Appendix E - Parental Support Policy for County Councillors**

### **Introduction**

Lancashire County Council aims to ensure as far as possible that Councillors are supported should they wish to temporarily reduce or suspend their workload due to pregnancy or becoming a new parent.

Lancashire County Council recognises that supporting councillors at this time contributes towards increasing the diversity of experience, age and background of local authority councillors. It will also assist with retaining experienced councillors – particularly women – and making public office more accessible to individuals who might otherwise feel excluded from it.

Lancashire County Council also recognises the importance of ensuring that mechanisms are in place to enable members of the public to be represented during periods when a councillor has taken a supported break from council duties.

Lancashire County Council encourages all groups represented on the council to provide appropriate support to their members who wish to take a supported break from council duties, including arranging for replacements at meetings and making arrangements to handle casework on behalf of a Councillor.

### **1. Pregnancy**

The Council will endeavour to make all reasonable adjustments to support a councillor to continue to perform their duties during pregnancy. This could include

- Personal Emergency Evacuation Plan completed where required
- Appropriate facilities to support the councillor to attend meetings e.g. cushions and back supports for seats
- Change of seat position at Council meetings to allow easy of mobility and easy access in and out of the meeting
- Access to a suitable breakout room for comfort breaks

Councillors are encouraged to discuss their requirements, on a confidential basis, with officers to enable appropriate support to be provided.

### **2. Supported Breaks**

2.1 The council supports all members wishing to take a supported parental break from council duties following the birth or adoption (through an approved adoption agency) of a child for a period of 12 months from the expected date of birth or adoption. This applies equally to both parents and to nominated carers of a child.

2.2 Any Councillor who takes a supported parental break retains their legal duty under the Local Government Act 1972 to attend a meeting of the council within a six month period.

#### **2.3 Obligations of the Councillor**

Councillors who wish to take advantage of the measures set out in this policy must inform Democratic Services as soon as possible, on a confidential basis as

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appropriate, of their pregnancy and/or intention to take a supported break. As soon as possible, Councillors should also inform Democratic Services of the date of birth or adoption.

The Councillor should ensure that they respond to reasonable requests for information as promptly as possible, and that they keep officers and colleagues informed and updated in relation to intended dates of return and requests for extension of their supported break.

The Councillor should also supply Democratic Services with contact details, if different from those already held, to ensure that the Councillor can be kept informed of important issues.

#### 2.4 Support from the council

The council will provide appropriate support, including but not limited to:

- Access to a suitable breakout room for comfort breaks
- Availability of breastfeeding facilities
- Change of seat position at Council meetings to allow easy of mobility and easy access in and out of the meeting
- Removal from distribution lists for meetings and committees during the supported break
- A single point of contact in the council to ensure contact is maintained.

#### 2.4 Role of Groups

All groups are encouraged to provide appropriate support to expectant and new mothers, fathers and nominated carers, to ensure the full opportunity for the councillor in question to reduce or withdraw from duties. Groups should in particular make arrangements for support with casework and identifying replacements for meetings.

### **3. Basic Allowance**

All Members shall continue to receive their Basic Allowance in full whilst on a supported break.

### **4. Resigning from Office and Elections**

4.1 If a Member decides not to return at the end of their supported break they must notify the Council at the earliest possible opportunity. All allowances will cease from the effective resignation date.

4.2 If an election is held during the Member's supported break and they are not re-elected, or decide not to stand for re-election, their basic allowance and SRA if appropriate will cease from the date when they would technically leave office.

**Report to the Cabinet**

Meeting to be held on Thursday, 7<sup>th</sup> November 2019

**Report of the Head of Service - Policy, Information and Commissioning (Live Well and Age Well)****Part I**

Electoral Division affected:  
(All Divisions);

**Extra Care Service Model and Core Charge**

Contact for further information:

Sarah McCarthy, Tel: (01772) 530551, Senior Commissioning Manager,  
sarah.mccarthy@lancashire.gov.uk

**Executive Summary**

This report describes the proposed care and support model for new Extra Care schemes being developed in Lancashire, which is based on the model agreed by Cabinet in relation to the Chorley Extra Care Scheme (Primrose Gardens) in September 2018. The report also recommends authorising appropriate officers, in consultation with the Cabinet Member for Adult Services, to make any future decisions regarding the service model and core charge within Extra Care Schemes.

