

# Public Document Pack



## Executive Board

Thursday, 13 December 2018 11.30 a.m.  
The Boardroom, Municipal Building

A handwritten signature in black ink, appearing to read 'David W R'.

**Chief Executive**

### ITEMS TO BE DEALT WITH IN THE PRESENCE OF THE PRESS AND PUBLIC

#### PART 1

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Members are reminded of their responsibility to declare any Disclosable Pecuniary Interest or Other Disclosable Interest which they have in any item of business on the agenda, no later than when that item is reached or as soon as the interest becomes apparent and, with Disclosable Pecuniary interests, to leave the meeting during any discussion or voting on the item.	
<b>3. CHILDREN, EDUCATION AND SOCIAL CARE PORTFOLIO</b>	
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*Please contact Angela Scott on 0151 511 8670 or  
Angela.scott@halton.gov.uk for further information.  
The next meeting of the Committee is on Thursday, 17 January 2019*

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<p><b>PART II</b></p> <p>In this case the Board has a discretion to exclude the press and public and, in view of the nature of the business to be transacted, it is <b>RECOMMENDED</b> that under Section 100A(4) of the Local Government Act 1972, having been satisfied that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.</p>	
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***In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.***

**EXECUTIVE BOARD**

*At a meeting of the Executive Board on Thursday, 15 November 2018 in The Boardroom, Municipal Building*

Present: Councillors Polhill (Chair), D. Cargill, Harris, R. Hignett, S. Hill, Jones, T. McInerney, Nelson, Wharton and Wright

Apologies for Absence: None

Absence declared on Council business: None

Officers present: A. Scott, G. Cook, M. Vasic, M. Reaney, E. Dawson, D. Nolan and W. Rourke

Also in attendance: One member of the public

**ITEMS DEALT WITH  
UNDER POWERS AND DUTIES  
EXERCISABLE BY THE BOARD**

EXB47 LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 URGENT BUSINESS

*Action*

The Board was advised that a matter had arisen which required immediate attention by the Board (Minute EXB 61 refers), therefore, pursuant to Section 100 B (4) and 100 E and due to the timing of the funding being released to the Local Authority and the urgent requirement of additional beds, the Chair ruled that this item would be considered at this meeting.

EXB48 MINUTES

The Minutes of the meeting held on 18 October 2018 were taken as read and signed as a correct record.

**RESOURCES PORTFOLIO**

EXB49 ANNUAL EXTERNAL AUDIT LETTER 2017/18

The Board received a report of the Strategic Director, Enterprise, Community and Resources, which presented the Annual Audit Letter 2017/18.

The Board was advised that the Annual Audit Letter (the Letter) summarised the findings from the 2017/18 external audit, completed by Grant Thornton, the Council's external auditor. Mark Heap, Audit Lead and Georgia Jones, Audit Manager for the external auditor, Grant Thornton UK LLP, attended the meeting and reported that an unqualified opinion had been issued on the Council's financial statements. The Letter also provided an unqualified conclusion that the Council had adequate arrangements to secure economy, efficiency and effectiveness in its use of resources.

As this was the final visit by Georgia Jones to Halton due to her recent promotion, the Board wished to place on record their thanks to the external auditors. Ms Jones also wished her thanks to Officers and Board Members for their assistance in the preparation of previous audits, be recorded.

Strategic Director  
- Enterprise,  
Community and  
Resources

RESOLVED: That the Annual Audit Letter 2017/18 be approved.

EXB50 DETERMINATION OF COUNCIL TAX BASE 2019/20 - KEY DECISION

The Board considered a report of the Operational Director, Finance, on the requirement for the Council to determine the Tax Base for its area and the Tax Base for each of the Parishes.

The Board was advised that the Tax Base was the measure used for calculating Council Tax and was used by both the billing authority (the Council) and the major precepting authorities (Cheshire Fire Authority and the Cheshire Police and Crime Commissioner), in the calculation of their Council Tax requirements. It was arrived at in accordance with a prescribed formula which represented the estimated full year number of chargeable dwellings in the Borough expressed in terms of the equivalent Band "D" dwellings. Taking account of all the relevant information and applying a 97% collection rate, the calculation for 2019/20 gave a base figure of 34,950 for the Borough as a whole.

It was noted that since 2013/14 the tax base calculation had included an element for the Council Tax Reduction Scheme (the replacement for Council Tax Benefit). In addition, the tax base calculation would include an element for Care Leavers Discretionary Discount, as approved by the Executive Board on 19 July 2018.

Reason(s) for Decision

To seek approval for the 2019/20 Council Tax Base for the Borough.

Alternative Options Considered and Rejected

There was no alternative option, as unless the Council Tax Base was approved, it would not be possible to set the level of Council Tax to be charged for 2019/20.

Implementation Date

The 2019/20 Council Tax Base would be implemented from 1 April 2019.

RESOLVED: That Council be recommended to approve

- 1) setting the 2019/20 Council Tax Base at 34,950 for the Borough, and that the Cheshire Fire Authority, the Cheshire Police and Crime Commissioner and the Environment Agency be so notified; and
- 2) the Council Tax Base for each of the Parishes be set as follows:

Operational  
Director - Finance

<b>Parish</b>	<b>Tax Base</b>
<b>Hale</b>	<b>660</b>
<b>Halebank</b>	<b>526</b>
<b>Daresbury</b>	<b>173</b>
<b>Moore</b>	<b>329</b>
<b>Preston Brook</b>	<b>359</b>
<b>Sandymoor</b>	<b>1,216</b>

EXB51 MEDIUM TERM FINANCIAL STRATEGY 2019-2022 - KEY DECISION

The Board considered a report of the Operational Director, Finance, on the Medium Term Financial Strategy (MTFS) for the period 2019/20 to 2021/22.

The Board was advised that the MTFS set out a three

year projection of resources and spending based on information currently available.

The projections in the MTFS showed that there was a continued need to make a significant level of savings over the next three years. This was the effect of the projections of public spending through to 2020 resulting from the 2015 Comprehensive Spending Review and uncertainty from 2020 on Government plans for public spending and continuity of the austerity programme. The MTFS took into account the:

- Budget 2018 announced by the Chancellor of the Exchequer on 13 March 2018;
- Comprehensive Spending Review 2015 announced by the Chancellor of the Exchequer on 25 November 2015; and
- The Local Government Finance Settlement 2018/19 dated 6 February 2018.

The MTFS provided initial guidance to the Council on its financial position into the medium term. Revenue savings of approximately £9.8m, £8.2m, and £3.3m would be required over the next three years. It was noted that as a result, a total of £21.3m would need to be removed from the Council's budget, by reducing spending or increasing income. This represented 19.5% of the net budget and continued to be a significant challenge to find sufficient savings over the medium term in order to balance the budget.

The Board was advised that the MTFS had a number of objectives, as listed in the report. The report set out the Council's budget strategy, with budget savings proposals and areas identified for further savings. The report contained details of the Council's Capital Strategy for the management of assets such as land and buildings in Council ownership.

### Reason(s) for Decision

To seek approval for the Council's Medium Term Financial Strategy for 2019/20 to 2021/22.

Alternative Options Considered and Rejected

The alternative option of not maintaining a MTFS had been considered. However, this would not follow good financial management practice, as the MTFS was a key element in informing the Council's financial planning and budget setting processes.

Implementation Date

The MTFS 2019/22 would be implemented from 1st April 2019.

RESOLVED: That

- 1) the Medium Term Financial Strategy be approved;
- 2) the 2019/20 base budget be prepared on the basis of the underlying assumptions set out in the Strategy;
- 3) the Budget Strategy and Capital Strategy be approved;
- 4) the Reserves and Balances Strategy be approved; and
- 5) the award of Council Tax Support for 2019/20 remains at the 2018/19 level of 21.55%.

Operational  
Director - Finance

EXB52 INITIAL BUDGET PROPOSALS 2019/20 - KEY DECISION

The Board considered a report of the Operational Director, Finance, which presented the revenue budget proposals for 2019/20.

The Board was advised that the Medium Term Financial Strategy forecast potential revenue budget funding gaps of £21m over the next three years. This figure assumed that the Council would apply a general council tax increase of 2.9%.

Appendix 1 presented the first set of proposals totalling £4.7m and it was proposed to implement these immediately in order to achieve a part-year saving in 2018/19. This would assist in keeping the Council's overall spending in line with budget. In addition, a number of



proposals would take time to implement and therefore commencing this process as soon as possible would assist with ensuring they were fully implemented from 1 April 2019.

It was reported that a second set of budget saving proposals currently under consideration by the Budget Working Group, would be recommended to Council on 6 March 2019, in order to deliver a balanced budget for 2019/20.

Reason(s) for Decision

To seek approval for the initial set of revenue budget proposals for 2019/20.

Alternative Options Considered and Rejected

There was no alternative option, as failure to set a balanced budget would put the Council in breach of statutory requirements.

Implementation Date

The 2019/20 revenue budget would be implemented from 1 April 2019.

RESOLVED: That Council

- 1) be recommended to approve the initial budget proposals for 2019/20 as set out in Appendix 1, attached to the report; and
- 2) determine the position of the Council on a proposal to continue the 4 days unpaid leave arrangement.

Operational  
Director - Finance

EXB53 2018/19 QUARTER 2 SPENDING

The Board considered a report of the Operational Director, Finance, which reported on the 2018/19 Quarter 2 spending as at 30 September 2018.

A summary of spending against the revenue budget up to 30 September 2018 was attached to the report at Appendix 1, along with individual statements for each department. The Board was advised that, in overall terms, revenue expenditure was £2.515m above the budget profile at this stage. It was reported that over the last quarter, the

rate of spending had continued at a faster pace than for the first three months of the financial year. If current spending patterns continued, projections showed that the Council would have a year-end outturn overspend position of approximately £5.3m, if no corrective action was taken.

It was further noted that within the overall budget position for the quarter, the key budget variances were in the Children and Families Department (Out of Borough Residential Places and Out of Borough Fostering); Community and Environment Department; Complex Care Pool; Education, Inclusion and Provision; and Corporate and Democracy.

The Capital Programme had been revised to reflect a number of changes in spending profiles and funding as schemes had developed and these were detailed in Appendix 2, attached to the report.

RESOLVED: That

- 1) all spending continues to be limited to only absolutely essential items;
- 2) Strategic Directors take appropriate action to ensure overall spending is contained as far as possible within their total operational budget by year-end; and
- 3) Council be recommended to approve the revised Capital Programme as set out in Appendix 2 attached to the report.

Operational  
Director - Finance

EXB54 TREASURY MANAGEMENT HALF YEAR REPORT  
2018/19

The Board considered a report of the Operational Director, Finance, which updated Members on the activities undertaken on the money market, as required by the Treasury Management Policy.

The report provided supporting information on the economic background, interest rate forecast, short term borrowing rates, longer term borrowing rates, borrowing/ investments, budget monitoring, new long term borrowing, policy guidelines and treasury management indicators. It was noted that no debt rescheduling had been undertaken

during the quarter.

One of the key Treasury Indicators set by the Council as part of the Treasury Management Strategy was the Operational Boundary (the limit beyond which external debt was normally expected to exceed) and the Authorised Limit (the limit beyond which external debt was prohibited). Due to the valuation of the Mersey Gateway Bridge being required to be included during the preparation of the 2017/18 Statement of Accounts, an additional £644m was added to the Council's Capital Financing Requirement. This represented the capital element of the future Unitary Payments the Council were due to make over the next thirty years, funded from toll income. It should be noted that this was a purely accounting adjustment and did not reflect any additional borrowing over and above what was already taken.

RESOLVED: That

- 1) Council be recommended to adopt the updated Operational Boundary and Authorised Limits as detailed in paragraph 3.18 of the report; and
- 2) the report be noted.

Operational  
Director - Finance

EXB55 DISCRETIONARY NON DOMESTIC RATE RELIEF

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, on an application for discretionary non-domestic rate relief.

The Board was advised that, under the amended provisions of the Local Government Finance Act 1988, the Council was able to grant discretionary rate relief to any business rate payer. Since 1 April 2017, the Council had been responsible for meeting the full cost of all mandatory and discretionary rate relief granted, as part of the Liverpool City Region 100% Business Rates Retention Pilot Scheme.

The report set out details of an application from a registered charity for rate relief on premises in Victoria Road, Widnes, for Members' consideration.

RESOLVED: That the request for 15% discretionary rate relief from Child Bereavement UK for the period 26 September 2018 to 31 March 2019, be refused on the

Strategic Director  
- Enterprise,  
Community and  
Resources

grounds of being a charity which operates nationally.

## **PHYSICAL ENVIRONMENT PORTFOLIO**

### **EXB56 COMMUNITY SHOP**

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which provided an update following the appraisal options for the introduction of a Community Shop.

At its meeting on 20 September 2018, the Board had considered a report which set out a number of options to progress the delivery of a Community Shop in Halton. It was noted that since the previous report, there had been key developments on two of the options, and details of these were set out in the report for Members' information.

It was reported that following consultation and close working with Community Shop, the most viable option to achieve a Community Shop in the Borough would be to progress the Onward Homes Priory House office site. The Board was advised that the level of capital funding to deliver the project was reduced compared to other options, and there was an increased opportunity for the project to be secured within the desired timescales.

RESOLVED: That

- 1) Executive Board approve that the Council progresses the option of working with Community Shop, and other partners, to deliver a Community Shop at Onward Homes Priory House Office (the Onward Homes Option);
- 2) Council be recommended to approve an amendment to the Capital Programme and a £50k capital allocation be approved to provide a contribution towards the costs involved in developing a Community Shop in Halton; and
- 3) the Strategic Director, Enterprise, Community and Resources, be authorised, in consultation with the Physical Environment Portfolio holder, to take all such actions and to make any decisions necessary in order to progress the Onward

Strategic Director  
- Enterprise,  
Community and  
Resources

Homes Option.

EXB57 RUNCORN STATION QUARTER

The Board considered a report of the Strategic Director, Enterprise, Community and Resources, which provided an update on the Runcorn Station Quarter and Masterplan.

The Board was advised that the aim of the Masterplan and accompanying delivery strategy was to enable the regeneration of the Runcorn Station Quarter area. Recognising the importance of a rejuvenated Runcorn Station, the Masterplan also took account of the forthcoming HS2 and West Coast Mainline improvements. It was reported that in developing the Masterplan, key stakeholders had been advised of the emerging proposals and that responses to date had been extremely positive.

Members noted that there were some guiding principles around the redevelopment of the Station Quarter which had informed the production of the Masterplan document. These were detailed in the report. The Masterplan also presented options for the incremental and phased development of the area as well as some catalyst stages which would unlock further opportunities within the Station Quarter and beyond.

RESOLVED: That

- 1) the Runcorn Station Quarter Masterplan Guiding Principles methodology and approach, as outlined in sections 3.10 to 3.12 of the report, be approved and adopted;
- 2) the Board formally endorses the preferred road scheme for the Station Quarter as outlined in the recent planning application (October 2018), and as set out in paragraph 3.15 of the report; and
- 3) a further report be brought to the Board, following the completion of the exercise to identify a development partner.

Strategic Director  
- Enterprise,  
Community and  
Resources

**CHILDREN, EDUCATION AND SOCIAL CARE  
PORTFOLIO**

EXB58 THE FUNDING FORMULA FOR MAINSTREAM SCHOOLS  
AND HIGH NEEDS FOR 2019-20 - KEY DECISION

The Board considered a report of the Strategic Director, People, on the funding formula for mainstream schools and high needs for 2019/20.

The Board was advised that in July 2017, the Secretary of State confirmed the introduction of the national funding formula, used by the Department for Education to calculate the Schools Block element of the Dedicated Schools Grant allocated to Halton. However, this arrangement had been deferred for a year until April 2021. As a result, each local authority area had to consider which formula to use to fund mainstream schools in 2019/20 and 2020/21.

It was noted that, after consultation with schools and Schools Forum, Halton mainstream schools and academies would move to the National Funding Formula with transitional protection for 2018/19.

A report highlighting key changes to the funding of mainstream schools was presented to the meeting of the Schools Forum on 10 October 2018.

Reason(s) for Decision

To ensure that there was a fair distribution of resources across the schools in the Borough and that the needs of the children and young people with special educational needs could be met.

Alternative Options Considered and Rejected

Consideration was given to either the transfer of 0.5% from the Schools Budget to the High Needs Budget or no transfer. Both of these options were rejected as they would not provide sufficient funding to address the high needs funding gap.

Implementation Date

1 April 2019.

RESOLVED: That the Board

- 1) approve the continuation of the National Funding Formula for 2019/20 with transitional protection; and
- 2) note the decision to transfer 1% from the Schools Budget to High Needs Block and the requirement to submit a disapplication request to the Secretary of State for Education.

Strategic Director  
- People

EXB59 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Board considered:

- 1) whether Members of the press and public should be excluded from the meeting of the Board during consideration of the following items of business in accordance with Section 100A (4) of the Local Government Act 1972 because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraphs 3 and 5 of Schedule 12A of the Local Government Act 1972; and
- 2) whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighed that in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following items of business in accordance with Section 100A (4) of the Local Government Act 1972 because it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraphs 3 and 5 of Schedule 12A of the Local Government Act 1972.

**HEALTH AND WELLBEING PORTFOLIO**

EXB60 ACQUISITION OF ORCHARD HOUSE

The Board considered a report of the Strategic Director, People, on the acquisition of Orchard House, to allow for its remodelling into supported accommodation for young adults with learning disability and autism.

The Board was advised that the Council and Halton CCG had considered a number of property options suitable for supported accommodation, following the availability of capital funding from NHS England. The proposal was to acquire Orchard House and to convert it into two separate self-contained apartments each with a secure garden. It was reported that the facility would accommodate and support young adults with autism and/or learning disabilities, who may have challenging behaviours.

RESOLVED: That the Board

- 1) notes the content of the report;
- 2) recommends that Council include an amount as stated in the report, in the Capital Programme, which will be fully funded by NHS England, to meet the cost of the Orchard House scheme;
- 3) approves the waiver of Procurement Standing Order 1.14.4(v), to allow the Council's requirements to be delivered by a particular supplier; and
- 4) authorises the Operational Director, Economy, Enterprise and Property, to arrange for all required documentation to be completed to the satisfaction of the Operational Director, Legal and Democratic Services.

Strategic Director  
- People

**CHILDREN EDUCATION AND SOCIAL CARE PORTFOLIO**

EXB61 OAKMEADOW REFURBISHMENT

The Board considered a report of the Strategic Director, People, on the refurbishment of Oakmeadow Intermediate Care Unit.



The Board was advised that NHS England had agreed to allocate capital funding for additional beds at Oakmeadow for the winter period. Following discussions with Halton's Director of Adult Social Services and the Chief Executive of St Helens and Knowsley Hospital Trust, it had been agreed to use a proportion of the funding to open additional beds in Oakmeadow, which in turn would help to alleviate the pressure on the hospital for beds over the winter period. Details of costs for the refurbishment were contained in the report.

RESOLVED: That the Board agrees to progress with the refurbishment of Oakmeadow, with immediate effect.

Strategic Director  
- People

**MINUTES ISSUED: 20 November 2018**

**CALL-IN: 27 November 2018**

**Any matter decided by the Executive Board may be called in no later than 5.00pm on 27 November 2018**

*Meeting ended at 2.39 p.m.*

<b>REPORT TO:</b>	Executive Board
<b>DATE:</b>	13 December 2018
<b>REPORTING OFFICER:</b>	Strategic Director, People
<b>PORTFOLIO:</b>	Children, Education and Social Care
<b>SUBJECT:</b>	Halton Safeguarding Adults Board Annual Report 2017 -2018
<b>WARD(S)</b>	Borough-wide

### 1.0 **PURPOSE OF THE REPORT**

1.1 To present the Halton Safeguarding Annual Report 2017-2018.

2.0 **RECOMMENDATION: That the report be noted.**

### 3.0 **SUPPORTING INFORMATION**

3.1 This report fulfils one of Safeguarding Adults Boards three core statutory duties:

- Develop and publish a strategic plan setting out how they will meet their objectives and how their member and partner agencies will contribute
- Publish an annual report detailing how effective their work has been
- Commission safeguarding adults reviews (SARs) for any cases which meet the criteria for these.

3.2 This Annual Report covers the period from 1<sup>st</sup> April 2017- 31<sup>st</sup> March 2018.

3.3 All safeguarding partners have submitted their annual summary of work activity.

3.3.1 The focus of this addresses HSAB's priorities as identified from 2016-2017 Annual Report, Performance Framework and Strategic Plan (2016-2018) in addition to acknowledging local and national safeguarding adults emerging issues/trends/policies throughout the year.

3.4 The report also provides a summary analysis of the data gathered from HBC Safeguarding Adults Collection and highlights what this information tells us for informing the work priorities for 2018-2019.

- The three main forms of abuse, are neglect and acts of omission, physical and financial abuse, which remain consistent with previous years. There is a slight variation in prevalence; neglect and acts of omission rising to 39.6% (8.6% increase on 2016-17); physical abuse decreasing by 5.5% to 21% and financial abuse 19.6%, decrease of 0.8% from 2016-17.
- Females continue to experience a higher percentage of abuse than males; the gender split of 60% female compared to 40% male remains aligned with last year's local and national data.
- The data found adults at most risk of harm are older adults aged 75 years plus, accounting for 53% of safeguarding concerns.
- The highest risk for location and risk type are adults who live in their own home and are most at risk of neglect or acts of omission; Location where abuse is most likely to occur is in the adults own home, at 44% this is a 3% drop since 2016-17; the second most likely location is in a nursing care home, with 24% of concluded enquiries.
- Ethnicity of adults was 92% White British, 0.75% were Asian/Asian British, 5.5% were either unknown or not declared.
- For concluded enquiries, 39% of adults were assessed as lacking mental capacity, a 2% rise from 2016-17; with 26% of adults recorded as having capacity (decrease of 3% since 2016-17).
- 83% of enquiries where risk was identified the risk was either removed or reduced.
- 74% of all adults under a safeguarding enquiry were supported, either by an advocate, a family member or a friend. This is an increase of 12% since 2016-17.

3.5 This year's annual report also included data from Halton Domestic Abuse Forum, which highlighted the following:

Older people aged 61 years+ are much more likely to experience abuse from an adult family member or current intimate partner than those aged below 60 years. That older victims are significantly more likely to have a disability (48% of victims aged 61 years+), for a third this is physical. Also, on average, older victims experience abuse for twice as long before seeking help than those aged under 61 years. In response Halton have strengthened the focus in the multi-agency domestic abuse awareness training to highlight and discuss domestic abuse and the implications it has on victims as well as ways in which it may manifest which are potentially different than in other domestic abuse situations due to the higher frequency of victims being dependent on the perpetrator for assisting them with day to day care requirements.

3.6 Learning from Reviews

Under the Care Act, Safeguarding Adults Boards (SABs) are

responsible for Safeguarding Adults Reviews. During 2017-2018 a Safeguarding Adults Review and a Multi- Agency Review was completed, along with Action Plans that addressed the recommendations within these review reports.

Following the completion of the Action Plan activities, there was a recommendation to establish a SAR Group. This newly formed SAR Group requested an executive review meeting where HSAB members and invited stakeholders from the SAR and MAR review panels examined the whole process of commissioning reviews, the writing and implementing of Action Plans and identifying key learning outcomes.

The proactive approach to the learning process enabled multi-disciplinary understanding across adult and children's sectors and across geographical boundaries between authorities.

Having independent reviewers and learning event facilitators enabled effective assessment and evaluation of the process.

360 learning approach has allowed learning events for all stakeholders, to fully participate including HSAB members and HSAB will continue this as an ongoing process utilising the newly formed SAR Group as a mechanism for sharing good practice. HSAB partners identified in the reviews and all those that attended the learning events demonstrated commitment to safer practice and safeguarding prevention.

### **3.7 2018-2019 HSAB Priorities**

Following on from the analysis of the previous year's data and work activity and in addition to consulting with members and partners from HSAB, sub-groups and service user groups the following 3 priorities were agreed for 2018-2019.

#### **3.7.1 Priority 1 - Quality Assurance:**

Review of current data/intelligence sources in referrals and alerts to be inclusive of the growing diversity of culture with Halton. To promote person-centred approach across all services working and supporting adults, ensuring it is adopted throughout the life course of adults with care and support needs and those at risk of harm. Undertaking audits for quality assurance. Taking in to account of models such as Making Every Adult Matter, Making Safeguarding Personal and applying Mental Capacity considerations when appropriate.

#### **3.7.2 Priority 2 - Learning and Professional Development:**

To continue to improve the skills and competencies of the local workforce through a range of resources. To aid a positive culture

around safeguarding adults and an understanding that all practitioners and carers who work with or support an adult have a duty of care and a responsibility to make themselves aware of safeguarding risks.

**3.7.3 Priority 3 - Coproduction and Engagement:**

The Care Act 2014 requires SABs to have a model of coproduction in order to fulfil its core duties (see section 1). In addition the Care Act statutory guidance 14.137 states:

*'Safeguarding requires collaboration between partners in order to create a framework of inter-agency arrangements. Local authorities and their relevant partners must collaborate and work together as set out in the co-operation duties in the Care Act and, in doing so, must, where appropriate, also consider the wishes and feelings of the adult on whose behalf they are working.'*

3.8 Workplans for each of HSAB sub-groups will be drawn up to address the recommendations within these priority areas of work. Quarterly updates from each sub-group will be provided to HSAB.