**Recommendation**

Cabinet is asked to:

- (i) Approve the preferred model as set out within the report, including a core weekly charge of £17.50 per apartment.
- (ii) Authorise the Executive Director of Adult Services and Health and Wellbeing and the Director of Finance, in consultation with the Cabinet Member for Adult Services:
  - (i) To agree core charges within new schemes.
  - (ii) To agree any changes to the core charge in existing schemes.
  - (iii) To agree the allocations policy where the policy is in line with the principles outlined in this report.
  - (iv) To undertake a review once the schemes have been operational for at least a year, and make any minor amendments to the "core and add on" service model.

## **Background and Advice**

Cabinet approved the care and support model and core charge to be implemented in the Chorley Extra Care Scheme in September 2018.

This report seeks approval to implement the model agreed for Chorley within new extra care schemes being developed in Lancashire, including two schemes which are due to open in Preston and Fleetwood in January 2020. In addition, it is proposed that the Executive Director of Adult Services and Health and Wellbeing and the Director of Finance be authorised to make decisions, in consultation with the Cabinet Member for Adult Services, regarding the care and support model and the core charge as outlined below.

- (i) To agree core charges within new schemes.
- (ii) To agree any changes to the core charge in existing schemes.
- (iii) To agree the allocations policy where the policy is in line with the principles outlined in this report.
- (iv) To undertake a review once the schemes have been operational for at least a year, and make any minor amendments to the "core and add on" service model.

## **Service Model**

Extra Care housing provides safe and secure self-contained accommodation for older adults and people with disabilities who require varying levels of care and support to enable them to live independently in a home environment.

The care and support delivered within an Extra Care housing setting includes:

- Onsite staff who can respond to emergencies, provide emergency care at short notice, and co-ordinate wellbeing activities. This service benefits all tenants and is not allocated to any one individual.
- Planned care (individual care packages) for tenants who have an eligible care need under the Care Act.

## **Key Challenges for the Delivery of Care and Support**

Residents of Extra Care Schemes have a range of care and support needs. Consequently, when developing a care and support model, there are two key challenges:

- How can the 24 hour staff presence be funded when the scheme will be occupied by people with a mixture of needs and the profile of need will fluctuate?
- How can the service be made affordable and sustainable?

A range of Care and Support Models were outlined in the report on the Chorley Extra Care Scheme approved by Cabinet on 13 September 2018. "Core" and "Add On" (also known as Background and Planned Care) was identified as the preferred model.

The model seeks to balance the objective of maximising choice with the need to meet operational requirements:

- Tenants must accept and pay for the background care/emergency service delivered by the on-site provider.
- Tenants can choose which provider delivers their planned care to meet their assessed needs. The majority of tenants usually choose the on-site provider to deliver their planned care, where the service being delivered is of a good quality.
- All tenants contribute to the cost of the 24 hour staff presence, irrespective of whether they have eligible care needs under the Care Act. Tenants with eligible care needs can use their personal budget to pay for the core charge. Tenants with no eligible care needs will be required to pay the core charge from their own income.

Whilst this is considered to be the most appropriate model, there are concerns about affordability, which may impact on demand leading to potential financial risk to both the landlord and support provider.

In relation to the allocations policy, the principles that we have sought to agree with landlords and care providers are that:

- High priority will be awarded to people who have an urgent need for re-housing and high care needs, who would otherwise move into a residential care setting. This includes people who are unable to return home following a period in hospital or rehabilitation.
- Medium priority will be awarded to people who have had a social care assessment that indicates that their current housing is no longer suitable and extra care accommodation would meet or reduce any ongoing statutory care needs, and would promote wellbeing as defined in the Care Act.
- Low priority will be awarded to people who have no statutory care needs who indicate that their current housing is no longer suitable and their independence and well-being would be promoted through living in an extra care scheme, thereby preventing or slowing down the need for care in the future.

The allocations policy and procedure will seek to facilitate the development of a balanced and sustainable community. Consequently, the profile of people living in the scheme will be monitored. Where there are concerns about the overall objectives of the scheme not being achieved, the Joint Allocations Panel will be responsible for reviewing the Policy.

### **Setting the Core Charge**

The objective is to find the most appropriate approach to making the core charge affordable for the individual, whilst balancing the financial risk to the landlord, the care and support provider and the county council.