**4.0 POLICY IMPLICATIONS**

4.1 Safeguarding Adults Boards (SABs) have statutory duties under the Care Act 2014 (as outlined in section 3.1). In that all SABs must produce an annual report and make public and the annual report.

**5.0 FINANCIAL IMPLICATIONS**

5.1 None identified

**6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

**6.1 Children & Young People in Halton**

None identified

**6.2 Employment, Learning & Skills in Halton**

None identified

**6.3 A Healthy Halton**

The Annual Report contributes to the work of this priority. The overarching purpose of a Safeguarding Adults Board is to help safeguard adults with care and support needs and to ensure the health, care and support needs are met for adults at risk of harm.

**6.4 A Safer Halton**

The Annual Report contributes to the work of HBC's Safer Halton priority.

The Annual report is a public document that enables the work of Safeguarding Adults Board and its member organisations to be scrutinised to help achieve a safer Halton.

6.5 **Halton's Urban Renewal**

None identified

7.0 **RISK ANALYSIS**

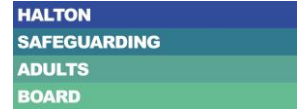
7.1 The Annual report is a public document that enables the work of Safeguarding Adults Board and its member organisations to be scrutinised to help safeguard the adult population within Halton by ensuring resources are targeted, keeping adults most at risk of harm safe and well.

8.0 **EQUALITY AND DIVERSITY ISSUES**

None identified

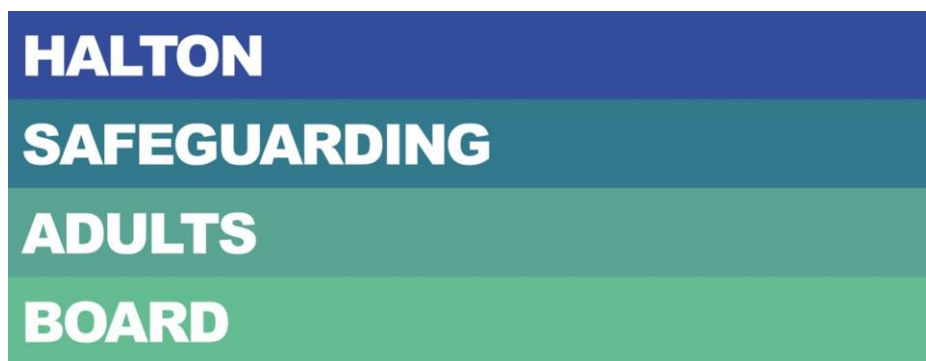
9.0 **LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

None.



# Halton Safeguarding Adults Board

## Annual Report 2017-2018



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## MESSAGE FROM THE CHAIR

As the independent chair of Halton Safeguarding Adult Board I am very pleased to present the annual report 2017/18. All Safeguarding Adults Boards are required to publish an annual report and analyse the effectiveness of the work across agencies to safeguard those adults who require additional support and care.

This year our annual report is short but full of information about how we have worked together. Our information shows that neglect and physical abuse remain the most frequently reported forms of abuse. There is also an increased awareness of emerging issues such as Modern Slavery and learning about this is taking place with neighbouring localities. In addition to statistical information we have described our work with Alice and Paul. Their stories show how we need to work together respectfully with individuals while seeking to ensure they are protected and safe.

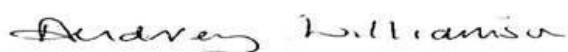
There have been some very positive developments during the last twelve months. I have particularly welcomed the establishment of a multi-agency training programme covering a range of topics including what to do if there is a concern about an adult requiring support. We are only halfway through the programme but all those working with adults have welcomed the opportunity to increase their skills. The programme will be evaluated but it is clear that training will continue to be needed next year.

We have also developed a marketing campaign to raise awareness across the partnership and local communities. A new website has been set up and posters and leaflets are available which highlight different forms of abuse. The more we are aware of how adults may be abused, for example through financial abuse and scams the better we are able to tackle the risks together.

As part of our preparation for this annual report we asked all agencies and organisations involved to provide us with information on how they had worked on our three priorities. The responses were very positive and are fully set out in the report. There remains more to do, particularly on our third priority which requires us to gain a greater understanding of the impact of mental health on individuals who may need protection. Overall however, the responses demonstrate that safeguarding adults work is taken very seriously across Halton.

I have also noted the resources which have been secured for safeguarding work. The three key agencies; Halton Council , Cheshire Police and Halton Clinical Commissioning Group have ensured that that there are sufficient resources to meet the needs of those adults who may be experiencing abuse. This commitment at a time of decreasing resources and increased need deserves to be recognised and allows for effective services to be delivered.

Finally I would like to thank all Board members for the support I have received throughout the year as well as the wider partnership forum which influences our work. I would also like to thank our Board Officer for her work particularly in developing the multi-agency training. Most importantly I would like to thank all those who work on a daily basis to make Halton a safer place.

A handwritten signature in black ink, which reads 'Audrey Williamson'.

***Audrey Williamson – Independent Chair***

**Halton Safeguarding Adults Board**

## SECTION 1: OUR VISION


Everyone deserves to live a safe and happy life and we have a duty to care for those people who may need more support to enable them to live a safe and happy life too.


Safeguarding Adults is managed well in Halton and Halton Safeguarding Adults Board has shown a continuous strive for improvement in fulfilling its statutory duties and a dedication to seeking and providing the best possible care and support to protect those members of our community that need it. This report provides a brief summary of the activities for the year 2017-2018.


### Definition of adult safeguarding


The Care Act 2014 defines adult safeguarding as protecting an adult's right to live in safety, free from abuse and neglect. It's about organisations and people working in partnership and everyone taking responsibility for learning about what abuse is and what to do if abuse happens. Safeguarding balances the right to be safe with the right to make informed choices.


### Six key principles that underpin all adult safeguarding work


 Empowerment - People being supported and encouraged to make their own decisions and informed consent. "I am asked what I want as the outcomes from the safeguarding process and these directly inform what happens"

 Prevention - It is better to take action before harm occurs. "I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help"

 Proportionality - The least intrusive response appropriate to the risk presented. "I am sure that the professionals will work in my interest, as I see them and they will only get involved as much as needed."

 Protection - Support and representation for those in greatest need. "I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want."

 Accountability - Accountability and transparency in delivering safeguarding. "I understand the role of everyone involved in my life and so do they".

 Partnership - local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse. "I know that staff treat any personal and sensitive information in confidence, only sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me"

### Duties of Safeguarding Adults Boards

As stated in the Care Act 2014 (chapter 14), the main objective of a Safeguarding Adult Board is to assure itself that local safeguarding arrangements and partners act to help and protect adults in it's area who meet the criteria set out; ie. the safeguarding duties apply to an adult who:

- ❖ Has needs for care and support (whether or not the local authority is meeting any of those needs)
- ❖ Is experiencing, or at risk of, abuse or neglect
- ❖ As a result of those care and support needs is unable to protect themselves from either the risk of, or experience of abuse or neglect

The Care Act states that Safeguarding Adults Boards have three core duties:

- ❖ Develop and publish a Strategic Plan setting out how they will meet their objectives and how member and partner agencies will contribute
- ❖ Publish an Annual Report detailing how effective their work has been
- ❖ Commission Safeguarding Adults Reviews for any cases which meet the criteria

Halton Safeguarding Adults Board (HSAB) membership consists of representatives from each of the following:

- Halton Borough Local Authority
- NHS Halton Clinical Commissioning Group
- Cheshire Constabulary
- Cheshire Fire and Rescue
- North West Ambulance Service
- National Probation Services
- Healthwatch
- Halton Safeguarding Adults Partnership Forum Chair
- Elected member responsible for adult health and social care

### Accountability and assurance

The Care Act 2014 states every SAB must send a copy of its report to:

- The Chief Executive and leader of the Local Authority;
- The Local Policing Body;
- The Local Healthwatch;
- The Chair of the Health and Wellbeing Board.

HSAB is also committed to recommendations from Department of Health Care and Support Statutory Guidance (issued under the Care Act 2014) which recommends using: *'Local Health and Wellbeing Boards to provide leadership to the local health and wellbeing system; ensure strong partnership*

*working between local government and the local NHS; and ensure that the needs and views of local communities are represented. HWBs can therefore play a key role in assurance and accountability of SABs and local safeguarding measures’.*

HSAB provides updates including the Annual Report to Halton Health and Wellbeing Board. HSAB communicates with sub-groups, partner groups and forums, service users and wider population. This year has seen continued growth in partnership building and establishing links across service providers and increased levels of engagement across the borough.

This year also saw the formation of a new subgroup for HSAB, the Safeguarding Adults Review (SAR) Group. This subgroup will enable HSAB to effectively and efficiently address any referrals for a SAR, ensure timely completion of Reviews, oversee implementation of action plans from recommendations of the Reviews and provide assurance to HSAB that duties and activities have been fulfilled.

Halton Safeguarding Adults Board sub groups are:

- Health Sub Group (joint with Halton Safeguarding Childrens Board)
- Faith Sector Forum (joint with Halton Safeguarding Childrens Board)
- Safeguarding Adults Partnership Forum
- Safeguarding Adults Review Group

HSAB continues to receive data and intelligence from the following partner forums:

- Provider Forums (Care Homes and Supported Living)
- Halton Domestic Abuse Forum
- Safeguarding Champions Network
- Halton Safeguarding Children’s Board

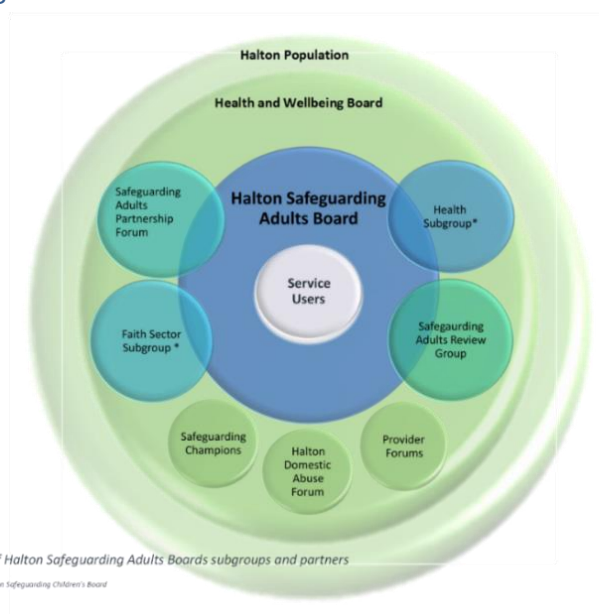


Figure 1: Structure of Halton Safeguarding Adults Boards subgroups and partners

• joint subgroup with Halton Safeguarding Children's Board

## SECTION 2: WHAT THE STATISTICS FOR 2017-2018 TELL US

### Key findings

#### Enquiries opened

- 670 adults with reported safeguarding concerns. The total number of concerns has decreased by 0.4% on last year and given the increase of just under 1% in adult population size for Halton this can be viewed as a decrease in overall prevalence.
- Of the concerns received, 73% of those were dealt with under the section 42 safeguarding criteria; this is an increase of 10% from 2016/17
- Highest age risk remains adults aged 75 years and over, accounting for 53% of safeguarding concerns.
- 2% decrease for adults aged 75-84 years (23%) and 2% increase for adults aged 85-94 years (26%) compared to last year.
- Gender ratio remains same as previous year at 40% males and 60% females.
- Ethnicity of adults was 92% White British, 0.75% were Asian/Asian British, 5.5% were either unknown or not declared.

#### Enquiries concluded

- Majority of enquiries received from Care Homes (19.5%), Independent Service Provider were 19%, Social Care Worker/Care Manager at 13.6% with Health and Hospitals at 16% and reports from relatives at 8.2%.
- The top 3 most frequently reported types of abuse remain the same as previous 2 years with a similar trend of neglect and acts of omission rising to 39.6% (8.6% increase on 2016-17); physical abuse decreasing by 5.5% to 21% and financial abuse 19.6%, decrease of 0.8% from 2016-17.
- 80% of risk sources are from service providers and other people known to the individual (16%).

#### Capacity, Advocacy & support

- Location where abuse is most likely to occur is in the adults own home, at 44% this is a 3% drop since 2016-17; the second most likely location is in a nursing care home, with 24% of concluded enquiries.
- For concluded enquiries, 39% of adults were assessed as lacking mental capacity, a 2% rise from 2016-17; with 26% of adults recorded as having capacity (decrease of 3% since 2016-17). Recordings of either did not know capacity or not recorded account for 35% of cases.
- 74% of all adults under a safeguarding enquiry were supported, either by an advocate, a family member or a friend. This is an increase of 12% since 2016-17.

#### Risk outcomes

- 83% of enquiries where risk was identified the risk was either removed or reduced.

The population of Halton is approximately 127,595 with an adult population of around 99,200 of those 22,800 are aged 65 years and over, almost a quarter of the whole adult population. Halton has an increasingly ageing population with a projected 44% increase of adults aged 65+ by 2036.

### **The Safeguarding Adults Collection**

The Safeguarding Adults Collection (SAC) records details about safeguarding activity for adults aged 18 and over in England, reported to, or identified by, Councils with Adult Social Services Responsibilities (CASSRs or councils). The collection includes demographic information about the adults at risk and details of the incidents that have been alleged.

### **Changes to 2017-18 data requirements**

In early 2016, the NHS Digital, in conjunction with the Safeguarding Data Collection working group, proposed some changes to the 2017-18 data collection, to better monitor Safeguarding activity. The final list of changes was published in the September 2016 letter to councils, having been approved by the Adult Social Care Data and Outcomes Board (ASC-DOB, jointly chaired by the Department of Health and the Association of Directors of Adult Social Services (ADASS) and the Department of Communities and Local Government.

In 2016-17, the Concluded Section 42 Enquiries Source of Risk values for Domestic Abuse, Sexual Exploitation, Modern Slavery and Self-Neglect were voluntary. These total counts are now mandatory. Due to additional types of abuse now being available for selection, it is difficult to ascertain whether the decreases / increases in these are a true reflection or if there is shift to the types of abuse now available; what we have seen this year is an increase in more than one type of abuse per concern being recorded. Due to the above changes, some measures may not be comparable year on year.

This will be the third year of the SAC, which is an updated version of the Safeguarding Adults Return (SAR) which collected safeguarding data for the 2013-14 and 2014-15 reporting periods.

### **Safeguarding concerns and safeguarding enquiries**

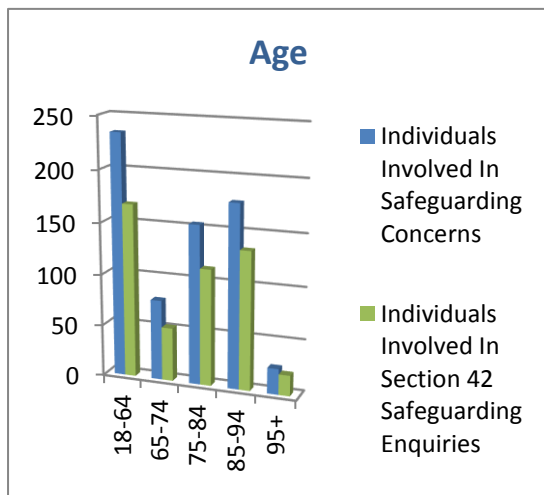
Safeguarding Concerns (Alerts / Referral) is a sign of suspected abuse or neglect that is reported to the council or identified by the council. The collection captures information about concerns that were raised during the reporting year, that is, the date the concern was raised with the council falls within the reporting year, regardless of the date the incident took place.

Safeguarding Enquiries (Strategy Discussion / Investigation) is the action taken or instigated by the Local Authority in response to a concern that abuse or neglect may be taking place. An enquiry could range from a conversation with the adult to a more formal multi-agency plan or course of action.

Both Safeguarding Concerns and Safeguarding Enquiries can include cases of Domestic Abuse, Sexual Exploitation, Modern Slavery, and Self-Neglect.

**Profile of adults at risk**

Prevalence of age /ethnicity/gender/mental capacity



**Ethnicity**

White British 92%  
Asian/ Asian British 0.75%  
Black/African /Caribbean /Black British 0.15%  
Other ethnic group 0.6%  
Undeclared/not known 5.5%

**Gender**

Male 40% Female 60%

**Mental Capacity- Safeguarding Enquiries (Section 42)**

39% lacked capacity  
26% had capacity  
35% unknown

**What does this mean?**

The prevalence of safeguarding concerns per age group can be seen as an increasing risk for the older population. That as people get older the risk continues to rise with over half the alerts relating to adults aged 75 years and older. This year there has been slight variation in prevalence, a decrease of 2% for adults aged 75-84 years old to 23% and a 2% increase for adults aged 85-94 years to 26%.

We have an aging population, with a projected 44% increase in adults aged 65 years plus living in Halton by 2036. This presents potentially greater demand for health and care needs over an increasing period of time. This year saw a slight increase in the numbers of adults who lacked mental capacity to make their own choices. Halton’s demographics are changing, seeing an increase in diversity from ethnicity and gender perspectives for example Halton is home to a number of refugees and asylum seekers.

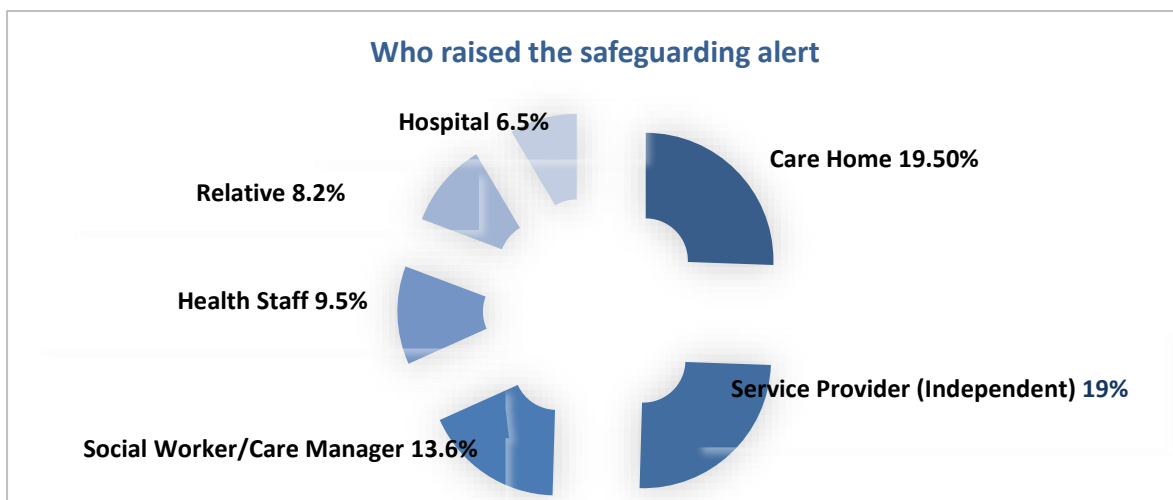
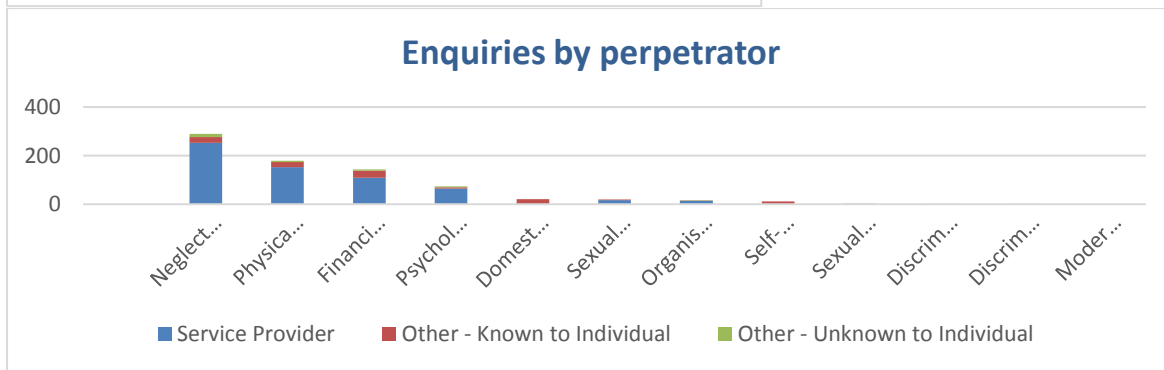
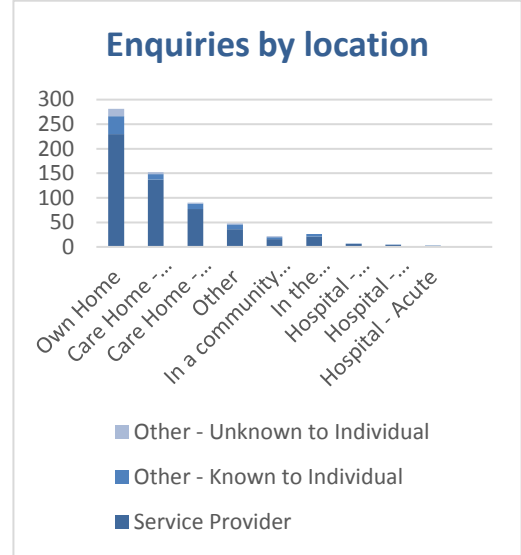
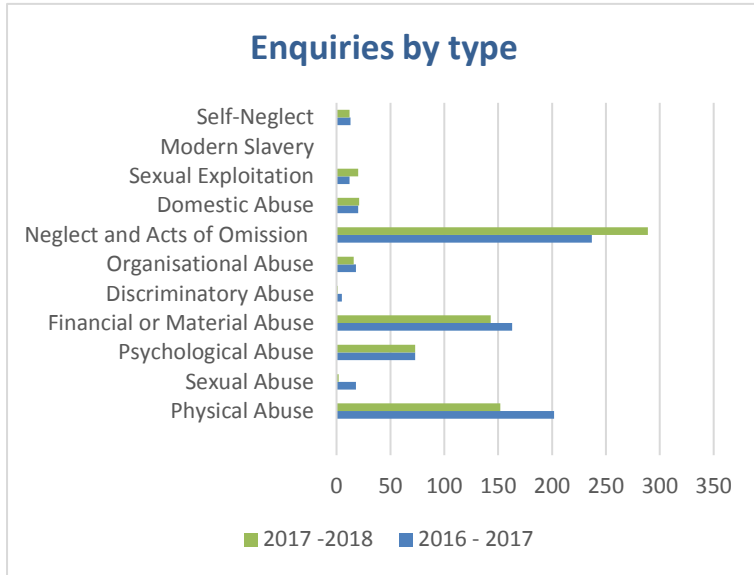
**What can we do**

- I. Capture diversity within our data- wider categories for gender and ethnicity, ensuring all data categories are completed.
- II. All partners to be proactively inclusive and person-centred within their approach and a cultural approach with their service provision.
- III. Scrutinise recording of mental capacity, whether this might be a need for training or awareness or may be due to systems improvement to conduct timely mental capacity assessments.
- IV. Audit cases of safeguarding that include the highest indices of prevalence across type, location, age and perpetrator, to identify themes or trends.
- V. HSAB to continue engagement with services /groups/ individuals including those representing minority populations, to increase participation and awareness across the borough and find more accessible ways to share safeguarding information.



**What has been reported**

Prevalence of section 42 enquiries by type of abuse / location / perpetrator / alerter



### What does this mean?

Service Provider (independent) are services that work with or support adults who are receiving support or a care package, whilst they are living in their own home.

These figures are representative of all the safeguarding alerts that are received. Not all these referrals meet safeguarding criteria, for example, after an initial assessment, an alert may result in a review of a person's care plan where the adult is found to be not at risk of harm and therefore wouldn't need to be safeguarded. Anyone can make a referral and we can see the most common sources of referrals come from care homes, service providers (independent) and from social care/care management. There are significant referrals received from health sector and from relatives.

The top three most prevalent types of abuse recorded in the SAC remain the same as the previous 2 years with neglect and acts of omission continuing to rise and physical and financial abuse rates falling. 2017-2018 rates are: neglect and acts of omission increase of 8.6% to 39.6%, whilst physical abuse is down by 5.5% to 21% and financial abuse down 0.8% to 19%.

The most common location of abuse is the adult's own home at 44%, this year sees a drop of 3% from 2016-17 and a 5% drop since 2015-16 of section 42 enquires. There has also been a decrease in residential care homes by 3% to 14%, and there is an 11% increase this year to 24% of section 42 enquires from nursing care homes.

The predominant source of abuse is from service providers, up 10% on 2016-17. 13% of perpetrators were people known to the individual, this is a reduction of 7% from 2016-17. This year has also seen a reduction in rates of reporting from perpetrators not known at 4% compared to 7% in 2016-17.