Owing to the presence of staff on site to deliver planned care, it is recognised that there are opportunities to consider the overlap in staffing between the planned care service and the background/emergency support service.

A range of options were previously considered within the report on the Chorley Extra Care Scheme which was approved by Cabinet on 13 September 2019. The model agreed is outlined below:

- It is proposed that a core weekly charge of £17.50 per apartment is set and organisations submitting tenders are asked to provide an hourly rate for their planned care as part of their tender submission. The core charge will be subject to annual inflationary uplifts.
- The core charge only reflects the cost of providing staff for around 10 to 12 hours of the day, with the remaining hours being staffed by people delivering planned care. The funding from the core charge generally pays for the night time cover and a few additional hours. Consequently, this is a model which places a lot of risk with the provider.
- Where the Provider is concerned that they would not have enough staff on site to deliver the 24 hour cover, then they can include a contingency within the tender price for their planned care rate, to cover some of the background/emergency support.
- Where the planned care rate has been increased to include contingency provision, the individual's ability to pay will be assessed through the charging policy.
- We have sought to identify a level of charge which is sustainable for the county council in the future, as it is difficult to significantly change the level of charges once people move in to the scheme.
- As long as landlords and care and support providers work with tenants regarding the process for raising any issues and appropriate use of the community alarm service, it is expected that there is a greater likelihood of emergencies occurring amongst people with higher care needs who will be receiving planned care.
- As the overlap between planned and background care is an operational issue, the provider is best placed to assess the risk and implications.

Learning from recent tenders has shown that this model does not address the need to have staff on the scheme 24 hours per day from the date that the first person moves into the service; however, the provider will only receive funding for people once they have moved into the service. Consequently, this issue will be addressed on a scheme by scheme basis when Cabinet approval is being sought to procure the care and support service

## **Consultations**

N/A

## **Implications:**

This item has the following implications, as indicated:



## **Procurement**

The care and support service will be commissioned in accordance with the procurement regulations and the council's own procurement rules.

## **Financial**

This model of support results in individuals maintaining their independence for a longer time period and should result in lower costs for the county council, as alternative provision such as residential care would be more costly.

The proposed model sets a core charge and will allow providers, through a procurement exercise, to build a funding contingency into the planned care charge where they believe that there is a funding risk to the provision of a 24 hour background service. The core charge is to be set at £17.50 and equates to approximately £60,000 per annum. This will be subject to inflationary uplifts and will be regularly reviewed once the scheme is in place.

Lancashire County Council is paying for a service to meet the statutory care needs of people accessing the service. There are no direct additional revenue funding contributions, apart potentially from start-up costs which will be identified in the relevant procurement report. However, if the market perceives that there is any funding risk to their ability to deliver a 24 hour service, they will submit tenders with a higher hourly rate which Lancashire County Council would fund.

The risk of an excessively high hourly rate is mitigated by:

- The procurement process – tenderers will be seeking to win the tender which will include an evaluation of the price.
- If the on-site provider identifies an excessively high rate, tenants with direct payments are likely to purchase their planned care from other lower cost providers.
- The initial term of the contract will be 2 years, which will limit the period in which any excessive hourly rates would be paid.

The risk of not allowing providers to build in a reasonable level of contingency which may lead to a marginally higher hourly rate is that providers may not tender for the service, which would result in a care provider not being in place for the opening of the service.

## **Equality and Diversity**

There will be no adverse impact on any groups of individuals sharing protected characteristics, as the new Extra Care Scheme provides a greater range of accommodation and support options for older people and people with disabilities.

Eligibility criteria and priorities have been established giving greater access to people with higher levels of care need, which reflects the original purpose of the service. In addition, older people and people with disabilities who do not have an eligible care need will need to fund the core service themselves.

## List of Background Papers

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A

**Report to the Cabinet**

Meeting to be held on Thursday, 7 November 2019

**Report of the Head of Service - Policy, Information and Commissioning (Live Well and Age Well)****Part I**

Electoral Division affected:  
(All Divisions);

**Maximising Occupancy in Supported Housing Consultation Document**

(Appendix 'A' refers)

Contact for further information:

Lynne Johnstone, Tel: (01772) 533414, Senior Policy, Information & Commissioning Manager (Live Well),

[lynne.johnstone@lancashire.gov.uk](mailto:lynne.johnstone@lancashire.gov.uk)

**Executive Summary**

The Maximising Occupancy in Supported Housing Consultation Document sets out the council's proposals to review supported housing vacancies, and the procedure that will guide decisions about non-viable supported households. The consultation document is presented to Cabinet for approval of an eight-week public consultation.

**Recommendation**

Cabinet is asked to approve that a public consultation be carried out on the Maximising Occupancy in Supported Housing Consultation Document, as set out at Appendix 'A'.

**Background and Advice**

The county council routinely conducts ongoing reviews of its adult services policies, procedures and guidance, and identifies key policy documents for development and/or revision as part of a phased programme to ensure effectiveness, value for money, and compliance. This phased programme continues with the submission of a revised policy, procedures and guidance document for consultation on:

- **Maximising Occupancy in Supported Housing**

## **Summary of revised document for consultation**

The consultation document proposes a revised policy to update the existing *Under Occupancy in Supported Tenancies and Protocol to Review Tenancies* internal policy.

The consultation document sets out the county council's proposed approach to reviewing supported housing where there are vacancies, and the procedure that will guide decisions about non-viable supported housing schemes. The proposals provide a mechanism to review the sustainability of supported housing schemes and decommission schemes that are no longer viable.

The proposals commit the county council, where a property is considered to be non-viable, to complete a supported housing review on a case by case basis, with the needs of individual tenants considered and legal advice where appropriate.

The document reflects current legislation, regulation and guidance as well as other county council policies and procedures previously approved by Cabinet, including:

- The Care Act 2014
- The Housing Act 1988
- The Housing Act 1996
- Specialised Housing Guidance – National Fire Chief Council (May 2017)
- The county council's Housing with Care and Support Strategy (September 2018)

A copy of the policy is set out at Appendix 'A'.

## **Consultations**

Cabinet approval is sought for an eight-week online public consultation on the Maximising Occupancy in Supported Housing Consultation Document. Consultation responses will be considered before any further decisions on the proposals are brought forward.

## **Implications:**

This item has the following implications, as indicated:

## **Workforce**

Our support for Lancashire residents is guided by the county council's adult social care policies, procedures and guidance. The accuracy and relevance of these documents is essential to support practice and the delivery of high quality services.

These documents have been reviewed and cleared by the county council's legal team before being presented to Cabinet for the approval of a period of public consultation. All documents will be publically accessible as part of this process, with the aim of reducing legal challenge and complaints due to a lack of understanding or transparency.

## **Equality and Diversity**

Policies and procedures guidance documents are primarily intended as a guide for social care employees in applying the law and attendant regulation and guidance and in ensuring delivery of quality care and support. It is an intrinsic requirement that these are applied objectively and fairly to all people with protected characteristics (age, disability, gender identity, sex/gender, race, religion or belief, sexual orientation, pregnancy and maternity and marriage or civil partnership status) and that, where necessary, reasonable adjustments are made to assist disabled people to participate in the process, or that other steps are taken to meet the requirements of the Equality Act 2010.

Furthermore, in line with the Public Sector Equality Duty, each policy, procedures and guidance document has been considered by the Equality and Cohesion Manager and a short appendix added to highlight the aims of the Public Sector Equality Duty and protected characteristics in a proportionate manner. It is intended that this will provide staff with a bespoke summary of how each policy, procedures and guidance document may impact on groups with protected characteristics and that this is a proportionate means of showing due regard in relation to each individual policy, procedures and guidance document.

## **Financial**

There are currently approximately 160 supported tenancies (out of approximately 700) across Lancashire carrying one or more vacancies and approximately 225 vacancies in total. Vacant tenancies place a financial strain on the remaining tenants and sometimes on the housing and support provider, and on the resources of the county council.

Strenuous efforts continue to be made to find suitable people to fill these vacancies. Many have been vacant for a considerable length of time with no realistic hope of ever filling the vacancy. The creation of the proposals in this consultation document provides a mechanism to review the sustainability of supported housing, and decommission schemes that are no longer viable to minimise under occupancy and utilise public resources more effectively.