What we also know from data gathered by Halton Domestic Abuse Forum around domestic abuse is older people aged 61 years+ are much more likely to experience abuse from an adult family member or current intimate partner than those aged below 60 years. That older victims are significantly more likely to have a disability (48% of victims aged 61 years+), for a third this is physical. Also, on average, older victims experience abuse for twice as long before seeking help than those aged under 61 years. In response Halton have strengthened the focus in the multi-agency domestic abuse awareness training to highlight and discuss domestic abuse and the implications it has on victims as well as ways in which it may manifest which are potentially different than in other domestic abuse situations due to the higher frequency of victims being dependent on the perpetrator for assisting them with day to day care requirements.

Training can be accessed by staff via [www.haltonsafeguarding.co.uk/training](http://www.haltonsafeguarding.co.uk/training).

There has been continued dedicated activity this year around medicines management which was highlighted within the area of neglect and acts of omission. Offering free specialist support, advice, resources and training to all care providers in Halton.

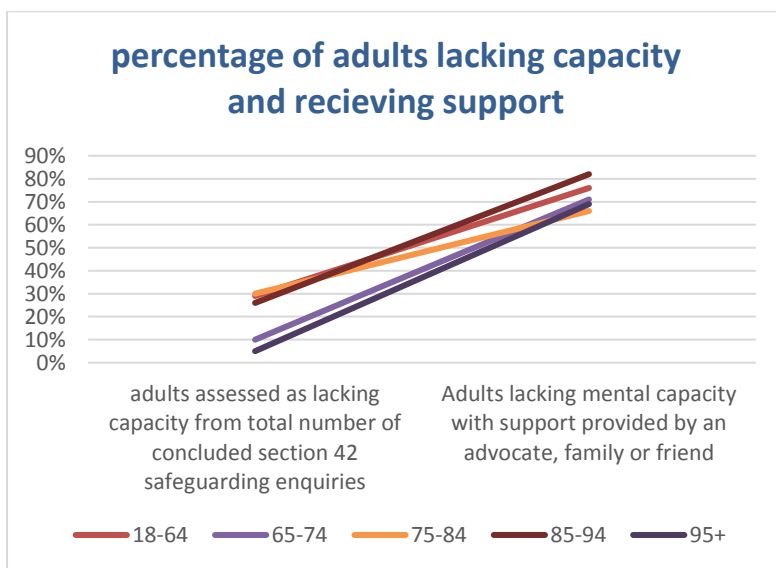
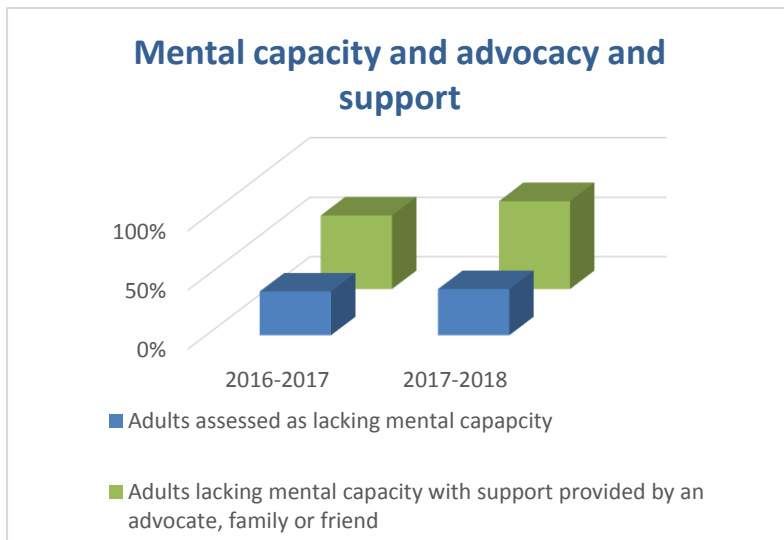
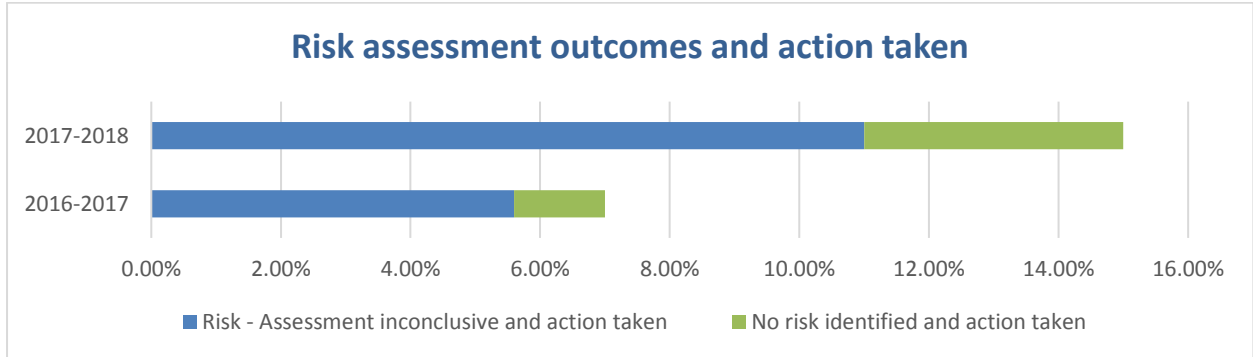
Most safeguarding alerts are raised by practitioners and professionals accounting for 88% of all alerts, with most coming from the care and support sectors. This is a positive picture meaning practitioners are proactive in reporting safeguarding concerns and working towards improved standards of care with a safe reporting culture.

### What can we do

- I. HSAB to continue to offer free resources including multi-agency training and marketing campaign resources to improve competency skills and improve practice. All resources are available on HSAB website [www.haltonsafeguarding.co.uk](http://www.haltonsafeguarding.co.uk).
- II. HSAB to continue engagement with services /groups/ individuals including those representing minority populations, to increase participation and awareness across the borough and find more accessible ways to share safeguarding information.
- III. Audit cases of safeguarding that include the highest indices of prevalence across type, location, age and perpetrator, to identify themes or trends. This could enable a greater understanding of care and support provision from staff, carers and volunteers who attend an adult's home to support/care for them.
- IV. All partners to understand their responsibilities in relation to knowledge, skills and professional practice, adopting 6 principles of safeguarding which is a person-centred approach and applies to preventing safeguarding alongside dealing with safeguarding concerns that are raised.

**Profile of risk assessment outcomes and support**

Risk assessment outcomes / mental capacity and advocacy and support



### What does this mean?

During this reporting year in 92% of cases action was taken, this is a rise of 5% on previous year and we saw a drop in no action taken where no risk was identified from 6.6% to only 3% of cases. In total 83% of cases the risk was either reduced or removed and 74% of adults who lacked mental capacity received advocacy or support, an increase of 12% compared to 62% for 2016-17. We can see adults aged between 85-94 years received the most support at 82%, with 66% of adults aged 75-84 years old and 69% of adults aged over 95 years receiving support.

Every person has a right to choice and to decide what outcomes they would like. Adults at risk who have been assessed as lacking capacity will have their decisions made for them by a nominated representative and should always be considerate of the adult's personality, preferences and lifestyle choices that are already known, to ensure decisions are made in their best interest. There still remains a number of individuals who request no action to be taken even when there has been a safeguarding risk identified. This is due to many reasons but of the more common situations it can be where a person is being looked after by someone close to them, for example a family member. Halton safeguarding team listens to what outcomes the person wants and follows the Making Safeguarding Personal approach, that safeguarding balances the right to be safe with the right to make informed choices.

This data indicates a proactive approach to taking action, whether this is to provide safeguarding for an adult at risk or to assist with support and care plans for those adults who have not been assessed at risk of harm but may still benefit from services. This aids prevention of escalation, addressing emerging needs and early intervention can mean long-term reduction of safeguarding alerts.

### What can we do

- I. With a new advocacy service commissioned by Halton Borough Council, being provided by Healthwatch Halton, via a single point of access the accessibility of advocacy has already been considered and should provide easier and more efficient provision.
- II. Partners can help by promoting and utilising the advocacy services to adults who may need this to ensure a proactive inclusive and person-centred approach within their service provision.
- III. Capture diversity within our data- wider categories for gender and ethnicity, ensuring all data categories are completed.
- IV. Scrutinise recording of mental capacity, whether this might be a need for training or awareness or may be due to systems improvement to conduct timely mental capacity assessments.
- V. HSAB to continue engagement with services /groups/ individuals including those representing minority populations, to increase participation and awareness across the borough.

## SECTION 3:

Here are two real-life experiences that provide an insight to the diversity of support needed in order to help safeguard an adult at risk. Names have been changed to protect the individual's identity and both have given consent to have their stories told.

The social care team work with the adult to help them get the help and support they need. Any adult who is receiving support makes their own decisions and choices about what they want to happen and all support staff work towards making this happen. This is called Making Safeguarding Personal and is described in the Care Act.

Making Safeguarding Personal is critical in adult safeguarding and is an important mechanism to enable individual experiences to be recognised and listened to and therefore achieve best outcomes as identified by the person themselves.

Both Alice and Paul demonstrate lived examples of how Making Safeguarding Personal and safeguarding has impacted their lives.

### ALICE'S STORY

#### Alice

Alice was an 82 year old lady who lived in the community in her own home. Alice had a mental health diagnosis and had support with her needs, to help her remain as independent as possible. Alice lived alone, having been widowed some time ago.

#### Referral

A safeguarding alert was raised by her sister-in-law to the local authority. The sister-in-law, Sam, stated that Alice had been taken to a local clothes shop with a carer and the carer had spent a large amount of Alice's money on clothes for herself. The carer was a regular visitor to Alice, who she had grown to be fond of, so Alice was uncertain of what to do as she did not want to lose the relationship she had with the carer, who she considered as a 'friend'.

The alert was assessed and it was determined that a Section 42 enquiry was needed.

#### Requested outcomes

A social worker was assigned to Alice, who made arrangements to visit her in her own home. It was unclear on the alert what Alice's desired outcome was, so it became the priority of the social worker to obtain her desired outcome, compliant with the Making Safeguarding Personal approach.

The social worker visited and Alice was able to make her own decisions as she had mental capacity. Alice decided to proceed with the safeguarding enquiry and stated that she wanted to make a referral to the police. Alice was able to give details of which carer it was, so that arrangements could be made with the provider service to reduce the risks immediately.

### Actions

The police were contacted and as part of the police led investigation, they asked an assessment was completed for Alice, to ensure she was able to manage her own finances. This assessment (Mental Capacity Act 2005) helped as it provided vital evidence and enabled them to proceed with a charge against the carer.

Before the case went to court, Alice sadly passed away through an unrelated health condition. The Police/CPS decided to continue with the investigation and the case went to court.

### Review of outcomes: Safeguarding Social Worker statement

The carer pleaded guilty in court and was given a suspended sentence and rehabilitation order.

Although Alice passed away during the enquiry, her desired outcome was met. Family acting on her behalf was thankful for the support offered to Alice and them by the social worker.

### What does this mean?

We can learn from Alice's experience how important the Making Safeguarding Personal approach is in order to identify the right outcome for the person and to help safeguard effectively. Using the Mental Capacity Act to assess mental capacity enabled successful completion of prosecution and to ensure Alice could make her own decisions around finances.

There is also some learning for practitioners around professional boundaries and understanding that building trust relationships are important in care and support provision but that this may impact on decisions that people being cared for might make.

### What can we do

- I. All practitioners to have an awareness that Making Safeguarding Personal is a cultural approach requiring working with individuals and utilising the six principles of adult safeguarding and that professional boundaries still apply.
- II. For all partners to understand risks and choices and know where mental capacity is relevant.
- III. For all partners to attain training and professional development to ensure current practice is compliant and safe.
- IV. For carers and families to understand everyone has the right to choose what they would like to happen within safeguarding but also whilst they are being cared for.
- V. HSAB to continue to promote the six principles of adult safeguarding.

## PAUL'S STORY

### Paul

Paul is a 55 year old male with a mild-moderate Learning Disability, who lived independently in a ground floor flat. Paul lived with his mother and father, but both passed away suddenly a few years ago. At that time, Paul remained living in the family home. However, he became a target by local youths and was subject to a sustained physical attack. As a result of this, he was relocated to his own flat where he resided at the time of the safeguarding alert.

### Referral

A safeguarding alert was raised by his GP to the Local Authority. Paul had been in to see his GP with an injury. Paul has a sister but doesn't see her regularly. Paul disclosed to his GP that he had been assaulted by his 'friend' and he had an injury which needed treatment. The GP spent time with Paul who made further disclosures regarding his 'friend', stating that he takes his money and food off him, as well as forcing Paul to set fire to himself. The GP obtained his consent to make a safeguarding alert and followed local safeguarding procedures following some initial treatment for his injury.

The safeguarding alert was screened and assigned to a social worker.

### Actions

A visit was undertaken to Paul's address. It became evident that Paul was struggling to maintain his own needs, including cleaning his flat, self-care needs as well as take his own medications. In addition to the concerns raised by the GP, Paul had acquired 10 cats and various items of junk from other residents in the block of flats. It became evident that he was being exploited as well as being subject to the concerns raised in the alert. The social worker spent time with Paul to go through each concern that he had, to inform what can be done next. All options were discussed with Paul and Paul agreed to a police referral, as well as a social care assessment, to look at how Paul can meet his own needs in the medium to long term.

In regards to the social care assessment, the safeguarding social worker made the appropriate referrals and organised a Multi-Disciplinary Team meeting, to pool information and determine actions. Paul was a part of this meeting. This included housing, health, social care, police and his GP. This provided Paul with a clear vision of what support can be offered, as well as focusing on what he can do for himself, building on his confidence and self-esteem to complete this.

### Requested outcomes

In relation to the safeguarding concerns, Paul was reluctant to contact the police initially, feeling that he would be subject to further incidents and being called a 'grass'. Reassurance was offered and Paul accepted that he would initially speak to the police, as he had lost confidence in them following a previous incident. Paul agreed to a joint visit with the social worker and the police. Police were contacted at the time of the visit and they arrived to speak to Paul 1 hour later.

Paul felt reassured that the social worker stayed with him while the police visited him. Paul disclosed all the information to the police that had been shared previously and at the end, decided he wanted to officially make a complaint to the police. This resulted in interim actions being taken to prevent the person alleged to have caused harm from visiting/contacting him, which again gave Paul reassurance.



A police-led enquiry was undertaken. The police had asked Paul if he wanted to complete a video interview. Paul requested that the social worker needed to be present to support. This was facilitated by the police who wanted to achieve best evidence.

**Review of outcomes: statement**

The case went to court and although the person alleged to have caused harm pleaded not guilty, he was sentenced to 20 months in prison. Paul was happy with the outcome.

Following the initial concern, Paul expressed a desire to move home. He was supported by adult social care and housing and has now moved home, to a place where he feels comfortable. In addition, he now has a support package in place to continue to support Paul to maintain his independence and ability to keep himself safe, in the community.

**What does this mean?**

Paul's story provides an example of what is sometimes called 'mate crime' where an adult is befriended and whilst the adult may think the relationship is genuine the befriender then exploits and abuses. This is particularly difficult to manage when there are any support and care needs as the adult is more likely to be in an imbalanced power-dynamic relationship. To understand that some people enter relationships that are difficult for them to manage due to power and coercion.

We can also see how important the roles of other practitioners are in detecting and supporting safeguarding concerns. Here the GP was critical in helping Paul, he raised an alert and acted upon this immediately. Additionally a Multi-Disciplinary Team (MDT) was brought together with Paul to identify the best outcomes for him and this enabled an effective support and care package. Paul was supported by a range of services which provided a positive outcome.

**What can we do**

- I. All partners to have an awareness of adult safeguarding, to enable effective and efficient response to abuse indicators. To attain training and professional development to ensure current practice is compliant and safe.
- II. All partners to learn about 'mate crime' and abusive relationships.
- III. For service providers to encourage professional curiosity and utilise models of multi-agency working within their provision.
- IV. HSAB to continue to promote the six principles of adult safeguarding.
- V. HSAB to continue engagement with services /groups/ individuals including those representing minority populations, to increase participation and awareness across the borough.

## SECTION 4: LEARNING FROM REVIEWS

Under the Care Act, Safeguarding Adults Boards (SABs) are responsible for Safeguarding Adults Reviews. Halton SAB commissioned a Safeguarding Adult Review (SAR) and Halton CCG commissioned a Multi-Agency Review (MAR) during 2017-2018 with resulting Action Plans derived to address the recommendations within these reviews. SABs also hold responsibility to manage and monitor the progress of Action Plans from all safeguarding reviews. Halton SAB also oversees the local reviews from the Learning Disabilities Mortality Review (LeDeR) Programme.

### The Learning Disabilities Mortality Review (LeDeR) Programme

The Learning Disabilities Mortality Review (LeDeR) Programme is the first national programme of its kind aimed at making improvements to the lives of people with learning disabilities, commencing 2015 and now extended to May 2019.

The LeDeR was a recommendation from the Confidential Inquiry into Premature Deaths of People with a Learning Disability (CIPOLD); to conduct a review into why people with learning disabilities die and what can be learnt from their deaths with a view to improve the standard and quality of their care. The LeDeR Programme is delivered by the University of Bristol and is commissioned by the Healthcare Quality Improvement Partnership (HQIP) on behalf of NHS England.

A key part of the LeDeR Programme is to support local areas to review the deaths of people with learning disabilities. The Programme is developing and rolling out a review process for the deaths of people with learning disabilities, helping to promote and implement the new review process, and providing support to local areas to take forward the lessons learned in the reviews in order to make improvements to service provision. The LeDeR Programme also collates and shares the anonymised information about the deaths of people with learning disabilities so that common themes, learning points and recommendations can be identified and taken forward into policy and practice improvements.

- Halton is part of the Cheshire and Merseyside LeDeR steering group and as such enables Halton to share learning from deaths locally and nationally.
- Halton currently has 10 reviewers, who are in the process of completing 4 reviews. They are all new to LeDeR reviews and although they are all practitioners, these will be their initial reviews.
- No reviews have been completed to date and when they have will be subject to rigorous quality assurance from the Local Area Contact and then a Multi-Agency Panel.

### Safeguarding Adults Review and Multi-Agency Review

During 2017-2018 a Safeguarding Adults Review and a Multi-Agency Review was completed, along with Action Plans that addressed the recommendations within these review reports.

Practitioner learning events took place prior to the SAR report being written and during the implementation of the Action Plans; the SAR event was on 1/09/17 and MAR on 8/09/17. Frontline staff and service leads were invited to attend to share the learning from these reviews and to contribute to identifying appropriate activities to address the recommendations from the reviews. Attendees found the events helpful to their practice and a summary report was provided to HSAB.

Following the completion of the Action Plan activities, there was a recommendation to establish a SAR Group. This newly formed SAR Group requested an executive review meeting where HSAB members and invited stakeholders from the SAR and MAR review panels examined the whole process of commissioning reviews, the writing and implementing of Action Plans and identifying key learning outcomes. Also in attendance were representatives from North-West Borough Health, Halton Clinical Commissioning Group, Halton Borough Council, Warrington Safeguarding Boards, Police, Probation Services and the independent chair for Halton Safeguarding Adults Board (HSAB) and the HSAB Officer. The executive review meeting took place on 18/05/18 and an independent expert with specific expertise in reviews was invited to facilitate the meeting; Lisa Cooper, Deputy Director Quality & Safeguarding (NHS England North).

Some key learning from the reviews were:

- Both were young adults and mental and emotional health issues were present from childhood. Working more closely with children's boards was discussed and as mentioned HSAB have a representative from Halton Safeguarding Children's Board already on the HSAB. HSAB have now invited a representative from Public Health to attend future HSABs.
- Cross-border challenges were evident in the SAR process. Having an understanding of where responsibility lies when an adult moves to another area and/or transfers from children to adult services. The potential to address this gap in information sharing and/or handover via hosting a Multi-Disciplinary Team meeting when a person is identified meeting this criteria was discussed. Cross-border principles to be agreed and will then be shared. Additionally, it was felt agreement is needed on who will hold agencies to account and bring this cross-border agreement together.
- People being 'invisible' to services or not being 'picked up' by services was also discussed. The challenge that some adults are not known to services was recognised as difficult to address. Potentially this links with recognising significant events/traumas/family problems identified during childhood can have a significant impact on adulthood.
- Personalisation within the review and learning could be improved, e.g. age, gender, nationality, culture, details to demonstrate inclusivity and capture whether this person is representative of Halton. An understanding of whether this influences information gathering, service provision and practitioner learning.

- To capture professional curiosity within reports. Generally to encourage this in practice and recognise this is usually built from experience. Conversations with practitioners (including provider visits by HSAB) towards building a culture of professional curiosity.

Work continued into 2018-2019 reporting year and these updates will be provided as part of the ongoing learning process to and from HSAB to all its partners and across the wider Halton community.

There has been a lot of development nationally around SARs, given that Safeguarding Adults Boards generally are still in their relative infancy of development and there have been many and varied mechanisms by which SARs have taken place. All Safeguarding Adults Boards were invited to participate in a National Consultation process and Halton SAB was part of this. The learning from this research has resulted in a National SAR Library, where all local authorities who have undertaken a SAR shares the learning and resources, so that safeguarding adults reviews nationally can offer a more consistent and effective approach.

#### What does this mean?

Positive proactive approach to the learning process enabled multi-disciplinary understanding across adult and children's sectors and across geographical boundaries between authorities. Having independent reviewers and learning event facilitators enabled effective assessment and evaluation of the process.

360 learning approach has allowed learning events for all stakeholders, to fully participate including HSAB members and HSAB will continue this as an ongoing process utilising the newly formed SAR Group as a mechanism for sharing good practice. HSAB partners identified in the reviews and all those that attended the learning events demonstrated commitment to safer practice and safeguarding prevention.

That HSAB are prepared with SAR Group, family liaison established guidance for any commissioned SAR that may be requested or needed. Enabling a more efficient and timely process that is focussed on the recommendations and activities that put the recommendations in to practice.

Access to the National SAR Library- where shared learning and resources and models of good practice can be accessed.

#### What can we do

- I. All partners including frontline staff are aware of their responsibility to learn from Safeguarding Reviews and Action Plans, to consider implications within their own working/ service areas.
- II. All partners to have an awareness of adult safeguarding, to enable effective and efficient response to abuse indicators. To attain training and professional development to ensure current practice is compliant and safe.
- III. For service providers to encourage professional curiosity and utilise models of multi-agency working within their provision.
- IV. HSAB to continue engagement with services /groups/ individuals including those representing minority populations, to increase participation and awareness across the borough.

## SECTION 5: PROGRESS AGAINST OUR PRIORITIES

Halton Safeguarding Adults Board and its partners value the positive relationships that have been built which enable continued partnership working. This approach helps utilise existing community assets, addressing safeguarding issues from early identification and prevention through to improving specialist skills and services to address safeguarding issues raised. The sub-groups of the board have evidenced their dedicated commitment to assisting HSAB to fulfil its statutory and moral duties for the benefit of Halton and in particular to improve the lives of adults at risk of harm.

As highlighted in last year's Annual Report, Halton Safeguarding Adults Board set out three key priorities for sub-group and partners to work towards. The priorities were set using data and information gathered through previous Safeguarding Adults Collection (SAC), local intelligence and consultations with service providers and service users, the Safeguarding Adults Review and Multi-Agency Review and Thematic Review findings and recommendations, along with recommendations from the Halton Adult Safeguarding Peer Review facilitated by St.Helen's Council.

The following is a snapshot of the work and activities from Halton Safeguarding Adults Board, its sub-group and partners, that took place during 2017 to 2018.

➤ **Priority 1: Creating a safer place to live for all adults living in Halton (Safeguarding Prevention)**

This year saw the establishment of a dedicated Safeguarding Adults Review Group following the commission and completion of Halton's first Safeguarding Adult Review (SAR). This SAR linked closely to a Multi-Agency Review (MAR) which was conducted by Halton Clinical Commissioning group (CCG) and a Thematic Review that Public Health undertook during 2016-2017 which HSAB had oversight of.

HSAB has worked proactively towards developing effective coproduction and engagement opportunities in all its activities, including public and practitioner events, developing the training and marketing plan and resources, information sharing routes to and from HSAB to sub-group and partner groups and the public; ensuring inclusivity and accessibility in practice and implementation through its activities.

A Pan-Cheshire Modern Slavery Strategy and Pan-Cheshire Harmful Practice Strategy has been published. These and all other local, regional and national strategies and guidance are available on HSAB website: [www.haltonsafeguarding.co.uk](http://www.haltonsafeguarding.co.uk)

## Subgroup and partner activity

- Halton Borough Council-Adult Social Care

Adult Social Care undertake the majority of Section 42 safeguarding enquiries on behalf of the Local Authority. Social Workers and Occupational Therapists are the regulated professionals within the service and their professional practice is a vital part of Making Safeguarding Personal and ensuring positive outcomes. The Principal Social Worker sits on the Partnership Board in order to advise and support and provides regular performance reports to both Boards. Developing resilient communities and introducing the role of community connectors will further enhance the prevention agenda and ensure that Halton is a safer place to live.

The Integrated Adult Safeguarding Unit (IASU) is an operational front line team, who coordinate Section 42 safeguarding enquiries to complex/high risk safeguarding concerns that are raised. IASU has strategic lead in key areas for Halton such as Self Neglect, Anti-trafficking, Persons in a Position of Trust (PIPOT), Mental Capacity Act and the Deprivation of Liberty Safeguards. IASU has responsibility to ensure that there is an established process for Safeguarding Adults with key stakeholders such as North West Boroughs and the Gateway Recovery Centre. A focus on these two stakeholders within the past year has resulted in better outcomes for people who use their services, from a safeguarding perspective.