A person's eligibility for care and support provided by the county council will be determined following a proportionate assessment. Information is provided during the assessment period as to the potential financial implications to the person receiving care and support. When the outcome of the assessment has been determined and agreed by both the assessor and the person being assessed, and/or a suitable person, e.g. family member, advocate and/or attorney this will detail how a person's contribution to care is worked out. Where an assessment determines that any care needs would be best met in a residential setting, it describes the implications to the person if they own a property and the deferred payment options offered by the council.

Following the assessment stage, the individual's estimated personal budget must be shared with the individual when the care and support plan is being drafted.

Any financial implications that result from a needs assessment or care and support plan are addressed via the specific commissioning, delegation and funding arrangements governing each individual social care service, if so required.

### **Risk management**

Many aspects of the law, including the Care Act, state that the county council should develop and maintain policies in relation to a number of subject areas covered by legislation. The county council may be at risk of future legal challenges if the recommendations to develop policy documents are not taken forward.

### **List of Background Papers**

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

# Adult Social Care Policies and Procedures

## **MAXIMISING OCCUPANCY IN SUPPORTED HOUSING CONSULTATION DOCUMENT**

# CONTENTS

## MAXIMISING OCCUPANCY IN SUPPORTED HOUSING CONSULTATION DOCUMENT

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## 1. POLICY STATEMENT

The purpose of this consultation document is to set out the council's proposed approach to reviewing supported housing where there are vacancies, and the procedure that – if implemented – will guide decisions about non-viable supported households (a non – viable supported household may be one where the environment no longer meets the tenant(s)' needs; or where cost pressures on any of the stakeholders make the scheme financially unviable; or there are insurmountable incompatibility issues; or any other impacts).

There are in the region of 700 properties classed as 'supported tenancies' across Lancashire, with approximately 160 of those properties carrying one or more vacancies (approximately 225 vacancies in total according to 2019 figures). Vacant tenancies place a financial strain on the remaining tenants and sometimes on the housing and support provider, and on the resources of the county council.

The number of vacancies in supported housing look set to rise as some households will not meet the needs of an ageing population; tenants will pass away as they age, new tenants will move in but do not want to be there, some tenants will move out and as alternative options are developed some tenants will choose to move on to alternative solutions, leaving former co-tenants behind.

Strenuous efforts continue to be made to find suitable people to fill these vacancies. Many have been vacant for a considerable length of time with no realistic hope of ever filling the vacancy. The creation of the proposals in this consultation document provides a mechanism to review the sustainability of supported housing and decommission schemes that are no longer viable to minimise under occupancy and utilise public resources more effectively.

In 2019, the National Fire Chiefs Council (NFCC) produced new guidance "Fire Safety in Specialised Housing". This guidance is to be used as a point of reference to support decision making around the viability of supported living schemes.

### Advocacy

Under the Care Act, the county council must arrange for an independent advocate to facilitate the involvement of the person with care and support needs in their assessment, care and support plan and any reviews of their care plan, as well as in safeguarding enquiries and Safeguarding Adult Reviews, if two conditions are met:

- The person has **substantial difficulty** in being involved in these processes
- There is not an **appropriate individual** willing to support them

Please be aware that further duties to arrange an advocate also apply under the Mental Health Act 1983 and Mental Capacity Act 2005. In particular, tenants who lack mental capacity to consent to a change in accommodation will be entitled to an Independent Mental Capacity Advocate under the Mental Capacity Act.

## Complaints

The county council will follow relevant legislation, policies and guidance to ensure our practice is of high quality and legally compliant. Notwithstanding the legal rights of a tenant, if a tenant (or their representative, as appropriate) wishes to challenge or raise concerns in regard to any decision [the county council's complaints procedures will be made available](#).

## Safeguarding

The county council will follow its obligation under the Care Act to safeguard adults with care and support needs (whether or not the council is meeting any of those needs) and ensure that its obligations are carried out in partnership with all agencies and organisations who may come into contact with those people.

## General Principles

The Care Act allows the county council to consider its financial resources and how we spend public funds to meet people's needs.

The county council wants staff to apply their professional judgment and will support them to do so.

Social care professionals should determine the most appropriate intervention for the person's needs and desired outcomes. They should always consider what will happen to allow the person retain or regain their independence.

The council will follow the Care Act and other relevant legislation, policies and guidance to ensure our practice is of high quality and legally compliant.

The council will make all reasonable adjustments to ensure that all disabled people have equal access to participate in the eligibility decision in line with the Equality Act 2010.