IASU coordinate the Safeguarding Champions forum for provider services and the MSP Forum for Care Management Staff within the Local Authority. IASU attend and support Multi-Agency Risk Assessment Conference (MARAC), Anti Trafficking forum, Halton Domestic Abuse Forum (HDAF), and the Faith Sector Forum.

Other areas of Adult Social Care (ASC) include Adult Placement Service, Halton Supported Housing Network and Halton Day Services. All ASC follow the safer recruitment process, which keeps close links with Human Resources, providing safe recruitment and efficient DBS checks. The staff induction process that follows includes Care Certificates for staff and good shadowing processes.

There are good links across services with the Safeguarding Unit and Initial Assessment Teams and provider services which helps to break down barriers and staff are confident to report and seek advice. Also good links with carers and general groups helps build good community links and so it's easier to listen to what peoples' need are.

These additional ASC services have led on creating and attending events to promote people's awareness, supporting staff to develop and attend events. Questionnaires for people who uses services/staff/carers have been created with activity promoting all actions from questionnaires.

- Halton Clinical Commissioning Group:

NHS Halton CCG is a statutory NHS body with a duty to safeguarding adults.

NHS Halton CCG as a commissioner of local health services has contractual and performance frameworks in place to assure that the organisations from which they commission have effective safeguarding arrangements in place, including recruitment, policies and training.

NHS Halton CCG is responsible for securing the expertise of Designated Professionals on behalf of the local health system.

A clear line of accountability for safeguarding is reflected in the CCG governance arrangements. NHS Halton CCG has actively contributed to and supports the Halton Prevention Strategy and action plan.

NHS Halton CCG has contributed to the Halton Care Homes Development Strategy and continues to support the development of safe, quality, services within the care homes sector.

NHS Halton CCG has supported the development of the Well Halton vision and initiative to improve the health and well-being of everyone in borough.

NHS Halton CCG has undertaken joint work with IASU to improve the safeguarding referral guidance for staff especially in respect of medicines management.

NHS Halton CCG and HSAB are actively working with Halton LA to align key aspects of the Prevention, Loneliness and Wellbeing strategies to make Halton a safer place to live.

Public engagement and co-production underpins all aspects of commissioning and service review and design undertaken by Halton CCG. The CCG requires its commissioned services to report on Making Safeguarding Personal and Voice of the Child through quarterly performance reporting.

The CCG has a comprehensive engagement plan where there is opportunity for consultation and engagement. There have been a number of stakeholder events prior to service redesign to ascertain the voice of the service users locally. These include support to the Halton Peoples Health Forum. A detailed engagement plan focused on the changes within CAMHS and the development of the thrive model and work with the young LGBTQ community in collaboration with Addaction.

- Public Health

PH supports a number of services that focus upon the wider determinants of health (e.g. Substance Misuses, 0-19, Family Nurse Partnership, Health Improvement, etc.). Adults are supported to manage drug and alcohol problems (see Successful Treatment for Opioids and non-representation within 6 months – PHOF data).

Part of wider Safer Halton Partnership with strategic oversight of community safety.

Implementation of Suicide Strategy and Alcohol Strategy.

Development of Obesity Strategy.

PH commissioning seeks to ensure the voice of service users, partners and other stakeholders are at the heart of service redesign and delivery. e.g. public questionnaire

- St.Helen's and Knowsley Hospitals

Identification of potential safeguarding issues improved by policy implementation and training.

Staff are able to access support from the safeguarding team when concerns are identified.

STHK has patient experience lead and council who ensure patient contribution and participation is a priority within the Trust.

- Warrington and Halton Hospital Foundation Trust (WHHFT)

A multi-agency approach to safeguarding adults has supported this priority. There are processes in place between partner agencies that facilitate the scrutiny of concerns that are raised. Training and education have supported awareness raising of the safeguarding agenda across the Trust. New standalone policy was developed 'Managing Safeguarding Allegations Against Staff & People in Position of Trust (Pipot) Policy' ensure there was clear guidance on managing allegations against staff and volunteers working with children and/or adults at risk in line with those of the HSCB and HSAB.

- Bridgewater

Practitioners from Bridgewater have been able to highlight concerns within residential care setting and refer these to Social Care for further investigation. In some cases this has been directly related to the person in the care home but on other occasions practitioners have identified wider safeguarding and care concerns, recognised these and took action to report them to the local authority.

Hearing the voice of service users and the principles of Making Safeguarding Personal, are included within Bridgewater's Level 3 Safeguarding Adults training package. The outcome from this was particularly apparent with a practitioner within the Speech and Language team and her support for two different individuals and the risks they wished to take with eating and drinking.

- Northwest Borough Healthcare Trust

The Safeguarding Adult team has expanded during the reporting year with the addition of a second Advanced Practitioner post into the team. This has allowed for increased support to the Halton borough and a refreshed approach to partnership working. The Safeguarding Adult team have co-located themselves within the borough to increase opportunities to support staff and be more visible across the Trust. Work has been undertaken to examine health referrals into safeguarding with joint training and awareness raising being implemented with our local authority partners.

All care is delivered under the Care Programme Approach which promotes working with the service user. Care plans are required to be signed by the service user as a standard expectation. This is audited frequently to ensure the standard is met. Service users are asked to complete patient experience questionnaires both in community and in-patient environments so we can review the impact we are having within services.

The Trust has a service user forum which has a "take it to the top" section whereby a senior leader will attend to answer any questions, address concerns raised directly with our service user groups.

The Trust has a successful Involvement Scheme where a team supports service users and carers to participate in Trust activity. This includes attendance at Trust Board meetings, interviewing potential new staff, completing audits and running service user activities



- Halton Haven

Ensuring the Hospice Safeguarding, DOLS and Mental Capacity Policies are in place and reviewed regularly.

The Hospice conducts Patient and Carer Surveys to gain feedback on our service provision. Comments and suggestions are reported to the Board of Trustees and actions taken as appropriate.

- Cheshire Fire and Rescue Service

Completion of 7965 safe and well visits to residents of Halton.

- North West Ambulance Service

The Safeguarding Team in NWAS provide training and information on a wide range of issues such as Child Sexual Exploitation (CSE), hoarding and domestic abuse to raise awareness across the Trust. Assurance is provided to the NWAS board and director through regular safeguarding assurance and performance reports.

Regular topics are covered in formats such as seven minute briefing and learning lessons to quickly get awareness and information out to staff. NWAS has been acknowledged as having an extremely high level of Prevent awareness in the organisation. We currently have 93% of staff trained and we are one of the top 3 organisations in the country which has been acknowledged by NHS England. NWAS has also provided Prevent training to all staff.

The Safeguarding Manager and practitioners support information sharing between the LADO/PIPOT and the Trust HR department. NWAS has an allegations against staff policy which is adhered to in relation to any allegations made.

The Safeguarding Team has undergone enhanced DBS checks. NWAS Safeguarding Policy reflects the procedure to be followed when unregulated visitors are NWAS premises or support the organisation. NWAS conforms to safer recruitment practices and has a DBS procedure in place that reflects current national guidance. Mandatory employment checks are carried out on all staff prior to commencement of employment.

- Cheshire and Greater Merseyside Community Rehabilitation Company

In delivering Probation services, the work of CGM CRC is underpinned by desistance theory and characterised by a strength based approach. Personalisation is key to our work with all service users in which we seek to balance the needs of these service users to reduce reoffending against the risk they pose to members of the public. The safeguarding of both the adult service users we manage and those affected by their behaviour is central in our service delivery.

The CRC is contractually obliged by the Ministry of Justice to undertake service user feedback surveys every 6 months. This allows for those directly affected by our work to articulate the impact that it has on them. We have also developed a service user council group and 'User Voice Forum' which enhance our understanding of service user issues and experiences and which allows us to work collaboratively with the service users to support change where necessary and

practice improvement in all areas including safeguarding as and when appropriate. These processes are in turn overseen by several operational managers within CGM CRC who lead on service user engagement and help facilitate the person-centred culture within the organisation. In terms of front line work linked to child and adult safeguarding, we routinely engage with service users whereby safeguarding and vulnerability issues are discussed and interventions offered. Our induction and assessment processes with service users are designed to enable vulnerabilities and/or needs to be identified and planning for the monitoring of these where necessary and the introduction of appropriate interventions and signposting. The scope of our assessment draws out any concerns an individual may have and supports the professional case holder in recognising areas where they may need support. We offer support to vulnerable people and we operate a culture of empowerment and encouragement.

The CRC is subject to annual Operational Assurance Audits. This process is external and focusses on our strengths and areas for development. CGM CRC shows strengths in: establishing Practice Days on a monthly basis and ensuring that child and adult safeguarding is a key module on the Virtual College and accessible to staff.

Our areas to focus on include: more specific sentence plans; acting on risk management information, this will sit within the Quality Improvement Plan.

- Halton Provider Forums

Awareness sessions on care concerns and safeguarding offered by IASU during Provider Forums. Skills for Care; “What Do I Need to Know About Safeguarding Adults?” booklet highlighted. Consistent safe practice across Providers in Halton, ensuring compliance to local and national guidance and therefore reducing potential care concerns and safeguarding alerts

- Halton Domestic Abuse Forum (HDAF)

HDAF representative participated in the development of the Safeguarding Prevention Strategy Action Plan.

Operation Enhance - Increased victim engagement with protection and support services earlier in the cycle of domestic abuse. Operation Enhance initiative led to significant improvements in the service provided to victims of domestic abuse and victim engagement with a wide range of services. The key recommendation therefore follows that more widespread commissioning of this service will serve to benefit victims lives in the immediate aftermath of an abusive incident, their lives in the long term regarding recognition and escaping abusive relationships as well as allowing Cheshire as a force to improve victim trust/satisfaction/engagement.

Increased support for children living with domestic abuse to be safer and develop their resilience. Challenge and support for perpetrators to reduce current and future risk. Provided additional capacity for victim support services at the first possible opportunity to enable learning and evaluation evidence to inform the design of future commissioned services

- Healthwatch:

Regular 'Enter & View' visits to local health & social care services, intelligence collected during Enter & Views has fed into national reports from Healthwatch England.

Gathered 370+ comments and 500+ completed surveys on local services through the Healthwatch Website Feedback Centre.

- Age UK Mid-Mersey

Age UK created a partnership with local trading standards office to ensure clients were protected from scams and door step pressure sales/cons. Older people were made more aware of how to tackle and be more resilient to "scamming" approaches and are supported to find redress.

We introduced "champions" in staff teams to deliver targeted loneliness and isolation programs, funded internally. Introduced a new telephone befriending scheme – 'Call in time' to offer capacity assistance to face to face service.

We promoted and supported Halton Open and other engagement groups. We helped and supported older peoples engagement groups to build it membership and capture local voices.

- Department for Work and Pensions (DWP)

All staff at the job centre have had a safeguarding update. All know who to contact if they thought there was a safeguarding issue.

- Change Grow Live (CGL)

CGL provide representation at Safeguarding Adults Partnership Forum. Contributed towards discussions within the Partnership Forum. Shared learning within the CGL team provided from CGL representative.

- Trading Standards

Responded to doorstep crime incidents, and raised awareness with neighbours. The victim should be better protected against future incidents and better able to deal with cold callers. Provided 'No Cold Calling' cards and letterbox stickers to victims and made them available to all residents via Halton Direct Links. Cards and stickers should deter some cold callers and provides advice on how to handle them.

Issued press releases and iCAN messages to warn residents of doorstep crime incidents and scams. General awareness raising activities should help residents to better able to protect themselves from rogue cold callers.

Issued press releases and a short video about loan sharks. Raising awareness amongst the general population of loan sharks should help residents to better able to protect themselves from loan sharks.

Prosecuted two rogue builders who had preyed on people who were in vulnerable situations and publicised the cases by press releases and iCAN messages. Prosecutions punish the offenders,

deter other likely offenders and demonstrate to the community that action is taken to protect the community.

Prosecuted a seller of counterfeit cosmetics, perfumes, GHD hair straighteners and publicised the case by a press release and iCAN message. Prosecutions of counterfeit goods can deter likely offenders and removes potentially unsafe goods from the market.

Dedicated scams officers work with individuals who have been caught out by scams, local groups and services to raise awareness of scams and to provide advice on how to avoid being scammed in the future. Scams can have a massive effect on the well-being of individuals, their mental health, confidence and relationships with others as well as their finances. Our work is intended to reduce the impact of scams in Halton.

- Halton Housing Trust

We offer support for new and existing customers, including debt management and maximising income, providing a gateway to other support agencies. Assisting customers to sustain their tenancy.

- Halton Carers Centre

Ensure referral pathways are appropriate for all stakeholders and widely marketed. Met with other sub-group members to ensure referral pathways are adequate. Smoother transition between services.

- Halton Disability Partnership

Following successful Lottery grant there is a reconfigured service for safeguarding adults focus, to allow expanded safeguarding service. Currently 300 Safeguarding Reviews (all existing caseloads).

- Faith Sector Forum

- Discussed and dealt with safeguarding concerns within the faith sector.
- Publicised the Herbert Protocol widely and encouraged people to use it.
- Carried out and updated DBS checks.
- Updated the faith leads' and safeguarding representatives' contact details.
- Discussed personal safety for ministers/volunteers who are alone, including security measures.
- Circulated the Sports England safeguarding adults document.
- Chaired Faith Forum meetings.
- Shared intelligence between areas.
- Attended the Adults' Prevention Strategy Prevention task and finish group in February.
- Disseminated safeguarding information to faith sector contacts.
- Discussed and disseminated the Pan Cheshire Modern Slavery Strategy's launch.
- Discussed and disseminated the People in Positions of Trust Strategy.

➤ **Priority 2: Providing the skills and knowledge to enable genuine care and understanding for adults at risk of harm (Awareness-raising and Training)**

The Training and Marketing Plan was completed, using a coproduction approach consulting with stakeholders. An awareness campaign concept was developed and designed with accessible language for the marketing campaign and free multi-agency training sessions based on demand, need and again accessibility to a wide audience was designed. Delivery of the training will be over the next 12 month with an evaluation at the end to identify further/ongoing support needed.

The website for Halton Safeguarding Adults Board has been successfully established. The website hosts free toolkits, access to information around safeguarding and support services; advice on abuse-with indicators, local and national policy and guidance as well as resources from external providers e.g. SCIE and RiPFA. The learning resources available include videos, toolkits, and access to free ELearning for all HSAB partners and adults who provide care or support, additionally there is free multi-agency training for all partners including volunteers and personal/family carers.

Following the success of HSAB's first Awareness Day Event in March 2018 the board have made a commitment to host annual Awareness Days and take more opportunities to raise the public profile of safeguarding adults and the work of the HSAB. PCC David Keane was invited to this event and said it was the first event he had been invited to from a Safeguarding Adults Board. The event also invited an expert by experience Iris Benson, who was very warmly received. Iris shared her personal story which delegates found very powerful, moving and positive. Iris was described by many as '*inspirational*'. HSAB will continue to engage with service users and members of the public as well as practitioners and formal and informal carers to establish strong partnership links across the community and strengthen the work of HSAB further, keeping work relevant and accessible.

A marketing campaign was also developed in consultation with stakeholders across the community. The marketing campaign will address the top three most prevalent types of abuse for adults in Halton, will raise the general profile of adult safeguarding and help to inform people of potential risk indicators for safeguarding and how to respond to these.

All safeguarding adults information and leaflets have been updated to ensure compliance with The Care Act, these have been disseminated to all partners and it is expected that partners will embed 6 principles of safeguarding and Making Safeguarding Personal approaches into their professional practice.

The website address is: [www.haltonsafeguarding.co.uk](http://www.haltonsafeguarding.co.uk)

## Subgroup and partner activity

- Halton Borough Council-Adult Social Care

All services contracted to provide care and support are required to ensure their staff undertake relevant safeguarding training. This is monitored through the quality assurance / contract compliance process.

The Integrated Adults safeguarding Unit (IASU) supports a positive learning and culture across adult social care. IASU have completed bespoke awareness sessions for provider services, focusing on Safeguarding Adults, Care Concerns, Mental Capacity Act and Deprivation of Liberty Safeguards. This has provided HSAB with areas of focus for the training sessions. IASU has implemented internal governance arrangements, focusing on Safeguarding Enquiries and completed Best Interests Assessments (DoLS), providing feedback to the individuals/teams, to ensure Social Work Practice remains evidence based and defensible.

IASU have led on a workshop within the SAB event in March 2018, focusing on Safeguarding Adults and giving an overview of the team, what safeguarding means to us and providing information and advice to attendees, from a range of backgrounds such as informal carers, the police, faith sector and care staff.

As part of the work undertaken with the unit, we regularly support the Quality Assurance Team and the regulator CQC in monitoring and the sharing of information/intelligence, to ensure that any specific issues can be addressed; which includes the validity and effectiveness of training and support offered by provider services, to their workforce. This information is usually obtained through safeguarding enquiries and forms part of the preventative approach undertaken by the unit.

The Principal Social Worker chairs the Social Work Matters Forum which shares ideas, concepts and research for practitioners. Six Social Workers have been trained as Action Learning Set facilitators to ensure learning and reflection around cases. Social Workers attend the Making Safeguard Personal practitioner group for support and guidance from the Integrated Adult Safeguarding Unit.

Training is provided for all staff including face to face, e-learning; and the use of competencies e.g. care certificate, creating work sheets to build on staffs' knowledge with use of CQC KLOE. Staff are continually reminded about safeguarding not only in training but part of their supervisions and support visits. Seniors attend the Safeguarding Champions meetings and then cascade information learned across their teams and service area. Creation of good quality induction processes and training, using the 15 care certificates and safe practices to induct staff/volunteers/agency workers.

- Halton Clinical Commissioning Group:

Supporting the development of a positive learning culture across partnerships for safeguarding adults.

NHS Halton CCG supports it's workforce to access appropriate training and development in respect of safeguarding adults.

NHS Halton CCG requires commissioned services to understand the training needs of staff and provide the appropriate training to meet needs and provide safe effective care.

NHS Halton CCG provides expertise and support to primary care services in Halton to raise awareness, knowledge and skills in respect of adult safeguarding. A network is in place for safeguarding leads underpinned by practice visits and training as identified.

Input to Pan Cheshire work-streams/training to support adult safeguarding agenda.

NHS Halton CCG supports and scrutinises engagement from commissioned services with the safeguarding agenda for Halton. There is also active engagement with neighbouring CCG areas to ensure NHS Halton CCG have oversight of additional providers who may potentially deliver services for the population of Halton.

NHS Halton CCG has a contractual quality and safeguarding performance framework in place with commissioned services and will escalate any identified risks as appropriate.

One GP Practice from NHS Halton CCG has voluntarily acted as a PILOT site for the NHSE online virtual college Section 11. The scope of this will be expanded within the subsequent reporting year and the CCG are keen to include all GPs. The online tool reports assurance in respect of safeguarding children and adults at risk.

A local area contact is identified in the CCG for the LEDER reviews. The CCG have also identified and trained reviewers. The CCG actively contributes to the LEDER reviewing process.

The CCG and the commissioned providers have undertaken a Lampard self – evaluation with this reporting year and all the providers have detailed a reasonable level of assurance. This has been directly reported to the HSAB and HSCB. Safer Recruitment is part of the NHS standard contractual framework. This framework ensures all CCG and health providers follow safer recruitment guidelines.

- Public Health

Commissioned services are required to undertake mandatory training. The Health Improvement Team (HIT) provide training in areas such as self-harm, MECC, etc. The Mental Health Team also provide local Mental Health Hubs. Health Trainers offer NHS Health Checks, Workplace Health, and Impaired Glucose Resistance (IGR) work.

- St.Helen's and Knowsley Hospitals

STHK has a dedicated safeguarding adult training needs analysis ensuring all staff within the trust are trained to the recommended level in relation to safeguarding adults

- Warrington and Halton Hospital Foundation Trust (WHHFT)

Multi-agency training is made available to trust staff. Learning from Serious Case Reviews is shared via the trust joint adults and children's safeguarding committee and also incorporated into face to face training. TNA's provide training guidance to staff. Safeguarding at the trust has been reviewed, the Trust uses eLearning for level one and two adult safeguarding. The adult safeguarding team deliver level three face to face training twice monthly across both Halton and Warrington sites. Following cross site daily WRAP training sessions the trust has increased awareness of the prevent agenda, updates are provided on a three yearly basis. Trust staff have had access to computer desk top safeguarding information and the adults team have used promotional stands to raise awareness of adults at risk. The adult team have delivered single point lessons and seven minute briefings.

A training resource has been written and a safeguarding resource file has been produced for all areas. The file contains information and flow charts explaining referral processes for all aspects of safeguarding. The file contains contact numbers and guidance for staff to refer to and follow, for example, MCA /DoLS domestic abuse, modern slavery and self neglect. Trust staff also have access to a safeguarding adults web page via the Trust intranet hub. The web page contains SOP's video's and guidance about all aspects of safeguarding. The Trust solicitors have been asked to assist the Trust in its training provision.

The care of patients with a Learning Disability has undergone a recent audit, the audit looked at how we care for our learning disability patients and how we accommodate their reasonable adjustments. Work is underway on an emergency care pathway, trust wide easy read documents have been written, we have an LD policy and a flagging system for in patients, work is about to begin on flagging outpatients.

MCA training has been supported by weekly (currently daily at time of report), staff have been exposed to single point lessons and 7 minute briefings in order to support knowledge and practice. A training aide has been written. Staff complete an electronic daily capacity check form which details patients who may lack capacity staff describe how they are managing their patients and what the outcome is. The form is submitted to the adult safeguarding team for quality checking, this happens on the day the form is submitted and advice is given as soon as the form is reviewed.

- Bridgewater

Bridgewater provides Level 2 Safeguarding Adult training via e-learning for all staff. Team leaders in clinical roles will also undertake Level 3 training.

There is a good working relationship with Halton Integrated Adult Safeguarding Unit and the Named Nurse Safeguarding Adults at Bridgewater. This has facilitated information sharing both where concerns have been raised about practice within Bridgewater, and where Bridgewater staff have raised safeguarding concerns about individuals in the wider community.

- Northwest Borough Healthcare Trust

The Trust has a robust, mandatory Safeguarding Adult at Risk training programme. This is supplemented by a variety of bespoke training programmes on issues such as domestic abuse,



Prevent and Mental Capacity Act. We have run two highly successful conferences in the reporting year which were fully booked within weeks. The conferences tackled subjects such as exploitation, modern slavery and trafficking.

The Trust has engaged with all case review processes within the reporting year. We have been key panel members of the Halton Safeguarding Adults Board SAR and MAR. We have supported practitioner forums for operational services involved with the cases. The Trust has a lessons learned forum whereby all cases are taken to share learning which is supported by the Safeguarding Team.

The Trust provides mental health and learning disability services to the Halton borough. As such we are required to complete comprehensive safeguarding assurance tools and meet NHS Contractual Standards for Safeguarding which are monitored by the Halton Clinical Commissioning Group. This data set is shared with the health sub-group to the respective Safeguarding Boards.

- Halton Haven

Hospice staff have annual safeguarding training updates. A workforce which is aware and understanding of safeguarding issues and know what to do if they suspect someone is at risk.

- Cheshire Fire and Rescue Service

Annual completion of Adult Safeguarding Training for all members of staff as well as awareness raising sessions for station managers and members of the fire investigation group. Greater understanding amongst members of the service with regards how to identify and raise safeguarding alerts.

- North West Ambulance Service

The safeguarding team have reviewed the training needs analysis to ensure relevant staff groups receive level 3 safeguarding training. The safeguarding team and clinical support hub provide advice and support for staff 24/7.

The Safeguarding Team has been in contact with all its Safeguarding Adult and Childrens Boards and maintains a log of meetings and minutes received. NWAS provides information and reports to all Local Safeguarding Childrens Boards and Local Safeguarding Adults Boards as requested.

Any learning from Serious Case Reviews (SCR), Safeguarding Adults Reviews (SAR) and Domestic Homicide Reviews (DHR) are added to the corporate action tracker. Practitioners engage in the review process and are able to provide perspective.

NWAS reports safeguarding figures to the board and the safeguarding team is currently looking at data mapping of the concerns raised to provide any patterns or trends. NWAS raise concerns to social care.

- Cheshire and Greater Merseyside Community Rehabilitation Company

Throughout 2017 and 2018 CGM CRC has sought to develop and improve child and adult safeguarding knowledge and practice. This has focussed on developing staff awareness and supporting staff training and supervision. The creation and improvement of Quality Assurance measures which are described below, has also been a focal point of the development of safeguarding practice. The establishment of clear lines of accountability and improved processes throughout the organisation is an ongoing priority.

The CRC introduced the Interchange Quality Assessment Model in 2017. Since that time, 4 quarterly reports have been published that shows improvements in the quality of Safeguarding Children and Adults. This includes: timely risk assessments; requests for Domestic Abuse Perpetrators in all cases; swifter access to interventions such as the HELP programme. The Building Better Relationships Accredited Programme ehlp with improvement in compliance; swift enforcement of non-compliance and a reduction in reoffending.

As with all quality assurance models, there remain areas for further improvement in respect of which CGM CRC have developed a Quality Improvement Plan. This is held by the senior strategic lead and visited for progress monthly.

- Halton Provider Forums

Provider Forum has provide opportunity for raising awareness of care concern and the safeguarding model.

Also awareness and discussion about HSAB website: [www.haltonsafeguarding.co.uk](http://www.haltonsafeguarding.co.uk). MUST tool awareness re; nutrition. Safeguarding Annual Report discussed with providers at forum. This ensures we have staff that are confident and competent in understanding and responding to potential safeguarding indicators and care concerns which enables appropriate and effective referrals to safeguard.

- Halton Domestic Abuse Forum

At least 8 sessions of free multi-agency domestic abuse training is available in the Borough with an addition four dates for sexual assault services. Have staff that are confident and competent in understanding and responding to potential safeguarding indicators and care concerns which enables appropriate and effective referrals to safeguard.

HDAF representative attended HSAB awareness event and disseminated learning from a range of workshops to all staff. Followed up with in service discussions. Staff have ability to learn from peers and engage with other community services to build capacity and resources to aid robust safeguarding practices.

- Healthwatch:

Working in partnership with the HBC Quality Assurance team and attending Care Home and Home Care Forums.

- Age UK Mid-Mersey

Staff teams in Halton were encouraged to attend safeguarding training and awareness. Our induction policy was expanded to include safeguarding priorities. Three staff team leaders completed the course and continued to trickle down learning and experience to colleagues.

- Department for Work and Pensions (DWP)

Awareness session covered for complex needs and safeguarding. Staff all have specialised subjects for vulnerabilities.

- Change Grow Live (CGL)

All CGL staff complete internal safeguarding adults training. CGL staff promote campaigns to raise awareness of support available for those requiring additional service support e.g. Domestic Abuse information. Competent staff recognise when safeguarding adult issues arise during case coordination. Service users aware of support available, assertive engagement within services for those required.

CGL Halton increasing to two designated safeguarding leads for the Halton service. Supervision specific to discussing safeguarding cases available for staff, providing support and oversight.

- Halton Carers Centre

All staff attend safeguarding training, raised at every team meeting and discussed at Trustee meetings.

- Faith Sector Forum

- Reviewed the Safeguarding in the Faith Sector event from March 2017.
- Training needs identified at Faith Safeguarding Event: Street Pastors re referral process; more detailed information on internet safety re adults at risk as well as children and young people; safer recruitment and management of volunteers.
- Trained Eucharistic Ministers who visit people in their homes.
- Used the term “people at risk or at risk of harm” rather than “vulnerable adults”.
- Wrote and disseminated widely, safeguarding newsletters through the Parish weekly newsletter and to faith sector contacts.
- Had discussions with some faith contacts and others about compiling a report for the two boards, which details many safeguarding issues/potential safeguarding issues prevalent in Halton - compiled most of this report and circulated it widely. Sought agreement to have representation from the faith sector on the Halton Child Poverty Group.
- Helped to plan, organise and introduce the Borough-wide Development Day.

- **Priority 3: Gaining a greater understanding of how mental health can impact adults at risk being protected and cared for in the best way possible ( Mental Health)**

Healthwatch made a commitment to work with Halton Safeguarding Adults Board to design a questionnaire and information gathering process and disseminate to partners and the local population to help establish local needs and knowledge around safeguarding and mental health. The questionnaire is available to access and comment on via Healthwatch and HSAB websites.

The SAR and MAR reviews highlighted mental health as an issue and as a result of the recommendations revision of local provision has taken place. Further details can be found in Section 4.

### **Subgroup and partner activity**

- Halton Borough Council-Adult Social Care

All staff receive Mental Capacity Act (MCA) training and all appropriate staff are trained as Best Interest Assessors and undertake applications to the Court of Protection. Staff use the principles and ethos of MCA to help people remain in control of their lives. Safeguarding is discussed in all individual and group supervisions and at team meetings. Staff have attended Safeguarding Adults Review (SAR) learning events and shared the best practice within their teams.

Integrated Adults Safeguarding Unit (IASU) coordinates the legal updates for Best Interests Assessors, to ensure that their practice is evidence based and defensible. This includes any legal updates, in relation to the interface between the Mental Capacity Act and the Mental Health Act, including Case Law updates and how they impact on practice.

IASU have taken part in the SAR/MAR events organised by HSAB, with a view to sharing the learning from these within team, reflecting on practice and within supervisions and sharing with care management.

IASU has promoted the training offered by HSAB to provider services and adult social care via various groups.

IASU consists of experienced social work staff, including an Approved Mental Capacity Professional. IASU also has close professional relationships with Section 12 Doctors, who complete assessments within the DoLS Framework. These assessments are scrutinised and fed back to the Mental Health Assessors.

IASU had responsibility to provide awareness sessions to provider services on Care Concerns, Safeguarding and the Mental Capacity Act/Deprivation of Liberty Safeguards.

We ensure that the principles of the Mental Capacity Act are adopted by provider services and stakeholders in relation to safeguarding enquiries and DoLS and if not, provide information, advice and support.

IASU have 4 social workers who have recently been trained to complete investigations within the LeDeR review framework (Learning Disabilities Mortality Review Programme).

IASU complete the screening of Police referrals to adult social care, ensuring that any concerns raised by police regarding mental health, are signposted to the correct agency with the appropriate guidance.

- Halton Clinical Commissioning Group

NHS Halton CCG has actively contributed to SAR, MAR, and Thematic Review learning events where Mental Health was identified.

NHS Halton CCG has provided input to the suicide prevention agenda in Halton.

- Public Health

Health Improvement Team (HIT) provide training in areas such as self-harm, MECC, etc. Public Health have developed the Suicide Prevention Strategy.

Public Health provide the Sure Start to Later Life service and Substance Misuse services.

- St.Helen's and Knowsley Hospitals

STHK has recently revised the Mental Health Policy to provide improved guidance to staff. The psychiatric liaison team are now available 24/7 to support patients with mental health issues, and work closely with the safeguarding adult team. Partnership working with safeguarding adult team and mental health team ensures patients receive the relevant support.

- Warrington and Halton Hospital Foundation Trust (WHHFT)

The Trust has a focus on mental health and has conducted a review of its services. The MH review examined training, emergency care provision, administration, policy and a renewed meeting structure. There are audits planned to test the effectiveness of the outcomes of the review. Lessons learnt from incidents are shared throughout the Trust.

- Bridgewater

Community practitioners are identifying where there are concerns about self-neglect and referring through to Social Care. It is apparent from a review of concerns raised last year that there is evidence of good multi-agency involvement to work towards a solution with service users.

- Northwest Borough Healthcare Trust

The core business of the Trust in Halton is to deliver mental health services, both community and in-patients. The Safeguarding Adult Team are dedicated to supporting staff to provide safe care which acknowledges the complexities of mental health and the impact it has on how we protect adults at risk. The Trust delivers mental health services under the Care Programme Approach (CPA) which has robust risk assessment tools and care plans.

Using the risk assessment tools under CPA staff are able to identify risk in terms of degree and nature and utilise strategies to manage this risk with service users.

- Healthwatch

Working with the Halton Health Improvement Team we've added a database of over 100 mental health support services to our website A-Z pages.

- Cheshire Fire and Rescue Service

Commissioned mental health awareness training, delivered to prevention team (all advocates). Greater understanding of terminology used and referral pathways.

- North west Ambulance Service

NWAS continues to use mental health pathways where they are in place and safeguard vulnerable patients.

- Cheshire and Greater Merseyside Community Rehabilitation Company

As an Organisation, CGM CRC supports partnership working linked to child and adult safeguarding in many ways. An example of this is our contribution to Multi- Agency Risk Assessment Conferences (MARACs), whereby cases of domestic abuse where victim/ adult safeguarding concerns are assessed as medium or high risk are discussed and a multi- agency response is determined. CGM CRC service users may be discussed at MARACs as either the identified perpetrator or a victim of domestic abuse. There is an Interchange Manager with operational lead for risk and MARAC across each local delivery unit. This manager attends safeguarding related sub-groups and acts as a single point of contact for staff with regards to risk and MARAC.

We have dedicated staff linked to MARAC and we view ourselves as specialist's risk assessors of domestic abuse perpetrators with strong and effective partnerships with victim services. CGM CRC is the only Home Office commissioned organisation that delivers perpetrator programmes regardless of the risk assessment and therefore provides high level interventions to cases that fall into the MARAC and adult safeguarding arena.

Further evidence of partnership working linked specifically to adult safeguarding is in evidence in relation to CGM CRC's contribution as a statutory agency to both Domestic Homicide and Adult Safeguarding Reviews. Learning from these reviews are communicated through the organisation via formal training events, staff and team meetings, practice development days and individual supervision.

Our current local training plan has identified several key areas with regards to training needs around safeguarding and working with vulnerable adults and as such we have developed an array of workshops to address this need; Working with sex offenders, Understanding hoarding, Working with 18-25 year old service users, Homelessness, Mental health, The changing drug culture, The toxic trio, Victim support worker's role and Personality disorders. These workshops are available to all staff and are delivered on a regular basis.

The CRC Safeguarding Policy stipulates that all operational staff must attend at least one safeguarding training event per year and Safeguarding forms part of our induction processes. All staff are also expected to undertake periodic refresher training. We continue to work towards all

case holding staff to access the safeguarding training opportunities through our wider partnership activities.

- Halton Provider Forums

Dementia Action Alliance dates distributed. Providers may have changed practice or wish to share learning to encourage wider understanding across sectors or reduce gaps in support.

- Halton Domestic Abuse Forum

The Sexual Assault Referral Centre (SARC) manager report at the end of quarter 4 notes that clients classed as having a disability have increased during the last financial, an increase of 77% with mental health issues and a 46% with physical disabilities.

- Age UK Mid-Mersey

Age UK have partnered with Mind in Halton and also secured funding to deliver a local MH resilience training for older people reaching over 70 individuals and groups. A report was produced on the outcomes and success of the pilot for dissemination to stakeholders and share experiences with a direct link into MH resilience and safeguarding.

- Department for Work and Pensions (DWP)

Mental health training for all staff from MIND

- Change Grow Live (CGL)

Review pathways between CGL and community mental health team, implementing quarterly joint review meetings. Operational issues between two services discussed and resolved on regular basis. Discussion of joint cases for a joined up approach to providing services. Assertive assessment from CHMT for CGL service users. CGL invited to ward review for patients with drug and/or alcohol concerns pre-discharge.

- Halton Housing Trust

Staff are trained to identify the signs of mental health. One member has been trained to train other colleagues. Visiting staff are more aware of the signs and can make referrals both internally and to other specialist agencies.

Attended a SAR Review learning event, gaining greater awareness of the safeguarding process and better partnership working.

Provide support and assistance to more vulnerable customers, so more tenancies surviving due to additional support available.

- Halton Carers Centre

Engage better with carers of adults with mental health conditions and ensure the needs of both the individual being cared for and the carer are jointly met. Carers who may be heading to crisis identified sooner.

Embed Transition Protocol into practice and develop pathways for people in need of mental health support. Procedures drawn up between sub-group partners to ensure smoother transition for people between services. Smoother transition for carers between services, more awareness.

- Faith Sector Forum

Attended HSCB sexual abuse training day, which discussed effect on mental health. More awareness of effect of sexual abuse on people's mental health and the lasting impact of this. Discussed the difficulties of gaining consent from adults to ask for help and support for them and methods people have used to get around this/achieve success e.g. through the Fire and Rescue Service's routine home visits. Raised awareness of the issue of gaining consent from adults and the processes and procedures to follow in such cases. Increased knowledge of the role of the Fire and Rescue Service.



## SECTION 6: THE YEAR AHEAD

Halton Safeguarding Adults Board wants to continue to build on its successes and partnerships. Looking at the evidence and data gathered for this report to use the 'What can we do' as recommendations for action. This will help to focus the activities where the need is greatest and ensures an efficient and effective Board that is able to be genuinely inclusive of all members of our community. This supports the Care Act model of a coproduced Safeguarding Adults Board and will enable the best possible outcomes.

HSAB will continue to use local intelligence and information, national statutory guidance (e.g. the Care Act 2014 specifies the functions of a Safeguarding Adults Board) to inform its work. Additionally other sources of information gathering is used along with multi-agency work addressing safeguarding issues from sectors outside of statutory provision, including the community and voluntary sector. Ongoing community and service user consultations continue across HSAB activities. All of this information and guidance is used to shape what services and support is made available, to ensure the most appropriate use of resources for those adults identified as at risk of harm.

This year will see the revision of screening within the Integrated Adults Safeguarding Unit (IASU) and the Initial Assessment Team. So that all safeguarding referrals or alerts are triaged by the same team providing safeguarding consistency, ensuring information is fed back to referers, it will inform practice of others referring in, aid greater understanding of thresholds and what care concerns, safeguarding concerns and what safeguarding alerts mean in practice. This will also help embed professional expectations and help define roles and responsibility within teams more consistently.

The new Healthwatch provider for Halton will gather intelligence from a public questionnaire which will be used to inform work for the coming year, building on the mental health work already done. Additionally Healthwatch will provide the newly commissioned advocacy service for Halton.

This year will see social media activity and increased public profile of safeguarding adults, building on the marketing plan and following the launch of the marketing campaign. There will be a continued commitment of public engagement, with public and practitioner events, borough-wide circulation of information and resources across partner networks, publications and social media outlets.

All HSAB priorities and work activities comply with the 6 principles of adult safeguarding. The priority recommendations for 2018-2019 are:

### **Quality Assurance:**

Review of current data/intelligence sources in referrals and alerts to be inclusive of the growing diversity of culture with Halton. To promote person-centred approach across all services working and supporting adults, ensuring it is adopted throughout the lifecourse of adults with care and support needs and those at risk of harm. Undertaking audits for quality assurance. Taking in to account of

models such as Making Every Adult Matter, Making Safeguarding Personal and applying Mental Capacity considerations when appropriate.

- I. Data capture to be broadened out to enable diversity and inclusion to be captured more effectively: wider categories for gender and ethnicity, if Mental Capacity has been assessed and whether the adult's voice has been captured and ensuring all data categories are completed.
- II. All partners to be proactively inclusive and person-centred within their approach and within service provider cultures.
- III. Scrutinise recording of mental capacity, whether this might be a need for training or awareness or may be due to systems improvement to conduct timely mental capacity assessments.
- IV. Audit cases of safeguarding that include the highest indices of prevalence across type, location, age and perpetrator, to identify themes or trends. This could enable a greater understanding of care and support provision from staff, carers and volunteers who attend an adult's home to support/care for them.

#### **Learning and Professional Development:**

To continue to improve the skills and competencies of the local workforce through a range of resources. To aid a positive culture around safeguarding adults and an understanding that all practitioners and carers who work with or support an adult have a duty of care and a responsibility to make themselves aware of safeguarding risks.

- V. HSAB to continue to offer free resources including multi-agency training, information leaflets, toolkits and additional resources to raise awareness, build on competency skills and improve practice. All resources are available on HSAB website [www.haltonsafeguarding.co.uk](http://www.haltonsafeguarding.co.uk).
- VI. All partners, including families and carers to have an awareness of adult safeguarding, to enable effective and efficient response to abuse indicators.
- VII. All partners to attend awareness events, training and professional development to ensure current practice is compliant and safe.
- VIII. All partners to understand their responsibilities in relation to safeguarding adults knowledge, skills and professional practice; adopting the six principles of safeguarding which is a person-centred approach and applies to preventing safeguarding through early engagement and intervention alongside dealing with safeguarding concerns that are raised.
- IX. All partners make themselves aware of impact on adults at risk of 'mate crime' and abusive relationships.
- X. All partners including frontline staff to be aware of their responsibility to learn from Safeguarding Reviews and Action Plans, to consider implications within their own working/ service areas.
- XI. HSAB to continue to promote the six principles of adult safeguarding.

- XII. All partners to have an awareness that Making Safeguarding Personal is a cultural approach requiring working with individuals and utilising the six principles of adult safeguarding. Knowing this is applicable for safeguarding prevention and early intervention support as well as when there may be a safeguarding issue.
- XIII. For professionals to understand and apply professional boundaries consistently.
- XIV. For all partners to understand risks and choices and know where mental capacity is relevant.

#### **Coproduction and Engagement:**

The Care Act 2014 requires SABs to have a model of coproduction in order to fulfil its core duties (see section 1). In addition the Care Act statutory guidance 14.137 states:

*‘Safeguarding requires collaboration between partners in order to create a framework of inter-agency arrangements. Local authorities and their relevant partners must collaborate and work together as set out in the co-operation duties in the Care Act and, in doing so, must, where appropriate, also consider the wishes and feelings of the adult on whose behalf they are working.’*

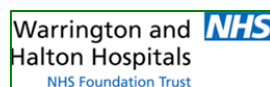
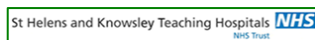
- XV. HSAB to continue engagement with services /groups/ individuals including those representing minority populations; to increase participation and awareness across the borough and find more accessible ways to share safeguarding adults information and involve the public in safeguarding adults.
- XVI. For service providers to encourage professional curiosity within their staff teams and utilise models of multi-agency working within their provision. To be open to professional challenge to improve working practices and identify opportunities to engage wider than their service area with other partners and be inclusive to service users and the public.
- XVII. Partners can help by promoting and utilising the new advocacy service commissioned by Halton Borough Council, being provided by Healthwatch Halton, via a single point of access. Using the advocacy service for adults who may need this to ensure a proactive, inclusive and person-centred approach within their service provision.
- XVIII. For carers and families to understand everyone has the right to choose what they would like to happen within safeguarding but also making their own lifestyle choices whilst they are being cared for.

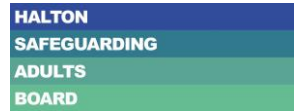
# Section 7: Appendix

## APPENDIX A: BOARD MEMBERS

- Independent Chair – Audrey Williamson
- Halton Borough Council - Sue Wallace-Bonner
- NHS Halton Clinical Commissioning Group – Michelle Creed
- Cheshire Constabulary – DCI Louise Cherrington ( Previous rep Gareth Lee)
- Cheshire Fire and Rescue – Emma Coxon
- North West Ambulance Service - Andrea Edmonson (previous rep Vivienne Forster)
- Probation Services (Cheshire CRC) - Jenny Archer-Power
- Healthwatch - Elizabeth Learyod (previous rep Hitesh Patel)
- Elected member responsible for adult health and social care - Cllr Tom McInerney (previously Cllr Marie Wright)
- Halton Safeguarding Adults Partnership Forum Chair – Mark Lunney (Mark Weights deputising)

## APPENDIX B: PARTNERS AND CONTRIBUTORS





## APPENDIX C: CONTACT DETAILS

**Email:** [HSAB@halton.gcsx.gov.uk](mailto:HSAB@halton.gcsx.gov.uk)

**Call:** 01515 511 6825

**Website:** [www.haltonsafeguarding.co.uk](http://www.haltonsafeguarding.co.uk)

**Address:** Halton Safeguarding Adults Board, Oak Meadow, Peelhouse Lane, Widnes. WA8 6TJ

**HALTON**  
**SAFEGUARDING**  
**ADULTS**  
**BOARD**

<b>REPORT TO:</b>	Executive Board
<b>DATE:</b>	13 December 2018
<b>REPORTING OFFICER:</b>	Strategic Director, People
<b>PORTFOLIO:</b>	Children, Education and Social Care
<b>SUBJECT:</b>	Shared Lives
<b>WARD(S)</b>	Borough-wide

### 1.0 **PURPOSE OF THE REPORT**

- 1.1 To present Executive Board with details of a proposed Shared Lives scheme representing a new approach to the delivery of the Adult Placement service in Halton.

### 2.0 **RECOMMENDATION: That Executive Board**

- 1) **note the contents of the report; and**
- 2) **approve the proposed scheme.**

### 3.0 **SUPPORTING INFORMATION**

Shared Lives offers people an alternative and highly flexible form of accommodation and/or care or support using the Shared Lives carer's home as a resource. Shared Lives arrangements are set up and supported by Shared Lives schemes and the care and accommodation people receive is provided by individuals, couples or families in the local community. Individuals and their Shared Lives carers enjoy shared activities and life experiences. There are currently 150 shared lives schemes operating in the UK supporting approximately 12,000 people.

This report outlines a proposal for Halton Borough Council Adult Placement to operate a Shared Lives Scheme.

- 3.1 The funding model is based on guidance from Shared Lives Plus<sup>1</sup> and is designed to ensure that Shared Lives Carers who provide long term accommodation and support are fairly and appropriately remunerated to ensure service sustainability.

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<sup>1</sup> A Membership organisation which provides advice and guidance for establishing Shared Lives services, of which HBC are a member.

As Shared Lives is dependent on a pool of registered Carers to operate (as well as the availability of suitable accommodation), new and innovative ways of increasing the numbers of carers will be put in place. Actions would include the use of posters and Shared Lives publicity materials in Doctors surgeries, Council offices, day centres, libraries and promotion via HBC internal and external news publications.

3.2 The following proposed funding model is on the assumption that HBC will operate the Shared Lives scheme. Fees are made up of three parts:

**i) Room Rent**

A payment for accommodation which is usually paid for by housing benefit, or if the service user is ineligible they will need to pay this themselves.

**ii) Basic fee, incorporating 'board and lodgings'**

A payment for electricity, heating and food, which is paid for by the service user from their benefits or other income. Shared Lives Plus have identified this fee element as being £275.32 per week for 2017.

**iii) Care and Support Fee**

A payment for assessed care and support needs which is paid from the local authority, health, a personal budget, or someone self-funding.

**4.0 POLICY IMPLICATIONS**

4.1 Current social care policy puts great emphasis on community-based, personalised services that are designed to give people more choice and control over their care and support.

Shared Lives schemes were primarily focused on adults with learning disabilities, but there is increasing evidence of schemes supporting older people, people living with dementia and people with mental health conditions.<sup>2</sup> There is potential for the Halton scheme to be utilised across service user groups (the costs of some placements, such as mental health, may be higher than the figures included in this report).

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<sup>2</sup> [https://www.nesta.org.uk/sites/default/files/remember\\_me.pdf](https://www.nesta.org.uk/sites/default/files/remember_me.pdf)



## 5.0 OTHER/FINANCIAL IMPLICATIONS

### 5.1 FINANCIAL/RESOURCE IMPLICATIONS

#### Proposed Unit Cost

The proposed Halton Borough Council bandings are based on an average of care banding charges set by Bolton, Tameside and Kent plus the 'basic fee' (Board and Lodgings) calculated using the Household Expenditure Survey.

<b>Band</b>	<b>Total weekly fee received by carer (£) (Basic fee + Care Fee)</b>
Band 1	345
Band 2	416
Band 3	483
Band 4	620

- 5.2 To demonstrate a typical Shared Lives support package, Adult Placement has identified two clients who could be transitioned into a Shared Lives arrangement at Band 4.

Current support costs per week are as follows. Note: Halton Day Services and respite would remain in place under a proposed Shared Lives Agreement.

<b>Client A</b>	<b>Package of care</b>	<b>Direct Payment per week</b>
	Care (x2 carers)	£1439.27
	Sleeps x7	£70.00
	42 nights respite	£100.60
	Halton Day Services x3	£255.00
	Lifeline	£9.88
		<b>Total: £1874.75</b>
<b>Client A</b>	<b>Shared Lives Scheme</b>	<b>Proposed Shared Lives Cost per week</b>
	Care (x2 Carers)	£1240
	4 weeks respite	£60.06
	Halton Day Services x3	£255.00
		<b>Total: £1555.06</b>
<b>Client B</b>	<b>Package of care</b>	<b>Direct Payment per week</b>
	Care	£742.31
	7 x sleeps	£70.00
	5 weeks respite	£283.33
		<b>Total: £1095.64</b>
<b>Client B</b>	<b>Shared Lives Scheme</b>	<b>Proposed Shared Lives Cost per week</b>
	Care	£620
	4 weeks respite	£226.26
		<b>Total: £846.26</b>

The potential savings to be realised through this approach as illustrated by Client A and Client B could be £29,591 per annum. Any savings realised would be reinvested in the community care budget to meet increased

demand.

### 5.3 **Staffing**

Following an evaluation of the first year of the scheme, consideration should be given to the recruitment of an additional post in order to ensure the continued success of the scheme. This would be to oversee the ongoing development and sustainability of the service, the cost of which may be met through the savings on residential fees.

## 6.0 **IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

### 6.1 **Children & Young People in Halton**

A Shared Lives model creates opportunities to recruit new Shared Lives carers - for example foster carers who are looking to move on to supporting children as they transition into adult social services could be potential Shared Lives Carers.

### 6.2 **Employment, Learning & Skills in Halton**

A Shared Lives model creates opportunities to recruit new Shared Lives carers – for example from amongst people who have been made redundant, or who are looking to work from home, or looking for ways to supplement their income.