## 2. KEY DEFINITIONS AND PRINCIPLES

### Definition of terms

- **Supported Housing (or scheme):** Rented accommodation in which an adult with support needs lives with other adults or alone but benefits from other support within the scheme, and where care and support is provided as part of the tenancy. Supported housing is often defined as "any scheme where housing, support and sometimes care services are provided with the purpose of enabling the person receiving the support to live as independently as possible in the community" (from: [Making it Real for Supported Housing, Think Local Act Personal, Sitra](#), 2016).
- **Right of tenure:** The adult's rights of occupancy under a tenancy agreement; can vary according to the type of tenancy agreement in place.
- **Non –viable supported household:** There are a number of factors that influence whether a property and support is non-viable. A non–viable supported household

may be one where the environment no longer meets the tenant(s)' needs; or where cost pressures on any of the stakeholders make the scheme financially unviable; or there are insurmountable incompatibility issues; or any other impacts.

- **Housing Management Agreement (HMA):** An agreement between the Housing Provider and the Local Authority or Care Provider, which sets out the legal and financial frameworks relating to the management of the property.
- **[Housing with Care and Support Strategy](#):** The county council's strategy sets out how with partners, we will develop a range of high quality Housing with Care and Support schemes across Lancashire by 2025 for both older adults and younger adults with disabilities. This will enable many more people to remain safe and independent in a suitable home environment that connects them to other people, their community and services they need or might need in the future. Supported housing models will continue to meet the needs of individuals, **which** will be responded to as far as reasonably possible within the context of the supply of suitable housing, affordability and their housing rights.
- **Nomination Rights:** The person or organisation who has the right to make a formal nomination of an individual to become the tenant of a vacant unit of accommodation.
- **Service Level Agreement (SLA):** An agreement between the Housing Provider, the Local Authority and Care Provider, which identifies the roles and responsibilities of each party.
- **Early Sales Clause (ESC):** Contained within an HMA, the ESC sets out financial liability for the respective parties in relation to the disposal of a property that is no longer required.
- **Rent void:** The financial value of the rent due on the vacant tenancy.
- **Support void:** the financial value of the background support costs that arise as the result of a vacant tenancy.
- **Reconfiguration:** The change to the agreed number of tenancies within an individual property.
- **Housing and Support Forum:** The county council's internal forum that considers proposals regarding supported housing.

### **What will influence the decision about whether a supported household is non-viable in the future?**

There are a number of determining factors when considering the future viability of a supported housing tenancy. This list is not exhaustive:

- Modernising care services in supported housing as referred to in the county council's [Housing with Care and Support Strategy](#).
- Does the property meet the needs of its tenants or can it be adapted to meet future need?
- Is the property of a good condition to suit people's needs?
- Can the tenants afford to meet the current household expenses? What is the realistic chance of finding a suitable new tenant for the tenancy should a vacancy arise?
- Are there additional costs incurred in relation to the support or accommodation void?
- How long has any vacancy existed? It is proposed that:

- No vacancy should be more than 1 year old (please see section 3.4)
- Could the tenancy be reconfigured so that it can become financially viable?
- How is the tenancy deploying staff scarce resources?
- Location of alternative household. People have certain rights under the law to choose their accommodation, which the county council will always respect and uphold.
- Is the combined support costs of the tenants affordable to the funding authority and/ or care provider?
- Is the vacancy affordable via Housing Benefit?
- What would be the impact on the people/tenant(s) if the household were to close?
- Is there an HMA (Housing Management Agreement) in place and what are its terms in relation to void rent and ESC (Early Sale Clause)?
- Is alternative suitable accommodation available to meet the needs of any people/tenants who could potentially be affected?
- Other factors such as compliance with workforce/Code of Practice BS9991:2015 Fire Safety in the Design, Management and Use of residential buildings, which introduces the housing typology 'specialised housing'.

Because of the number of variables listed above there is no definitive formula that can be applied to support decision making. Instead, it is proposed that the following procedures are adopted to ensure that consistent and fair decision-making is applied when considering the viability of a supported living tenancy.

### **Principles of the proposed policy**

Any decision by the council that a supported household is 'non-viable' would only be made having considered all circumstances, working closely with the individual and family (or their representative or advocate as appropriate), the relevant Housing Provider, Funding Provider and Care Provider. The county council will have regard in these circumstances to the relevant provisions of any HMA, SLA and the terms of the tenancy agreement(s).