### 6.3 **A Healthy Halton**

None

### 6.4 **A Safer Halton**

None

### 6.5 **Halton's Urban Renewal**

None

## 7.0 **RISK ANALYSIS**

7.1 HBC, as the Shared Lives scheme operator, should provide support to the service user to claim all eligible welfare benefits so that they can meet this part of the cost. If there is a change in the service user's circumstances, the Scheme will contact the Care Management Team to request a review. The client will be responsible for any shortfall between the housing benefit rate and the room rent. Should there be any change in the way housing benefit is paid to those with a disability; a review should be carried out.

## 8.0 **EQUALITY AND DIVERSITY ISSUES**

8.1 An Equality Impact Assessment (EIA) has been completed. No negative impact was identified.

**9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF  
THE LOCAL GOVERNMENT ACT 1972**

None under the meaning of the Act.

<b>REPORT TO:</b>	Executive Board
<b>DATE:</b>	13 December 2018
<b>REPORTING OFFICER:</b>	Director of Public Health
<b>PORTFOLIO:</b>	Health and Wellbeing
<b>SUBJECT:</b>	2017 – 2018 Public Health Annual Report – Keeping Happy and Healthy in School.
<b>WARD(S)</b>	Borough-wide

## **1.0 PURPOSE OF THE REPORT**

To provide the Executive Board with some background information on the Public Health Annual Report 2018.

## **2.0 RECOMMENDATION: That the Board note the contents of the report and supports the recommendations.**

## **3.0 SUPPORTING INFORMATION**

- 3.1 Since 1988 Directors of Public Health (DPH) have been tasked with preparing annual reports - an independent assessment of the health of local populations. The annual report is the DPH's professional statement about the health of local communities, based on sound epidemiological evidence, and interpreted objectively.
- 3.2 The annual report is an important vehicle by which a DPH can identify key issues, flag problems, report progress and, thereby, serve their local populations. It will also be a key resource to inform local inter-agency action. The annual report remains a key means by which the DPH is accountable to the population they serve.
- 3.3 The Faculty of Public Health guidelines on DPH Annual Reports list the report aims as the following.
- Contribute to improving the health and well-being of local populations.
  - Reduce health inequalities.
  - Promote action for better health through measuring progress towards health targets.
  - Assist with the planning and monitoring of local programmes and services that impact on health over time.

- 3.4 The PHAR is the Director of Public Health's independent, expert assessment of the health of the local population. Whilst the views and contributions of local partners have been taken into account, the assessment and recommendations made in the report are those held by the DPH and do not necessarily reflect the position of the employing and partner organisations.
- 3.5 Each year a theme is chosen for the PHAR. Therefore it does not encompass every issue of relevance but rather focuses on a particular issue or set of linked issues. These may cover one of the three work streams of public health practice (health improvement, health protection or healthcare public health), an over-arching theme, such as health inequalities, or a particular topic such as mental health or cancer.
- 3.6 For 2017 – 18 the Public Health Annual Report focuses on **Keeping Happy and Healthy in School**. This topic has been chosen as it highlights the key Health and Wellbeing Board priority of *Improved Child Development*, in particular tackling social and emotional and physical activity. The report uses a short film to examine how these issues are approached within two local schools through Halton's Healthy Schools Programme.
- 3.7 The film demonstrates good practice, innovation and key issues with interviews from children, head teachers and staff in two primary schools: Halton Lodge in Runcorn and Our Lady of Perpetual Succour in Widnes.
- 3.8 The film is underpinned by a list of recommendations on school age health as outlined below:
- To support all Halton schools to participate in the Healthy Schools Programme.
  - To offer a whole school approach and a healthy school environment that encourages wellbeing.
  - To reduce health inequalities by building social and emotional and physical resilience that improves health and academic attainment.
  - To promote healthy lifestyle choices for Halton pupils, staff, parents and carers.
  - To offer role models that encourage the Halton school community to stay healthy.
  - To provide opportunities for physical and social and emotional activity within school and promote these activities outside of school.

3.9 An update on how Halton met the recommendations from last year's Public Health Annual Report 2016 – 17 on Women and Girls' Health is also provided as a power point presentation.

3.10 Here is the link where you can download the high resolution version of the Public Health Annual Report film:

<https://itnproductions.wistia.com/medias/bbv3zrwq77>

3.11 Appendices A and B provide powerpoint presentations outlining 2017-18 recommendations and an update on how we have delivered recommendations from the 2016-17 Public Health Annual Report: Women and Girls' Health.

#### **4.0 POLICY IMPLICATIONS**

4.1 The Public Health Annual Report should be used to inform commissioning plans and collaborative action for the NHS, Social Care, Public Health and other key partners as appropriate.

#### **5.0 OTHER/FINANCIAL IMPLICATIONS**

5.1 None identified at this time.

#### **6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

##### **6.1 Children & Young People in Halton**

Improving the Health and Wellbeing of Children and Young People is a key priority in Halton. The PHAR will highlights key topics for children.

##### **6.2 Employment, Learning & Skills in Halton**

The above priority is a key determinant of health. Therefore improving outcomes in this area will have an impact on improving the health of Halton residents

##### **6.3 A Healthy Halton**

All issues outlined in this report focus directly on this priority.

##### **6.4 A Safer Halton**

Reducing the incidence of crime, improving Community Safety and reducing the fear of crime have an impact on health outcomes particularly on mental health.

There are also close links between partnerships on areas such as scams, alcohol and domestic violence.

#### **6.5 Halton's Urban Renewal**

The environment in which we live and the physical infrastructure of our communities has a direct impact on our health and wellbeing.

#### **7.0 RISK ANALYSIS**

7.1 Developing the PHAR does not present any obvious risk however, there may be risks associated with the resultant recommendations. These will be assessed as appropriate.

#### **8.0 EQUALITY AND DIVERSITY ISSUES**

8.1 This is in line with all equality and diversity issues in Halton.

#### **9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

None

# Halton Public Health Annual Report 2017-18

## Keeping Happy and Healthy at School





# Recommendations:

- To support all Halton schools to participate in the Healthy Schools Programme.
- To offer a whole school approach and a healthy school environment that encourages wellbeing.
- To reduce health inequalities by building social and emotional and physical resilience that improves health and academic attainment.
- To promote healthy lifestyle choices for Halton pupils, staff, parents and carers.
- To offer role models that encourage the Halton school community to stay healthy.
- To provide opportunities for physical and social and emotional activity within school and promote these activities outside of school.

# Halton Healthy Schools' Programme for Primaries



## Healthy Schools Visit

Visit from our Health improvement specialists, in order to sign up for Healthy schools award and discuss health within your schools and surrounding community



## MHARS

MHARS sets out 7 key areas for good mental health, wellbeing & resilience. We will support you to assess your current practice, support development & celebrate good practice.



## Healthitude - Yrs 3 & 6

A range of PSHE sessions available individually or as part of a programme. Each session is 60 mins. See Healthitude for information.



## Daily Mile

The Daily Mile is a popular simple national initiative that sees children run or jog for 15 mins every day in their school. We can offer national daily mile in your school.



## School or Sports Council

Working on a specific health topic, that the school council want to change or make a difference in their school (3 x 30 min sessions)



## Youth Health Champions

Supports pupils to become peer mentors in their school and community through weekly sessions working towards a Royal Society of Public Health Qualification equivalent to NVQ 2/3



## E-Safety Training

Annual training for primary schools covering child exploitation and online safety. 2 staff, 2 pupils. Autumn Term.



## Dementia Friends

A Dementia Friend learns a little bit more about what it is like to live with dementia and then turns that understanding into action. A 90 min session held at Halton Libraries



## Sugar the Musical

Pupils learn a play around hidden sugars and healthy eating and perform to parents and family members. 2 hrs learning, 20 min performance.



## Parent Bite Size

Top tips for parents on healthy lifestyles including; food industry uncovered, lunchboxes, screen time and being active. 30 - 60 min sessions.



## Staff Training

Staff training in mental health, Fit 4 Life, smoking, alcohol, Breastfeeding awareness, and sex and relationships.

# Halton Healthy Schools' Programme for Secondary Schools.



**Healthy Schools Visit**  
Visit from our Health Improvement Specialists, in order to sign up for Healthy Schools award and discuss health within your schools and surrounding community.



**MHARS**  
MHARS sets out 7 key areas for good mental health, wellbeing & resilience. We support you to assess current practice, support development & celebrate good practice.



**Healthitude Health Days**  
A range of PSHE sessions available as part of a health day. See Healthitude for information.



**C Card**  
Year 8 and up  
Provides information about the c-card scheme in Halton, how to access it and its benefits



**School or Sports Council**  
Working on a specific health topic, that the school council want to change or make a difference in their school (3 x 30 min sessions).



**Youth Health Champions**  
Supports pupils to become peer mentors in their school and community through weekly sessions towards a Royal Society of Public Health Qualification equivalent to NVQ 2/3.



**Parent Bite Size**  
Top tips for parents on healthy lifestyles including food industry uncovered, lunchboxes, screen time and being active. 30 - 60 min sessions.



**Dementia Friends**  
A Dementia Friend learns a little bit more about what it is like to live with dementia then turns that understanding into action. 90 min session held at Halton Libraries



**Get it On (Year 8 and up)**  
Multi station workshop covering a range of issues including relationships, contraception & risky behaviours. Delivered in small groups enabling discussion & focused learning.



**LGBT**  
Explore and understand diversity of LGBT issues and enable students to appreciate differences between sexuality and gender identity.



**Staff Training**  
Staff training in mental health, Fit 4 Life, smoking, alcohol, breastfeeding awareness, and sex and relationships.

# Halton Healthy Schools' Programme

## Whole school community

### Staff Wellbeing



#### Health Check

Fully qualified trainers can offer health checks for staff over 40 years without any pre-existing conditions. Or a health check to staff under 40.



#### Bitesize Wellbeing for staff (30 - 60 mins)

Interactive and educational session to support staff wellbeing including top tips.



#### Stress Awareness

Awareness session on the causes and prevention of stress.



#### Resources

A wide range of resources are available to download from our website.

### Support for families and your local community

#### Triple P Parenting Programme

This programme is for parents and carers who have concerns about their child's behaviour or want to learn new parenting skills. We offer 3 types of Triple P courses in Halton: 0-12, Teen and Stepping Stones (for parents of a child with a developmental disability). NB - Referrals to Triple P must be made by a health professional.

#### We can also offer:

- Infant feeding support
- Fit 4 Life Camps - for families and children age 5 to 11
- Stop smoking support
- Fresh Start - weight management programme
- Exercise on referral - physical activity programme for people with long term conditions such as cardiac, pulmonary, cancer and back pain.
- Sure Start to Later Life - services and activities for the over 55s

# Public Health Annual Report 2016-2017

## Women and Girls' Health Recommendations Update

# Start Well Maternity – Smoking in Pregnancy

## **Appoint a dedicated Smoking in Pregnancy Lead.**

- Dedicated Smoking in Pregnancy Lead appointed in May 2017 within the local Smoking Service.
- Offering home visits and providing stress management support to help pregnant women and partners cope with the stresses associated with quitting smoking.
- Supporting all pregnant women to identify a “Quit Buddy” to support them through their quit journey.

## **Review Referral Pathway so all pregnant women are able to access support to stop smoking.**

- “Opt Out” referral pathway reviewed and standardised in consultation with Midwives and Family Nurse Partnership (FNP), enabling seamless access as early as possible during pregnancy.
- Supply of CO monitors and consumables/resources to midwives including training.
- Systematic approach to CO monitoring adopted at every visit.

## **Promote Stop Smoking Service and financial incentive scheme for all pregnant women.**

- Promotion and extension of financial incentive scheme for pregnant women to encourage attendance at Stop Smoking Service.
- Outcome: Increased referrals into service, early indication of improved Smoking At Time Of Delivery rate from 19.3% in 2015/16 down to 16.4% (PHE Tobacco Control Profiles 2018).

# Start Well Maternity - Breast Feeding

## **Ensure all women and their families have the information, support and skills to breast feed and introduce solid food at six months.**

- All new women are booked onto antenatal workshops which includes infant feeding information and an introduction to available support in Halton.
- All mums are contacted and offered infant feeding support at discharge.
- Those who are breast feeding are offered further 1:1 support and are invited to groups.
- When baby is 3-4 months old parents and other family members are invited to take part in a workshop around introducing solid foods in preparation for when baby is 6 months.

## **Raise awareness and support of breast feeding in the community.**

- Social media campaigns each year on breast feeding, including facts around breast feeding, breast feeding role models and how the community can support a breast feeding mum.
- An annual event for International Breast Feeding week, including the Big Latch On, brings the community together to celebrate and raise awareness together.

## **Support women who choose to bottle feed with information and skills to do so safely.**

- Infant feeding team contact all mums at discharge to discuss their feeding plan and ensure mums who are using formula or expressed breast milk understand how to make up a bottle safely, storage of milk, and responsive and pace feeding.

# Start Well Girls – Mental Health

## **Improve the early identification and support of children and young people with mental health difficulties.**

- Mental health services for children and young people are now using a 'Thrive' model, which aims to improve access to support and services. All schools and colleges have a mental health link worker and mental health community hubs are in place.

## **Consider further investment in programmes that build emotional resilience and self esteem in children and young people.**

- The healthy schools programme is offered to all schools and helps schools to build happy resilient children through improving physical health, physical activity and mindfulness. Training programmes have been offered to parents to help them to support their children's mental health.

## **Provide mental health support that is easily available, timely, without stigma and effective.**

- Halton is signing up to 'Time to Change' which aims to break down the stigma associated with mental health. The Thrive model aims to make services easily available and timely and community mental health hubs are available.



# Start Well Girls – Physical Activity

**Talk to girls and their families in Halton about barriers to physical activity and what physical activities they would like to take part in.**

- Continued consultation and dialogue with local community regarding local opportunities for physical activities, with a focus on young girls and women in line with 'This Girl Can' to encourage participation rates.

**Identify the current provision and gaps for physical activity for girls in Halton.**

- Active Halton Steering Group have mapped current provision and looked at gaps.

**Improve and promote the available physical activities for girls and their families in Halton.**

- There are over 100 community low cost physical activity sessions with a high number of exercise classes attended by girls. Physical activity rates in Halton have increased by 2% (2017-18 Sports England Active Lives).
- Further promotion of offer is planned for 2018-19.

# Live Well – Women – Mental Health

## **Establish Halton as a suicide safer community.**

- Halton has been working with Champs (Cheshire and Merseyside Public Health Collaborative) to complete the accreditation process for Suicide Safer Community Status across the Cheshire and Merseyside footprint. All evidence has not been submitted and we are hoping to hear if we have been awarded Suicide Safer Community Status very soon.

## **Extend mental health and suicide awareness training across Halton to reach more professionals and members of the community.**

- Since April 2017 over 1000 people (over 700 adults and around 300 young people) have been trained in Suicide Awareness and Mental Health First Aid.
- Training has been provided to a wide range of local professionals and agencies including staff and pupils in Halton's schools and colleges, Housing Trusts, Department for Works and Pensions, homelessness and substance misuse services, police, veterans, women's refuge services, as well as a variety of third sector organisations and community peer supporters.
- The training is still being delivered and reaching new people every week.

## **Work with all agencies to ensure that their services best meet the needs of people experiencing mental health issues.**

- The delivery of mental health and suicide training across a variety of settings can only help to ensure that we have a community of people who are better prepared to deal with their own mental health and to support others experiencing difficulties.
- Halton has also rolled out the Time to Change Pledge for local employers showing a commitment to change how we think and act about mental health in the workplace.
- MARS (Mental Health and Resilience Framework) has been adopted by a number of schools and is continuing to be rolled out.
- In addition, Halton has successfully engaged the retail sector in mental health awareness, providing training and support to Community Ambassadors and staff within Runcorn Shopping City.

# Live Well – Women – Cancer Screening

## **Use local and national campaigns to encourage young women to have cervical screening when they are first offered it.**

- Halton has continued to locally support a number of national campaigns and engage in local activity, including the Be Clear on Cancer Cervical Cancer campaigns and working with Jo's Trust to encourage greater uptake of cervical screening.
- In addition, we have worked across local services to make sure women have more access to cervical screening appointments at times that suit them best.

## **Work with local general practices to reduce the variation in uptake of all three cancer screening programmes across Halton using practice champions, training and targeted support.**

- We have continued to support local GPs and services to help improve the call and recall processes for all cancer screening programmes and improve access to tests, providing targeted support to those practices with the lowest uptake rates.
- In addition, we have particularly targeted low uptake of bowel screening across Halton, providing dedicated support to practices to identify and support patients who may not have returned their Bowel Screening Kits.
- This resulted in a significant increase in bowel screening in those practices.

# Live Well – Women – Alcohol

## **Use local and national campaigns to highlight to women the harms of drinking above the recommended guidelines.**

- National and regional evidence-based campaigns, Alcohol Awareness and Drink Less Enjoy More (DLEM) are adapted and delivered locally to raise awareness of alcohol-related harms and the recommended guidelines. Part of this work has included advice on pre-loading and the associated risks with a focus on young women to encourage sensible drinking.
- Delivery of alcohol education within local school settings via Healthitude, R U Different, Amy Winehouse Foundation, Cheshire Police and the Alcohol Education Trust.

## **Train staff in local services to identify women who drink above the recommended guidelines and to support them reducing their alcohol intake.**

- There is IBA delivery across a range of adult local authority services, criminal justice and healthcare settings including Midwifery, Family Nurse Partnership (FNP), Health Visiting and Children's Centres to support women and families.

## **Ensure local treatment services are friendly and accessible so that women can get the support they need.**

- Through contracting of our specialist provider CGL we ensure local treatment services are friendly and accessible so that women can get the support they need.
- Outcomes: Reduction in hospital admissions for females for alcohol related conditions from 2,036 (2015/16) to 1,920 (2016/17) per 100,000 of population and a reduction in hospital admissions for females in alcohol specific conditions from 700 (2015/16) to 552 (2016/17) per 100,000 of population (PHE Health Profiles 2018).

# Age Well – Women – Social Isolation

## **Actively recruit and train new Sure Start To Later Life volunteers to support older, lonely, isolated and vulnerable residents of Halton.**

- Sure Start to Later Life continues to provide an information service to help Halton residents over the age of 55 to live a happy and independent life.
- Sure Start offers information, advice and a wide range of activities that enable older people to take an active part in the community.
- Sure Start to Later Life actively recruits and trains new volunteers to support older, lonely, isolated and vulnerable residents of Halton. Last year the team delivered 1,218 hours of volunteer time.

## **Deliver outreach sessions to other teams, groups and organisations to raise awareness of the Sure Start To Later Life team, referrals and the potential outcomes for people who access the service.**

Referrals into Sure Start to Later Life have increased as part of this work. Last year 421 new referrals received direct 1:1 support by the Sure Start team.

## **Expand the use of the Loneliness Tool in services to identify people in Halton who are at risk of being or becoming lonely and isolated and to measure the result of accessing Sure Start To Later Life Services.**

- Work has been undertaken by the team to expand the use of the Loneliness Tool in services to identify people in Halton who are at risk of being, or becoming, lonely and isolated.

# Age Well – Women – Falls

**Increase awareness of falls prevention and falls safety within the community and service providers to help people age well in Halton.**

- Work continues across the Borough to increase awareness of falls prevention and falls safety within the community.

**Monitor and improve falls services through the existing Falls Steering Group with all key partners.**

- A training programme for frontline service providers is in place to help support people age well in Halton.

**Develop a new Falls Strategy and Action Plan for 2018.**

- A new Falls Strategy and associated action plan is currently in development for 20-18-2023.
- As part of this work there are a number of work streams focusing on different parts of the falls pathway – health promotion, secondary prevention and recovery post falls.
- A multi-agency clinical working group has been set up to review the current service against NICE guidelines and make recommendations for service changes/development.

<b>REPORT TO:</b>	Executive Board
<b>DATE:</b>	13 December 2018
<b>REPORTING OFFICER:</b>	Strategic Director – Enterprise, Community and Resources
<b>SUBJECT:</b>	Discretionary Non-Domestic Rate Relief
<b>PORTFOLIO:</b>	Resources
<b>WARD(S):</b>	Borough-wide

## **1.0 PURPOSE OF REPORT**

- 1.1 The purpose of this report is to consider two applications for discretionary non-domestic rate relief, under Section 47 of the Local Government Finance Act 1988.

## **2.0 RECOMMENDATION: That**

- 1) Discretionary rate relief of 90% be awarded to Power in Partnership Ltd from 4<sup>th</sup> January 2016 until 31<sup>st</sup> March 2022; and**
- 2) the application for an additional 5% discretionary rate relief from Widnes Sea Cadet Corps in respect of their premises in Cliffe Street, Widnes, be refused.**

## **3.0 SUPPORTING INFORMATION**

- 3.1 Under the amended provisions of the Local Government Finance Act 1988, the Council is able to grant up to 100% discretionary rate relief to any business ratepayer. This relief had previously only been available to organisations that were a registered charity, a community amateur sports club or a not-for-profit organisation.
- 3.2 From 1<sup>st</sup> April 2017 the Council became responsible for meeting the full cost of all mandatory and discretionary relief granted, as part of the Liverpool City Region 100% Business Rates Retention Pilot Scheme.
- 3.3 For not-for-profit organisations where discretionary rate relief has been granted in the past, the Council has in the main granted a maximum of 90% discretionary rate relief. The organisations themselves then have to meet the remaining 10% of their business rates liability.
- 3.4 In the main, only 15% discretionary top-up relief has been awarded for registered charities and CASC organisations. The organisations

themselves then have to meet the remaining 5% of their business rates liability

- 3.5 In instances where discretionary business rate relief is granted, the Council currently grants discretionary business rate relief to organisations for a three year period. On 22<sup>nd</sup> February 2018 the Board approved granting the existing reliefs for a further three year period from 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2022.

**Power In Partnership Ltd**

7, Queens Avenue, Widnes, Cheshire, WA8 8HR

- 3.6 An application for discretionary rate relief has been received from a not-for-profit organisation Power in Partnership Ltd in respect of their premises at 7 Queens Avenue Widnes.

- 3.7 Power in Partnership Ltd is a not-for-profit “community college” who work with young people in the community. The organisation’s overall aim and purpose is to provide foundation learning and skills to disengaged and disadvantaged young people. All funds generated by the organisation are reinvested back into the organisation to support the delivery of its aims and objectives.

- 3.8 The organisation has provided a statement of its key objectives which are as follows;

- (i) To increase, promote and deliver projects to achieve further skills and life chances.
- (ii) To provide opportunities to achieve economic, personal health and wellbeing.
- (iii) To work with first level steps to new skills for those with barriers to learning and employment, including those with special needs and the vulnerable.
- (iv) To provide or assist in the provision, in the interests of social welfare, of facilities for recreation and other leisure time occupation for men and women.
- (v) To provide, improve and manage houses and premises providing drop in services, Residential accommodation, training and information and advice for men and women of all ages upon terms appropriate to their means.

- 3.9 The organisation currently has around 140 young people involved in their programmes. They provide data to the Council’s 14-19 team to assist them with collating statistics for young people not in education, employment or training (NEET). Young people are referred to Power in Partnership from a variety of sources including; Young Offender Teams, the Council’s 14-19 team, vulnerable NEET group referrals, college referrals, housing referrals, care homes, and self-referrals.



- 3.10 The application for discretionary rate relief only relates to premises at 7 Queens Avenue, Widnes. However, the organisation also has premises at 5 Alcock Street, Runcorn and Unit 1a, Whitchurch Way, Halton Lodge, Runcorn. The latter two premises were previously subject to small business rate relief, however, this no longer applies under Regulations.
- 3.11 Power in Partnership Ltd moved into the Queens Avenue premises on 4th January 2016, however, the landlord has only just informed the Council. The organisation is therefore also seeking discretionary rate relief backdated to 4<sup>th</sup> January 2016. The organisation has applied for 100% relief, however, previously only 90% relief has been awarded to not-for-profit organisations.
- 3.12 If 90% discretionary rate relief were awarded to the organisation, the annual cost to the Council for would be £1,620. The cost for the backdated period from 4<sup>th</sup> January 2016 to 31<sup>st</sup> March 2018 would be £3,169.
- 3.13 It is proposed that 90% discretionary rate relief is approved for the period from 4<sup>th</sup> January 2016 to 31<sup>st</sup> March 2022, to align with the relief provided to existing not-for-profit organisations.

**Widnes Unit 365 of the Sea Cadet Corps**

Widnes Sea Cadet Corps, Cliffe Street, Widnes, Cheshire, WA8 6RS

- 3.14 As a registered charity Widnes Sea Cadet Corps automatically receive 80% mandatory rate relief and the Council has granted them 15% discretionary top-up rate relief.
- 3.15 A discretionary rate relief application has been received for the remaining 5% of their rates liability.
- 3.16 The current cost to the Council of the mandatory and discretionary rate relief is as follows;
- |  |        |
|--|--------|
| Cost of 80% mandatory relief               | £2,997 |
| Cost of 15% discretionary top up relief    | £562   |
| Remaining 5% met by Widnes Sea Cadet Corps | £187   |
- 3.17 Since 2015, due to the financial challenges and constraints facing the Council, discretionary business rate relief of 15% has been awarded for Registered Charities and CASC organisations. The organisations themselves then have to meet the remaining 5% of their business rates liability.
- 3.18 It is proposed that the application for a further 5% discretionary rate relief is refused, on the basis that the Council's policy is to provide 15% discretionary relief along with the 80% mandatory relief.

**4.0 POLICY IMPLICATIONS**

4.1 The Board is required by the Regulations to consider each application on its own merit. Any recommendations provided are given for guidance only, are consistent with Council policy and, wherever possible, previous decisions.

**5.0 FINANCIAL IMPLICATIONS**

5.1 The Appendix presents the potential annual costs to the Council of granting rate relief and the cost in the current financial year.

**6.0 IMPLICATIONS FOR THE COUNCIL’S PRIORITIES**

**6.1 Children and Young People in Halton**

Both Power in Partnership Ltd and Widnes Unit 365 of the Sea Cadet Corps support young people in Halton.

**6.2 Employment, Learning and Skills in Halton**

Power in Partnership Ltd provides learning and skills to NEET young people in Halton. Widnes Sea Cadet Corps provides skills to the cadets who are young people in Halton.

**6.3 A Healthy Halton**

None

**6.4 A Safer Halton**

None

**6.5 Halton’s Urban Renewal**

None.

**7.0 RISK ANALYSIS**

7.1 There are no key risks associated with the proposed action.

**8.0 EQUALITY AND DIVERSITY ISSUES**

8.1 The applicants offer their services to all sections of the community, without any prejudice.

**9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

9.1	Document	Place of Inspection	Contact Officer
	Application forms	Kingsway House, Caldwell Road, Widnes	Adel Tomkins Senior Rating Officer



**APPENDIX**

<b>Ratepayer</b>	<b>Address</b>	<b>Rates Liability 01/01/16- 31/03/19</b>	<b>Mandatory Rate Relief Awarded</b>	<b>Cost of Mandatory Rate Relief to HBC</b>	<b>Disc. Rate Relief Claimed</b>	<b>Cost of Disc. Rate Relief to HBC</b>	<b>Actual Rates Liability 04/01/16- 31/03/19</b>	<b>Actual Cost of Mandatory Relief to HBC from 04/01/16- 31/03/19</b>	<b>Actual Cost of Disc. Rate Relief to HBC from 04/01/16-31/03/19</b>
		<b>£</b>		<b>£</b>		<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Power in Partnership Ltd	7, Queens Ave, Widnes, WA8 8HR	5,321	0%	0.00	90%	4,789	5,321	0.00	4,789

**REPORT TO:** Executive Board

**DATE:** 13 December 2018

**REPORTING OFFICER:** Strategic Director, Enterprise, Community and Resources

**PORTFOLIO:** Resources

**SUBJECT:** Council Tax Section 13A Discount Policy

**WARD(S):** Borough-wide

## **1. PURPOSE OF REPORT**

- 1.1. To propose an amendment to the Council Tax Section 13A Discount Policy, in relation to discretionary council tax relief provided to Foster Carers and to consider providing similar relief for Special Guardians, as recommended by the Corporate Policy & Performance Board

## **2. RECOMMENDED: That**

- 1) the amendment to the Council Tax Section 13A Discount Policy outlined in paragraph 3.4 below in respect of Foster Carers, be approved;**
- 2) consideration be given as to whether to provide council tax relief to Special Guardians as outlined in paragraphs 3.6 and 3.7 below;**
- 3) the Council Tax Section 13A Discount Policy presented within Appendix 1 be approved, with any further amendments arising from Recommendation 2 to be made by the Operational Director, Finance in consultation with the Portfolio Holder for Resources.**

## **3. SUPPORTING INFORMATION**

- 3.1 On 6<sup>th</sup> November 2018 the Corporate Policy and Performance Board received a report (see Appendix 1) regarding a proposed change to the Council Tax Section 13A Discount Policy in respect of Foster Carers.
- 3.2 Over recent years the Council has experienced a significant increase in the number of children coming into care. This has placed significant demand pressures upon the availability of residential and foster care placements within the Borough. As a result, many children are having to be placed outside the Borough in more costly placements.
- 3.3 Work is currently being carried out to increase the availability of placements within the Borough, both for the benefit of children and also to utilise more cost effective placements. A key objective for this work is to increase the number of Foster Carers available within the Borough. This will enable some

children to be placed in foster care rather than residential care and also to remain within the Borough rather than out of Borough.

- 3.4 In order to encourage new Foster Carers and to help retain Halton's existing Foster Carers within the Borough, the Corporate Policy and Performance Board recommended that the Council Tax Section 13A Discount Policy be amended to provide 100% discretionary council tax discount for all Foster Carers resident within the Borough who foster Halton children directly on behalf of the Council. This discount would not apply to Foster Carers associated with Independent Fostering Agencies.
- 3.5 The proposed amended Section 13A Discount Policy is presented in Appendix 1.
- 3.6 The Corporate Policy and Performance Board made an additional recommendation that Executive Board consider whether to also provide 100% discretionary council tax discount for all Special Guardians resident within the Borough who have responsibility for Halton children.
- 3.7 Special Guardianship Orders are established by the Courts in order to provide family members (usually) with legal responsibility for the care of children. We would not support awarding 100% discretionary council tax discount to Special Guardians.

#### **4. POLICY IMPLICATIONS**

- 4.1 The policy statement presented in the Appendix would meet the requirements of Section 13A of the Local Government Finance Act 1992 (as amended).

#### **5. FINANCIAL IMPLICATIONS**

- 5.1 The total cost of providing the relief proposed for Foster Carers would be approximately £70,000 per annum, after taking into account any other existing discounts they may be entitled to.
- 5.2 The potential cost reductions from placing children with Foster Carers rather than in residential care are significant.

#### **6. IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

- 6.1 **Children and Young People in Halton**
- 6.2 **Employment, Learning and Skills in Halton**
- 6.3 **A Healthy Halton**
- 6.4 **A Safer Halton**
- 6.5 **Halton's Urban Renewal**

Depending upon the specific circumstances, the award of discounts under the Section 13A Policy have the potential to affect all of the Council priorities above.

**7. RISK ANALYSIS**

- 7.1 The total cost of awards granted may become significant, therefore the number and cost of awards will be closely monitored.

**8. EQUALITY AND DIVERSITY ISSUES**

- 8.1 The eligibility criteria and application process in relation to the Section 13A Policy will ensure that no particular groups of individuals are excluded.

**9. LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
Section 13A Local Government Finance Act 1992 (as amended)	Revenues & Financial Management Division Kingsway House Widnes	Steve Baker

**REPORT TO:** Corporate Policy & Performance Board

**DATE:** 6<sup>th</sup> November 2018

**REPORTING OFFICER:** Strategic Director Enterprise Community & Resources

**PORTFOLIO:** Resources

**SUBJECT:** Council Tax Section 13A Discount Policy

**WARD(S):** Borough-wide

**1. PURPOSE OF REPORT**

1.1 To propose an amendments to the Council Tax Section 13A Discount Policy, in relation to the provision of discretionary council tax discount for Halton Foster Carers resident within the Borough.

**2. RECOMMENDED: That the amendment to the Council Tax Section 13A Discount Policy proposed in paragraph 3.5 below regarding Foster Carers and the updated Policy document presented in the Appendix, be recommended to Executive Board for approval.**

**3. SUPPORTING INFORMATION**

3.1 Over the past few years the Council has experienced a significant increase in the number of children coming into care. This has placed significant demand pressures upon the availability of residential and foster care placements within the Borough. As a result, many children are having to be placed outside the Borough in more costly placements. The children in care budget was overspent by £4.3m in 2017/18 and despite having increased the budget provision by £3m it is forecast to be £4m overspent by the end of 2018/19.

3.2 Work is currently being carried out to increase the availability of placements within the Borough, both for the benefit of children and also to utilise more cost effective placements.

3.3 A key objective for this work is to increase the number of Foster Carers available within the Borough. This will enable some children to be placed in foster care rather than residential care and also to remain within the Borough rather than out of Borough. This will help to reduce costs as foster care placements cost significantly less than residential placements. The average cost of an out of Borough residential care placement is currently around £170,000 per annum, whilst a foster care placement within the Borough is currently around £26,000 per annum on average.

3.4 A range of initiatives have been launched by Children's Services to identify and encourage potential new Foster Carers within the Borough. To assist in



this respect, a number of councils now provide 100% discretionary council tax discount for their Foster Carers.

- 3.5 In order to encourage new Foster Carers and to help retain Halton's existing Foster Carers within the Borough, it is proposed to amend the Council Tax Section 13A Discount Policy to provide 100% discretionary council tax discount for all Foster Carers resident within the Borough who foster Halton children directly on behalf of the Council. This discount would not apply to Foster Carers associated with Independent Fostering Agencies.

#### **4. POLICY IMPLICATIONS**

- 4.1 The policy statement presented in the Appendix would meet the requirements of Section 13A of the Local Government Finance Act 1992 (as amended).

#### **5. FINANCIAL IMPLICATIONS**

- 5.1 There are currently approximately 70 Foster Care households within the Borough. After taking into account existing discounts such as council tax reduction, the total cost of providing 100% discretionary council tax discount for existing Foster Care households would be approximately £70,000 per annum.
- 5.2 The potential cost savings from placing children in foster care within the Borough rather than in residential care, will significantly out-weigh the cost of providing this council tax discount.

#### **6. IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

##### **6.1 Children and Young People in Halton**

##### **6.2 Employment, Learning and Skills in Halton**

##### **6.3 A Healthy Halton**

##### **6.4 A Safer Halton**

##### **6.5 Halton's Urban Renewal**

Depending upon the specific circumstances, the award of discounts under the Section 13A Policy have the potential to affect all of the Council priorities above.

#### **7. RISK ANALYSIS**

- 7.1 If no new Foster Carers were recruited then there would be a loss of £70,000 from providing discounts to all existing Foster Carers, although this would still assist with retaining existing provision. However, the placement of just one child with a new Foster Carer within the Borough rather than in residential care, would more than offset the total cost of council tax discounts provided.

**8. EQUALITY AND DIVERSITY ISSUES**

8.1 The eligibility criteria and application process relation to the Section 13A Policy will ensure that no particular groups of individuals are excluded.

**9. LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
Section 13A Local Government Finance Act 1992 (as amended)	Revenues & Financial Management Division Kingsway House Widnes	Steve Baker

**APPENDIX**

**Council Tax**  
**Section 13A Discount**  
**Policy Statement**

## **1. INTRODUCTION**

- 1.1 Section 13A of the Local Government Finance Act 1992 (as amended) provides the Council with discretionary powers to reduce the amount of council tax liability in exceptional circumstances, where national discounts and exemptions cannot be applied.
- 1.2 This would only be applied in exceptional circumstances and would then be considered on a case-by-case basis or for several taxpayers who may fall into a group due to similar circumstances e.g. those who have had to leave their home due to flooding or fire, care leavers or foster carers.
- 1.3 Council tax legislation provides a wide range of discounts, exemptions and reductions that have the effect of reducing the level of council tax due. Applicants will therefore be expected to have exhausted all other options before making an application under this policy.
- 1.4 Prior to applying this policy, consideration should be given to whether alternative actions should be undertaken. Therefore, this policy will only consider exceptional circumstances, where it is appropriate and fair to provide a discretionary discount.

## **2. STATEMENT OF OBJECTIVES**

- 2.1 Section 13A discount awards will be awarded when tax payers experience unforeseen or exceptional circumstances that threaten their ability to pay their council tax.
- 2.2 Given that the cost of any such award has to be met by the Borough's council taxpayers, any applications must meet the underlying principle of offering value for money to council tax payers. This will be achieved by asking for a range of information to support each application.
- 2.3 From time to time Government may introduce a specific scheme in response to an event such as a natural disaster (e.g. flooding). Where such schemes are introduced, funding is normally fully met by Government without impact upon the local council taxpayer.
- 2.4 Any such schemes that are introduced, in so far as they fall to be administered under Section 13A of The Local Government Finance Act 1992 (as amended), will be administered in accordance with instructions and guidance set out by Government.
- 2.5 The Council will consider making a Section 13A award to applicants who meet the qualifying criteria set out below. All applicants will be considered on their individual merits.

2.6 Sections 3 and 4 of this policy details specific groups of taxpayers who may be entitled to a reduction in accordance with Section 13A.

### **3. CARE LEAVERS**

3.1 The Council may reduce to nil the council tax liability of Care Leavers who satisfy all of the following criteria:

- The person is a former relevant Care Leaver as defined within the Children (Leaving Care) Act 2000
- The person has left care and is aged between 18 and 25
- The person resides within Halton and is liable to pay council tax to Halton Borough Council with effect from 1<sup>st</sup> April 2018.

3.2 Any award given to an individual case will end on the day before their 25<sup>th</sup> birthday

3.3 Where the Care Leaver is liable for more than one property the discretionary discount will be awarded in respect of only one property, that being the person's sole or main residence.

3.4 The amount of discount granted will be the amount of council tax the Care Leaver still has to pay after any existing statutory discounts and council tax support has been taken into account.

3.5 Any award given will be automatically granted and any change to the Care Leaver's circumstances during the financial year will be taken into consideration.

3.6 Where the Care Leaver is jointly and severally liable with one or more residents, who are not Care Leavers, the amount of council tax payable will be reduced by 50%.

### **4. FOSTER CARERS**

4.1 The Council may reduce to nil the council tax liability of Foster Carers who satisfy all of the following criteria:

- The person is available to provide or currently provides foster care services directly on behalf of the Council.
- The person resides within Halton and is liable to pay council tax to Halton Borough Council from 1<sup>st</sup> April 2019 onwards.

4.2 This discount will not apply to Foster Carers who provide services via an Independent Fostering Agency.

4.3 Where the Foster Carer is liable for more than one property, the council tax discount will be awarded in respect of only one property, that being the person's sole or main residence.

- 4.4 The amount of discount granted will be the amount of council tax the Foster Carer still has to pay after any existing statutory discounts and council tax support has been taken into account.
- 4.5 Where a person commences providing foster care services on behalf of the Council during the financial year and continues to do so for at least three months, they will be awarded the council tax discount for the full financial year.
- 4.6 Any award given will be automatically granted and any change to the Foster Carer's circumstances during the financial year will be taken into consideration.

## **5. APPLICATION PROCESS**

- 5.1 The features of the Council's Section 13A Discount Policy are that:
- It is discretionary;
  - An applicant does not have the statutory right to a payment;
  - The operation of the scheme is for the Council to determine;
  - The Council may choose to vary the way in which funds are allocated according to community needs;
  - Other than the normal appeal against the application of discretionary function by Judicial Review, there is no right to a statutory appeal of any application decision. In the interest of fairness the Council will operate an internal review procedure for appeals in a non-discriminatory way;
- 5.2 In order for an application to be considered, there is no formal application form. All applications shall be made in writing, written or by email, by the Council Taxpayer or by somebody authorised to act on their behalf. It should be submitted to the Council Tax Team under the title of Section 13A Discount application. Applications should relate to the current council tax year, and should include the following information:
- The reason for the request;
  - How long the discount is wanted for;
  - The steps that have been taken to meet or mitigate the council tax liability;
  - The cost of such a discount.

## **6. ELIGIBILITY CRITERIA**

- 6.1 There are no pre-set criteria for the award of a Section 13A council tax discount. Each application will therefore be considered on its individual merits.

6.2 In deciding whether to award a Section 13A discount, the Applicant's particular circumstances will be considered. The Applicant will therefore be asked to provide supporting evidence to substantiate the answers that they give to the questions above. This may include, but is not limited to:

- Income and expenditure statements;
- Any sources of credit such as debit cards, credit cards, store cards, overdraft facilities and loan arrangements;
- Any financial assistance which is likely to be available to the Applicant from other sources.

6.3 Decisions on eligibility for an award will be made by the Operational Director Finance. All awards will be made by crediting the award value to the council tax account to which it applies.

6.4 The Council will notify the Applicant in writing of the outcome within 20 working days of the date the decision is made. Where the request for an award under Section 13A is unsuccessful or is not met in full, the Council will explain the reasons why the decision was made.

## **7. THE RIGHT TO APPEAL**

7.1 Section 13A awards are administered under the Local Government Finance Act 1992 (as amended) and are not subject to a statutory appeals process. Appeals will therefore be decided by the Council.

7.2 The Council will operate the policy for dealing with appeals about either the decision not to make an award or the amount of an award.

7.3 An applicant who requires further explanation of a Section 13A Discount decision must request this in writing within 20 days of notification of the decision.

7.4 An applicant who disagrees with a decision may appeal the decision within 20 days of the original decision. Where possible, the Council will initially try to resolve the matter by explaining the reasons for the decision to the Applicant in writing.

7.5 Decisions on appeals will be made by the Council's Appeals Panel. If it is decided to reject the appeal, the reasons for the decision will be provided to the Applicant in writing within 20 working days.

## **8. OVERPAYMENTS**

8.1 If the Council becomes aware that the information contained in an application for a Section 13A Discount award was incorrect or that relevant information was not declared, either intentionally or otherwise, the Council may seek to recover the value of any award made as a result of that application.

8.2 The award will be removed from the relevant council tax account and any resulting balance will be subject to the normal methods of collection and recovery applicable to such accounts.

**9. FRAUD**

9.1 The Council is committed to prevent fraud. Any applicant who tries to fraudulently claim a Section 13A discount might have committed an offence under the Fraud Act 2006. If the Council suspects that fraud may have occurred, the matter will be investigated as appropriate and this could lead to criminal proceedings.



**REPORT TO:** Executive Board

**DATE:** 13 December 2018

**REPORTING OFFICER:** Operational Director, Finance

**PORTFOLIO:** Resources

**SUBJECT:** Change to the Rate of Council Tax Empty Homes Premium

**WARD(S):** Borough-wide

## **1.0 PURPOSE OF REPORT**

1.1 To consider increasing the level of Council Tax Empty Homes Premium to be levied on residential properties empty for more than two years, given the additional powers provided by the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018.

**2.0 RECOMMENDED: The level of Empty Homes Premium on dwellings that have been unoccupied for more than two years, be applied as follows:**

- 1) From 1 April 2019, 100% premium in addition to the full council tax charge for each dwelling unoccupied and unfurnished for more than two years;**
- 2) From 1 April 2020, 100% premium in addition to the full council tax charge for each dwelling unoccupied and unfurnished between two and five years, and 200% premium for dwellings unoccupied for more than five years; and**
- 3) From 1 April 2021, 100% premium in addition to the full council tax charge for each dwelling unoccupied and unfurnished between two and five years, 200% for dwellings unoccupied between five and ten years, and 300% for properties unoccupied for more than ten years.**

## **3.0 SUPPORTING INFORMATION**

3.1 In order to deter owners of long term empty properties from continuing to leave them empty, the Local Government Finance Act 2012 allows billing authorities to levy an empty homes premium from 1 April 2013 of up to 50% in addition to the full council tax on dwellings which have been unoccupied and unfurnished for more than two years. Since 1 April 2013 Halton Borough Council has levied the maximum 50% on all such properties which do not fall into any statutory exemptions.

3.2 In 2017/18 a total of 291 out of 326 Councils applied an empty homes premium and all but 3 were charging the premium at the maximum 50% rate.

3.3 The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018, gives billing authorities further powers to increase the level of empty homes premium they can levy on properties empty for more than two years as follows:

From 1 April 2019 up to 100% premium can be charged in addition to the full council tax for each dwelling unoccupied and unfurnished for more than two years.

From 1 April 2020 up to 100% premium can be charged in addition to the full council tax for each dwelling unoccupied and unfurnished between two and five years, and 200% premium for dwellings unoccupied for more than five years.

From 1 April 2021 up to 100% premium can be charged in addition to the full council tax for each dwelling unoccupied and unfurnished between two and five years, 200% premium for dwellings unoccupied between five and ten years, and 300% premium for properties unoccupied for more than ten years

3.4 Since the introduction of the Empty Homes Premium the number of properties in Halton empty for more than two years has reduced from 250 at 1 April 2013 to 157 at 1 November 2018.

3.5 The breakdown of properties in Halton, empty for more than two years at 1 November 2018 is:

Between 2 – 5 years	65
Over 5 and up to 10 years	51
Over 10 years	41
Total	157

3.6 Based on the current number of empty properties, if the empty homes premium was increased from 50% to 100% from 1 April 2019, the extra amount billed, excluding parish, police and fire precepts, would be £80,912.

3.7 If the premium was further increased to 200% for properties empty over five years from 1 April 2020, an additional £95,073 could be billed from 1 April 2020.

3.8 If the premium was further increased to 300% for properties empty over ten years from 1 April 2021, an additional £43,479 could be billed from 1 April 2021.

- 3.9 It should be noted when considering the extra revenue raised, that should this legislation have the desired effect, ie. the number of properties empty for more than two years reduces, then any extra revenue raised will eventually reduce. Based on the experience since the introduction of the empty homes premium in 2013 it is expected that this outcome will be likely.

#### **4.0 POLICY IMPLICATIONS**

- 4.1 None.

#### **5.0 FINANCIAL IMPLICATIONS**

- 5.1 The potential additional revenue is set out within the report. If the legislation has the desired effect the number of properties empty over two years will reduce so the potential additional revenue received as a result of increasing the empty homes premium will eventually be reduced.

#### **6.0 IMPLICATIONS FOR THE COUNCILS PRIORITIES**

##### **6.1 Children and Young People in Halton**

None.

##### **6.2 Employment, Learning and Skills in Halton**

None.

##### **6.3 A Healthy Halton**

None.

##### **6.4 A Safer Halton**

None.

##### **6.5 Halton's Urban Renewal**

None.

#### **7.0 RISK ANALYSIS**

- 7.1 Owners of empty properties will be informed in December 2018 of the decision to increase the level of empty homes premium ahead of 2019/20 bills being sent in March 2019.

#### **8.0 EQUALITY AND DIVERSITY ISSUES**

- 8.1 None.

**9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D  
OF THE LOCAL GOVERNMENT ACT 1972**

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018	Kingsway House	Stephen Baker

**REPORT TO:** Executive Board

**DATE:** 13 December 2018

**REPORTING OFFICER:** Strategic Director Enterprise Community and Resources

**PORTFOLIO:** Physical Environment

**SUBJECT:** Building Control Joint Service

**WARD(S)** Borough-wide

## **1. PURPOSE OF REPORT**

- 1.1 A Collaboration Agreement has been in place between Halton and Knowsley Councils since July 2015 with the aim of exploring the potential for a shared Building Control service. Working collaboratively has successfully reduced costs whilst maintaining the quality of service delivery.
- 1.2 In January 2018, the Leaders and Chief Executives of both Councils endorsed the undertaking of work to examine the potential establishment of a "Regulation 12" company (i.e. a company set up in compliance with Regulation 12 of the Public Contracts Regulations 2015), on the basis that such a company would be jointly (and equally) owned by both Councils.
- 1.3 In order to complete the above work, approval is now required to formalise an interim shared service agreement (until 31 March 2020) with Halton Council for the provision of Building Control services.

## **2. RECOMMENDATION: That**

- 1) a shared service arrangement for Building Control services for Halton and Knowsley Councils is approved on the basis set out in this report and with a joint structure to be hosted by Knowsley Council for a period until 31st March 2020 commencing 1st January 2019;**

- 2) **Authorise the Strategic Director Enterprise, Community and Resources to execute all relevant documentation required for the establishment of a shared service arrangement for Building Control services for Knowsley and Halton Council as set out in this report; and,**
- 3) **Endorse the proposal to explore the establishment of a Building Control “Regulation 12” company, which would be the subject of a future report to Executive Board.**

### **3. SUPPORTING INFORMATION**

- 3.1 Building Control is a statutory function and national regulations govern the work for which a fee is charged. The Building Control service’s fee-earning work helps to cross-subsidise other vital - but non-fee earning - work, for example responding to concerns about potentially dangerous structures and buildings and recommending action to ensure public safety.
- 3.2 The Building Control service’s core fee-earning activities are subject to direct competition from the private sector “Approved Inspectors” who also have the power to confirm that a building complies with the Building Regulations. In Halton and Knowsley, the presence of competing Approved Inspector companies has not only impacted upon the volume of work submitted to the Authorities’ in-house services, but has also affected the Councils’ ability to retain and attract qualified staff. Several private sector competitor companies offer more competitive financial remuneration packages to their employees alongside other inducements which can also make positions in these companies even more attractive.
- 3.3 As a result of this market position, Building Surveyors have left both Halton’s and Knowsley’s Building Control teams to take up positions with private sector companies. Knowsley’s team currently comprises eight posts (three of which are currently vacant). Halton’s Building Control team comprises four posts (three of which are currently vacant). Of the six vacant posts, four were vacated after employees left to take up positions with private sector Approved Inspectors.
- 3.4 In the event that either Council was unable to adequately resource a Building Control team, it would need to enter into a commercial relationship with a private provider in order to deliver the assessment and determination of Building Regulation applications. Even in that case, the Council in question would need to retain a qualified Building Surveyor in order to:-
  - manage the commercial relationship with the private sector provider;

- undertake out of hours responses to concerns about dangerous structures; and,
  - ensure public safety at events and sports grounds.
- 3.5 In view of these recruitment and staffing challenges, Halton and Knowsley Councils' Building Control services have been working collaboratively since July 2015. This approach has proven successful and it is now considered timely to formalise such collaboration whilst work to consider the potential for a new delivery model is concluded.
- 3.6 The ultimate aim is to reduce the cost of the statutory function for both Councils and to create the capacity to generate increased future income at the same time as stabilising the service.
- 3.7 This report recommends the formalisation of existing arrangements under a Shared Services Agreement, with a longer-term aim to assess the suitability of setting up a "Regulation 12" company to deliver all Building Control-related work, thereby creating a sustainable future for the service to both Councils.
- 3.8 Formalising the existing shared service arrangement is now considered essential in order to:-
- (i) reduce the costs of the Building Control service to Halton and Knowsley Councils;
  - (ii) provide greater resilience for the shared service in that a full staffing complement would enable better workforce planning and resourcing to match an increasing workload;
  - (iii) secure additional economies of scale;
  - (iv) increase partnership development with developers;
  - (v) provide certainty for the employees of the service about the partnership's future and their respective roles;
  - (vi) provide certainty in order that service delivery issues (for example, in relation to information technology and case handling) can be fully resolved, thereby ensuring that a "one service" model is fully embraced;
  - (vii) expand marketing capability; and,
  - (viii) compete on a robust basis with private sector Approved Inspectors operating within the two local authority areas.