## **3. PROCEDURES**

### **Supported housing review**

A supported housing review is not the same as a social care review, although individual social care reviews will form part of the proposed process. Each property and the needs of the individuals will be considered on its merits and the council would seek legal advice about how to proceed on a case-by-case basis where there are any disputes.

A supported housing review may be requested at any time by any interested party – the county council, provider, individual or representative. This would be discussed at the Housing and Support Forum who will ensure stakeholders will be involved in the review, should one be required. A named lead will manage and coordinate the review.

## **Checklist of proposed considerations**

### **1. Is suitable alternative accommodation available?**

Suitable alternative accommodation is a prerequisite to ending a non-viable household. A tenant should therefore not give notice on a tenancy until a suitable alternative has been identified and a timescale for moving agreed with all parties.

The county council has a duty to meet assessed need, but this does not have to be in a "like for like" manner to existing provision. Suitable alternative accommodation may therefore be another type of provision that is appropriate to the person's needs and desired outcomes, such as:

- Alternative supported housing
- A Shared Lives Placement.
- An apartment scheme
- Residential Care

If there is no suitable alternative accommodation available then this needs to be reported to the Housing and Support Forum who will consider all the options and explore alternatives.

### **2. Does the tenancy meet the environmental needs of the tenants/potential tenants or, can it be adapted to meet those needs?**

Where appropriate, every effort should be made to adapt the property to meet the needs of the current or potential tenants, either via a Disabled Facilities Grant (DFG) or by the Landlord agreeing to underwrite the cost of adaptation. If this cannot be achieved then consideration must be given to finding suitable alternative accommodation.

With an ageing population and the increased complexity of people's needs there is a growing demand for care and support, which contributes to the financial challenges all councils face. The county council will review existing housing schemes that are unsuitable to meet people's needs in the longer-term and/or have long-standing vacancies, with a view to decommissioning these if appropriate and supporting people to move to good quality housing. The proposed service model for new schemes will also be based on the following:

- People will have a say about where they wish to live, which will be responded to as far as reasonably possible within the context of the supply of suitable housing, affordability and their housing rights.
- People will live in their local community, security of tenure, private space and control over their own front door.
- People will have choice and control over how their care and support is provided, which will be a separate agreement to their accommodation.

- People will receive care and support that is person-centred, promotes independent living, helps them be connected to their family, friends and community, and helps keep them safe.
- People will be enabled to maximise independent living.

### **3. Can the tenant(s) meet the financial housing related costs of living in the household?**

If the tenant(s) cannot afford to pay all the bills that they are responsible for, then a timescale should be established in which to identify new tenant(s) and beyond that time plans should be put in place to find suitable alternative accommodation.

**NB.** The Personal Budget that the person receives is to meet their assessed eligible social care needs and cannot be used for household bills.

### **4. Is there a realistic prospect of new tenants moving in?**

The county council, Housing Provider and Support Provider (if there is one) and, where appropriate, the Health Commissioners, should agree a timescale to identify potential tenants to fill the vacancy.

Based on long-standing experience, and as a guiding principle, if a tenancy has had a vacancy for more than one (1) year then the likelihood becomes remote that a suitable tenant will be found and sourcing suitable alternative accommodation must be considered for the remaining tenant(s). This timescale may be varied, based on the individual circumstances of a tenancy and its tenant(s). It is the responsibility of the county council to take action where there is a vacancy more than one (1) year old.

### **5. Can the county council or provider afford the support related costs?**

If support costs are excessive and/or disproportionate compared to other tenancies or other available types of supported accommodation, then the tenancy may not be affordable to the county council. In these circumstances, the county council will determine an action plan with the Support Provider. This action plan may mean the tenant(s) move to new accommodation to make best use of public finances. In such circumstances, the county council will liaise with the relevant Housing Provider, Funding Provider and Care Provider, the tenant and his/her representatives (as appropriate) and have regard to the relevant provisions of any HMA, SLA and the terms of the tenancy agreement.

### **6. Can the Local Authority or Support Provider afford the rent costs?**

In some circumstances, the county council or the Support Provider will be liable for the rent on a vacancy. The timescale for this liability will be determined by the terms



set out in the HMA for that particular tenancy. In some instances, the county council or the Support Provider will not become immediately liable, but it should not wait until it becomes liable to consider this factor.

The full terms of the HMA must be considered – including any liability to pay an ESC, and a timeframe in which to find a new tenant must be established by the county council or the Support Provider. If a tenant is not found within this timeframe, plans must be drawn up in partnership with the support provider to find suitable alternative accommodation for the remaining tenant(s).

## **7. What would be the impact on the tenant if the household were to close?**

The potential impact of a move to suitable alternative accommodation must be assessed on an individual basis, considering all the circumstances surrounding the move. It should not be assumed that it is always best for a person to remain put, as an under-occupied tenancy can leave the remaining tenant(s) more restricted, more isolated, and with an increased burden of household bills, thus reducing disposable income and access to activities. Therefore, the impact on the individual's health and well-being of remaining in a non-viable tenancy will also need to be assessed.

In the event of any move, the county council will strive to ensure a smooth transition for an individual from their current accommodation into suitable alternate accommodation. Should a tenant not consent to such a move then it may be necessary to work with the relevant landlord to seek a possession order through the courts. This will include a demonstration by the county council that suitable alternative accommodation is available and that the relevant legal test is met.

## **8. Legal implications in relation to HMA's or support contracts**

In some circumstances, there may be legally binding obligations within an HMA or a support contract that prevent the county council or the Support Provider from ending the HMA early (or which mandate a specific notice period before an HMA can end). This however should not prevent consideration being given to the suitability of an individual to remain in a tenancy if it does not meet their needs. The terms of each HMA will be subject to review and where possible an HMA will be renegotiated with the Housing Provider to ensure that it is fit for purpose. The county council will strive to work closely with relevant parties to ensure there is a clear process to follow in the event that the council wishes to give notice to terminate a HMA and seek to move tenants. Separate consideration will need to be made on the future use of the property by county council senior managers.

## **Summary of proposed considerations**

The Housing and Support Forum will consider the supported living tenancy review and the above points. If on balance of all the considerations, the county council (as

commissioner) determines that a tenancy is not viable then this will be communicated in writing by the county council, along with a proposed action plan including details of suitable alternatives to the:

- Individual tenant(s)
- Representative(s)/Advocates
- Support Provider (if there is one)
- Housing Provider

This communication will clearly set out the rationale for the decision.

Notwithstanding the legal rights of the tenant, if a tenant/advocate wishes to challenge any decision then they may do so via the [county council's complaints procedures](#) and the council will seek legal advice about how to proceed on a case-by-case basis.

The Landlord and/or the support provider may only challenge this decision if it considers it has legal grounds to do so and this challenge must be notified in writing to the county council's Legal Department.

#### 4. RELATED DOCUMENTS

OTHER RELATED DOCUMENTS	<a href="#">Housing with Care and Support Strategy</a>
LEGISLATION OR OTHER STATUTORY REGULATIONS	<a href="#">Care Act 2014</a> <a href="#">Mental Capacity Act 2005</a> <a href="#">Housing Act 1988</a> <a href="#">Housing Act 1996</a>

#### 5. EQUALITY IMPACT ASSESSMENT

The Equality Act 2010 requires the county council to have "due regard" to the needs of groups with protected characteristics when carrying out all its functions, as a service provider and an employer. The protected characteristics are: age, disability, gender identity/gender reassignment, gender, race/ethnicity/nationality, religion or belief, pregnancy or maternity, sexual orientation and marriage or civil partnership status.

The main aims of the Public Sector Equality Duty are:

- To eliminate discrimination, harassment or victimisation of a person because of protected characteristics;
- To advance equality of opportunity between groups who share protected characteristics and those who do not share them. This includes encouraging participation in public life of those with protected characteristics and taking steps to ensure that disabled people in particular can participate in activities/processes;



- Fostering good relations between groups who share protected characteristics and those who do not share them/community cohesion.

It is anticipated that the proposed guidance on **Maximising Occupancy in Supported Housing** in this consultation document will support the county council in meeting the above aims when applied in a person- centred, objective and fair way which includes, where appropriate, ensuring that relevant factors relating to a person's protected characteristics are included as part of the process.

[More information can be found on the Equality and Cohesion website](#)



By virtue of paragraph(s) 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