3.9 The proposed Shared Service would operate as follows:-

- (i) A joint Building Control service would be established on terms outlined under a Shared Services Agreement” (in accordance with the key principles set out at Appendix A to this report);
- (ii) Net of fee income, the cost of delivering the joint Building Control service would be borne equally by the two Councils. The fee income would also be split equally on the basis of an annual reconciliation;
- (iii) The Building Control Team Leader would report to the Head of Planning Services (Knowsley) and Operational Director (Halton), who would meet regularly and would have joint responsibility for operational matters and decisions affecting the Building Control service. Elected Members of both Councils would be updated on a regular basis and any key decisions would be reported to the respective Cabinet/Executive Board as appropriate;
- (iv) Knowsley would host the shared service, including acting as employer and providing case handling and customer service support;
- (v) Halton’s Building Control Officer would be seconded into the shared service on existing Halton Council terms and conditions and subject to day to day management by Knowsley Council under the Shared Services Agreement; and,
- (vi) The shared service would operate in each Borough during normal office hours (with an equal level of staffing) alongside a joint emergency response service for out of hours.

3.10 It is proposed that either Council would be able to terminate the Agreement after giving at least three months’ written notice of the intention to do so. In such circumstances, any costs associated with the termination would be assessed and proportional costs would be reviewed and agreed between both organisations.

#### **4.0 POLICY IMPLICATIONS**

4.1 In examining alternative options for service delivery, some key principles have been considered. The key principles applicable in this case are discussed below.



- 4.2 *Public sector control should remain the preferred option, although the Council should ensure that the best model is developed for each individual service*

The current proposal is for a shared service arrangement between Halton and Knowsley Councils, and control would therefore remain in the public sector. Any future establishment of a Building Control "Regulation 12" company would be on the basis that both Councils would jointly (and equally) own such a company.

- 4.3 *Any new alternative delivery model should be badged separately from the Council*

It is not proposed here that the Building Control service should move to an alternative delivery model. Instead, the proposal is for the formalisation of a shared service arrangement on the basis of an existing collaboration agreement with Halton Council. The badging of any alternative delivery model would be considered as part of later work in the event that the establishment of a Building Control "Regulation 12" company is recommended.

- 4.4 *Any new Special Purpose Vehicle should, wherever possible, utilise the Council's support services, although they must demonstrate that they are competitive*

In relation to the current proposal, the use of support services (for both Councils) would remain unchanged. Any change to such arrangements would be considered as part of the further work exploring the establishment of a Building Control "Regulation 12" company and having regard to this Key Principle.

- 4.5 *The Real Living Wage would be a requirement for all partnerships/alternative delivery models*

No changes are proposed to the salaries currently paid to staff. The Real Living Wage would be a requirement of any future Building Control "Regulation 12" company in the event that its establishment is recommended.

- 4.6 *The terms and conditions of existing staff should be protected, including membership of the Local Government Pension Fund*

No changes are planned to the terms and conditions of existing staff.

In the event that the establishment of a Building Control "Regulation 12" company is recommended in future, wherever possible new employees would be employed on the same terms and conditions as existing staff.

4.7 *All alternative delivery models should recognise trade unions*

All trade unions have been consulted during this work and will continue to be recognised by both Councils.

4.8 *Elected Members should be part of any board arrangements and retain a majority vote.*

Elected Members of both Councils will be updated on a regular basis as appropriate. In the event that the establishment of a Regulations 12 company is subsequently recommended, its governance arrangements would ensure Elected Members' control.

4.9 *A clear communications strategy should be developed and maintained throughout the development of an alternative delivery model*

A communication plan has been in place throughout the review and regular meetings have been undertaken with the employees involved in both Councils.

## **5.0 RESOURCE IMPLICATIONS**

### **5.1 Financial**

5.2 The 2018/19 Building Control service forecast net costs are £0.020m for Halton and £0.140m for Knowsley.

5.3 The proposed annual shared service cost would be £0.034m for each Council. This equates to an annual saving of £0.106m for Knowsley, which arises due to a reduction in Knowsley's significantly larger staffing structure (i.e. nine posts, of which three are currently vacant). Halton's existing structure has four posts (three of which are vacant). The proposal is for a joint structure of 10 posts (three fewer overall). Work associated with the current vacancies has been covered by the existing team and partly by an Agency Worker in Halton.

- 5.4 The Shared Services Agreement would commence on 1 January 2019 and would be subject to review after 31 March 2020, with three potential options at that stage:-
- (i) Set up a Building Control “Regulation 12” company;
  - (ii) Continue with the Shared Service Agreement; or,
  - (iii) Cease the Shared Service Agreement and discontinue the arrangement.
- 5.5 Both Councils would equally share financial costs net of fee income until the arrangement ends. For the avoidance of doubt, these costs could include redundancy pay and pension contribution liabilities, as well as incremental and pay award pressures.
- 5.6 During the period of the Shared Service Agreement, it is proposed that the costs of support services (for both Councils) would remain unchanged, as they would be held outside the scope of the shared service. The joint service would continue to be based over two sites, each of which would retain their current support arrangements.
- 5.7 In the event that progression of a Regulation 12 company was recommended to a future Executive Board meeting, the most economic and effective ongoing support service arrangements would be considered and agreed at that point.

## **5.8 Human Resources**

The shared service arrangement would result in a new staffing structure of 10 employees made up from current Knowsley and Halton officers (see Appendix B to this report). There are six existing employees who would be assimilated into the new structure. Halton’s Building Control Officer would be seconded into the shared service on existing Halton Council terms and conditions and subject to day to day management by Knowsley Council under the Shared Services Agreement. This secondment arrangement would continue pending consideration of the establishment of the “Regulation 12” company.

## **5.9 Information Technology**

Both Councils currently use the same software to support Building Control services, thereby enabling the relevant employees to work across both organisations and access plans and reports. Under the proposed arrangements, the intent would be for staff to work more flexibly across both Councils and to test new ways of working, including the potential for a mobile solution.

## **5.10 Physical Assets**

- 5.11 It is proposed that the service would be delivered from a central base in Knowsley (i.e. the Yorkon Building in Huyton), with a satellite office in Halton (Municipal Building in Widnes). Opportunities would thereby be provided for more collaborative working through co-location. It is also proposed that there would be the capacity for home working and mobile technology, which would provide economies of scale and consistency of service.
- 5.12 Any future recommendation to progress with a Regulation 12 company would give consideration to ongoing accommodation arrangements, including information technology links and requirements.

## **6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

### **6.1 Children & Young People in Halton**

### **6.2 Employment, Learning & Skills in Halton**

### **6.3 A Healthy Halton**

Building Control is fundamental to the provision of safe and fuel efficient buildings.

### **6.4 A Safer Halton**

### **6.5 Halton's Urban Renewal**

The proposal ensures that a pool of professional staff is retained to undertake the statutory duties of the Building Act 1984 and provide advice and guidance to the construction sector delivering urban renewal in Halton.

## **7.0 RISK ANALYSIS**

- 7.1 The recommendations in this report are founded upon ensuring the resilience of the Building Control service and its future public provision within Knowsley. The aim is for the service to remain locally based, responsive to local needs, and knowledgeable about the needs of local communities.
- 7.2 Any failure to retain qualified Building Control staff within the Council would result in the necessity to enter into a commercial relationship with a third party in order to deliver statutory responsibilities. In that event, the social value benefits outlined in paragraph 5.2.1 above could be reduced.

- 7.3 The formalisation of a joint structure for a shared Building Control service with Halton Council provides the most sustainable solution to enable success in a very commercial market whilst minimising the costs of statutory service provision for both Councils.

## **8.0 EQUALITY AND DIVERSITY ISSUES**

- 8.1 There are no Equality and Diversity arising from this report.

## **9.0 REASON(S) FOR DECISION**

- 9.1 The Building Control Service requires sufficient resource and capacity to continue to provide high quality advice to residents, developers and investors. Following the departure of all Building Control Officers in November 2017, temporary arrangements have been in place to provide service continuity. The reason for the decision is to place the Service on a sustainable footing for future service delivery.

## **10.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

- 10.1 Do nothing – The current temporary arrangements (the use of an agency member of staff) are not cost effective, nor efficient, and the current team lacks capacity to offer a high quality service and generate income.
- 10.2 Outsourcing – A higher quality, more cost effective service can be offered through a joint shared service. An in-house service is far more responsive in terms of support for public services (for example, public safety at events) and does not rely upon commercial contracts as the basis for delivery. The preferred approach retains local control over service delivery.

## **11.0 IMPLEMENTATION DATE**

- 11.1 1 January 2019.

## **12.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

None.

**APPENDIX A**

**KEY PRINCIPLES OF THE JOINT BUILDING CONTROL SHARED SERVICE BETWEEN KNOWSLEY METROPOLITAN BOROUGH COUNCIL AND HALTON BOROUGH COUNCIL**

**Context**

- Halton Council's and Knowsley Council's Building Control services have worked collaboratively since July 2015.
- Formalising a shared service arrangement is now considered essential in order to meet the Councils' shared objectives.
- Both Councils aspire to the establishment of a Building Control "Regulation 12" company as long as a business case is developed to do so.
- In the event that a Regulation 12 company is established, it would be jointly and wholly owned on an equal basis by Halton Council and Knowsley Council.

**Proposed Shared Service**

**Length of Contract and Scope of Services**

- From 1 January 2019 to 31 March 2020.
- The Scope of the Services and the Key Objectives will be set out in the agreed Service Specification.
- The Councils will work collaboratively to achieve the Key Objectives.
- Knowsley will act as Host Authority to manage and deliver the Shared Service.
- The Shared Service will operate in each Borough during normal office hours (with an equal level of staffing) alongside a joint emergency response service for out of hours.
- The service will be delivered from a central base in Knowsley (i.e. the Yorkon Building in Huyton) with a satellite office in Halton.
- The Councils will ensure that all consents are in place for the Host Authority to deliver the Shared Service.
- Either Council will be able to terminate the Agreement after giving at least three months' written notice of the intention to do so. In such circumstances, any costs associated with the termination will be assessed and proportional costs will be reviewed and agreed between both organisations. Any notice of termination may not be given by a Council before 1 July 2019.

## **Governance**

- The Shared Service Team Leader will report to a Management Board consisting of the Head of Planning Services (Knowsley) and Operational Director (Halton), who will together have joint responsibility for operational matters and decisions affecting the Shared Service.
- The Management Board will be responsible for strategic direction of the Shared Service and will be responsible for the functions agreed by the Councils.
- The Shared Service Team Leader will be responsible for day to day delivery of the Shared Service and will have a scheme of delegation agreed by the Councils.
- Unanimous decisions of the Management Board will be required to change the scope of the agreed Services or to change the structure of the Shared Service.
- Elected Members of both Councils will be updated on a regular basis as appropriate.
- The Management Board will undertake an annual review of the agreement and the Shared Service. Interim reviews will take place as necessary.

## **Finance**

- Net of fee income, the cost of delivering the Shared Service will be borne equally by the two Councils. For the avoidance of doubt, these costs could include redundancy pay and pension contribution liabilities, as well as incremental and pay award pressures.
- The fee income will be split equally on the basis of an annual reconciliation.
- The costs for support services will remain unchanged.
- Knowsley, as the Host Authority, will have the right to enter into third party agreements subject to compliance with its Constitution.
- The Council which gives notice to terminate early will be responsible for any costs incurred by Knowsley as the Host Authority in reducing the number of employees employed by the Host Authority to deliver the Shared Service as a result of the notice to terminate.

### **Premises, Information Technology and Support Services**

- Both Councils currently use the same software to support Building Control services, thereby enabling the relevant employees to work across both organisations and access plans and reports. Under the proposed arrangements, the intention will be for employees in the Shared Service to work more flexibly across both Councils and to test new ways of working, including the potential for a mobile solution.
- The Council which provides the information technology shall remain the owner of such facilities and equipment. As the Host Authority, Knowsley will maintain an inventory of all information technology use and make it available to Halton upon request.
- As the Host Authority, Knowsley shall enter into lease or licence arrangements for the Shared Service.

### **Human Resources**

- Knowsley will host the Shared Service, including acting as employer and providing case handling and customer service support.
- Halton's Building Control Officer will be seconded into the Shared Service on existing Halton Council terms and conditions and subject to day to day management by Knowsley under the Shared Services Agreement. There will be a Secondment Agreement to cover this secondment.
- As the Host Authority, Knowsley shall be entitled to recruit to posts required for the Shared Service, and any such employees recruited shall become employees of Knowsley as the Host Authority. Any recruitment and employment costs shall be treated as costs of the Shared Service.
- Any employee recruited by Halton to fill a vacancy or replace a secondee shall be employed by Halton and seconded to Knowsley as the Host Authority.
- Upon termination of the Shared Services Agreement, the secondment of any secondee to the Shared Service shall terminate and all such secondees shall return to Halton.
- Further, upon termination and a separation of the Building Control function, there may be a need to TUPE transfer staff who have been appointed by Knowsley for the Shared Service to Halton based on the service requirements of each individual Council.
- Staffing levels for the Shared Service shall be reviewed annually by the Management Board.



### **Contract Management**

- Any complaint which relates to the Shared Service shall be dealt with by the Council which receives that complaint. The Shared Service Team Leader will assist that Council in providing any information or support required to deal with the complaint.
- Any financial liability and/or compensation arising from a complaint shall be treated as a cost of the Shared Service.

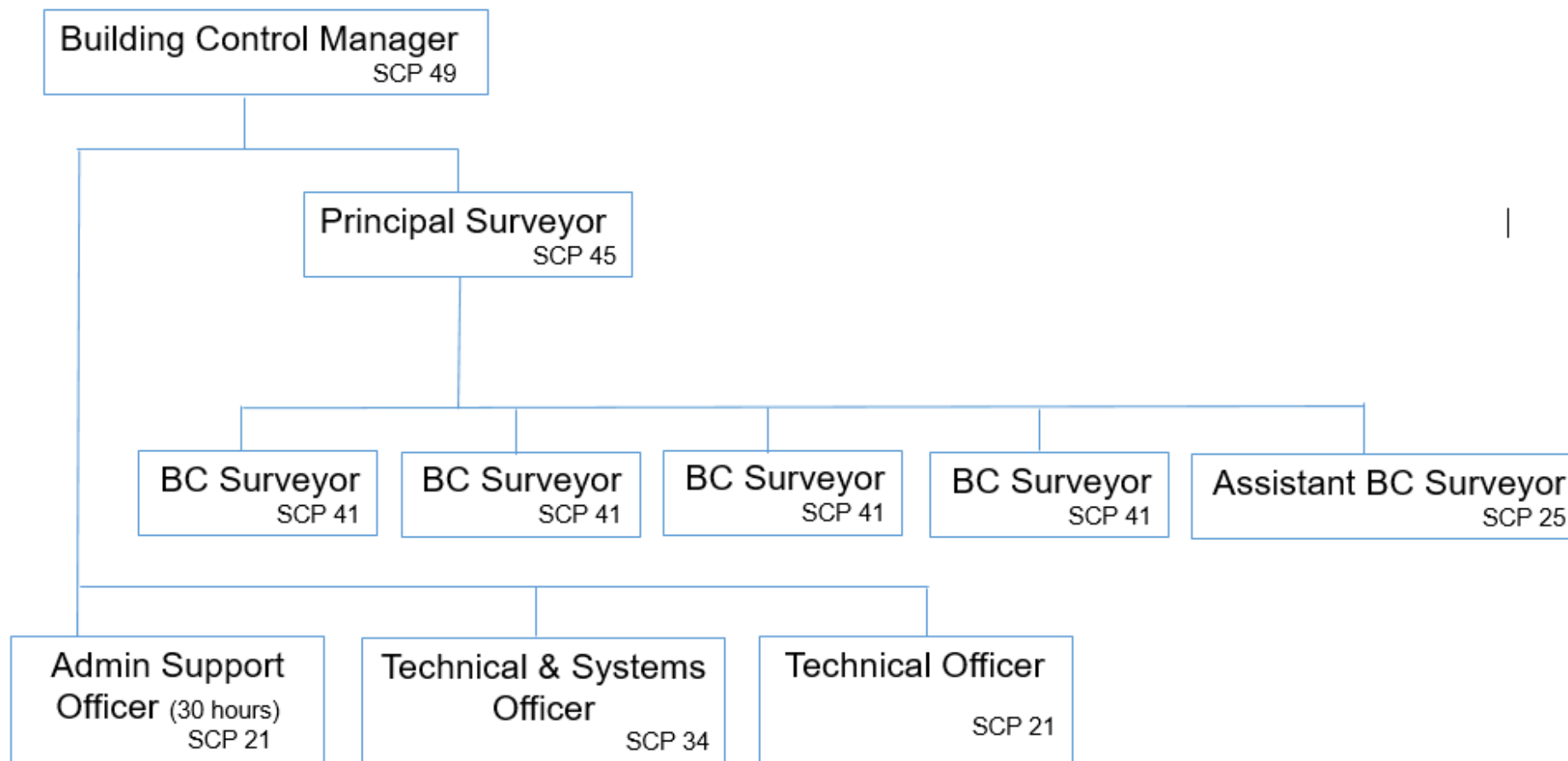
### **Dispute Resolution**

- The Councils are members of the Local Authority Building Control Partner Authority Scheme, which is a mechanism to resolve disputes between local authorities which are members of the scheme.
- The Councils agree to abide by the provisions of Local Authority Building Control's Code of Practice.
- Issues shall in the first instance be resolved by the Shared Service Team Leader.
- Unresolved issues shall be considered by the Management Board.
- The Management Board shall attempt to resolve such issues acting in good faith.
- If the Management Board fails to resolve any such issue within 30 days, the issue shall be referred to the Chief Executives of the Councils for joint resolution.
- If the Chief Executives of the Councils fail to resolve such an issue within 60 days, the issue shall be referred to the Regional Chairperson of Local Authority Building Control for mediation or arbitration.
- If such an issue is unresolved by the Regional Chairperson of Local Authority Building Control, the matter shall be referred to the Local Authority Building Control Partner Authority Scheme Arbitration Panel, which will provide a professional opinion.
- If such an issue is unresolved by the Local Authority Building Control Partner Authority Scheme Arbitration Panel, the matter shall be finally resolved in the Courts.

### **Liability and Insurance**

- Each Authority will ensuring adequate insurance cover for the Shared Service to operate within its boundary.
- Halton will be responsible for any claims arising in Halton and Knowsley will be responsible for any claims arising in Knowsley.
- Insurance premia or costs for the Shared Service shall be treated as a cost of the Shared Service.
- In so far that a claim is not covered by insurance, the Councils shall be jointly liable and the costs arising from any such claim shall be treated as a cost of the Shared Service.
- Costs arising from any data breach shall be treated as a cost of the Shared Service.

**DRAFT ORGANISATIONAL STRUCTURE OF THE JOINT SHARED SERVICE FOR BUILDING CONTROL SERVICES**



**EQUALITY IMPACT ASSESSMENT**

<b>Service Area</b> <b>Building Control – Joint Service Development</b>	<b>Head of Service:</b>	<b>Completed by:</b> <b>T Gibbs</b>	<b>Date:</b> <b>8 November 2018</b>
<b>Title: (Plan/Project/Policy etc.)</b>	Building Control		
<b>Brief description:</b>	To formalise a shared service arrangement for the provision of Building Control services with Halton Council		
Although this proposal has an effect on people, the proposed joint staffing structure (to be hosted by Knowsley) will provide certainty for the Building Control team about the partnership’s future and their respective roles.  A separate Equality Impact Assessment will be carried out on the proposal to explore the setting up of a “Regulation 12” Building Control company.			
Does the proposal have a direct impact on people?	<b>Yes</b>		
If yes, please complete the grid below. If no, consider whether or not an Equality Impact Assessment is necessary, if not state why not and exit process:			

Have you conducted a consultation? **Yes** (if yes please attach evidence or include link)

Staff have been involved within the process since the inception of the collaborative working arrangement in 2015.

There will be one member of staff seconded into Knowsley Council from Halton Council. That employee will continue to be employed on Halton Council terms and conditions, based at Halton Council, and line managed by a Joint Building Control Team Manager.

Who did you consult with?

1. Some initial engagement has taken place with affected staff as part of the initial review process. This engagement has focussed on the positive outcome of a shared service for both authorities.
2. Stakeholders, customers and other Building Control bodies.
3. The service management team
4. Partner organisations (Halton Council, Local Authority Building Control, relevant Elected Member leadership)

How and when did you consult?

A log of Frequently Asked Questions and actions is being maintained. These Frequently Asked Questions are attached at the end of this Assessment.

At the inception of the scheme and regularly throughout, mainly through meetings and Continuing Professional Development events.

Senior management have been consulted on a quarterly basis with regard the progress of the shared service.

Consultation with partner organisations has taken place at least every two weeks since the commencement of the programme in 2015.

The project structure has involved Knowsley Council Steering Group meetings, Programme Board and Work Stream meetings.

What was the feedback?

Specific feedback from all staff about jobs, pay, pensions, terms and conditions and a two-tier workforce.

That it would improve the service and benefit customers.

Positive, especially with regard to improving the service and saving the council money.

Plans have been adapted, or considered for adaptation based on the feedback and professional advice gathered at these meetings.

	<b>Is there any potential positive Impact?</b>	<b>Is there any potential negative Impact?</b>	<b>What evidence do you have? (e.g. complaints, statistics, surveys etc. disaggregated by equality groups.)</b>	<b>What action will you take to mitigate negative impact? Please state if negative impact is intended due to positive action.</b>	<b>How will you monitor and review the actions that you have taken to mitigate the impact?</b>
<b>Age</b>	Yes	No	There will be no change in service for customers and the shared services arrangement doesn't result in any job changes.	N/A	N/A
<b>Carer's Status</b>	Yes	No	There will be no change in service for customers and the shared services arrangement doesn't result in any job changes.	N/A	N/A
<b>Disability</b>	Yes	No	There will be no change in service for customers and the shared services arrangement doesn't result in any job changes.	N/A	N/A

<b>Gender</b>	Yes	No	There will be no change in service for customers and the shared services arrangement doesn't result in any job changes.	N/A	N/A
<b>Gender Identity</b>	Yes	No	Data is not collected for gender identity. There will be no change in service for customers and the shared services arrangement doesn't result in any job changes	It will be important to keep all stakeholders engaged in the process.	Any concerns will be captured in the risk plan for the project and through the formal consultation.
<b>Offending Past</b>	Yes	No	Data is not collected for offending past. There will be no change in service for customers and the shared services arrangement doesn't result in any job changes	It will be important to keep all stakeholders engaged in the process.	Any concerns will be captured in the risk plan for the project and through the formal consultation.

<b>Sexual Orientation</b>	Yes	No	Data not gathered for sexual orientation. There are no targeted services which are aimed at sexual orientation within this proposal. There will be no change in service for customers and the shared services arrangement doesn't result in any job changes.	It will be important to keep all stakeholders engaged in the process.	Any concerns will be captured in the risk plan for the project and through the formal consultation.
<b>Race (including Gypsies and Travellers)</b>	Yes	No	There will be no change in service for customers and the shared services arrangement doesn't result in any job changes.	It will be important to keep all stakeholders engaged in the process.	Any concerns will be captured in the risk plan for the project and through the formal consultation.
<b>Religion or Belief</b>	Yes	No	There will be no change in service for customers and the shared services arrangement doesn't result in any job changes.	N/A	N/A



<b>Social Economic Status and Child Poverty</b>	Yes	No	There will be no change in service for customers and the shared services arrangement doesn't result in any job changes.	N/A	N/A
<b>Armed Forces personnel, Veterans and their Families</b>	Yes	No	There will be no change in service for customers and the shared services arrangement doesn't result in any job changes.	N/A	N/A

R-Race D-Disability G-Gender (including Pregnancy and Maternity) SO-Sexual Orientation RB-Religion & Belief A-Age CR-Caring Responsibility OP-Offending Past GI-Gender Identity SS-Socio Economic Status AFV – Armed Forces, Veterans and their Families

**REPORT TO:** Executive Board  
**DATE:** 13 December 2018  
**REPORTING OFFICER:** Strategic Director, Enterprise, Community & Resources  
**SUBJECT:** A Strategy for Halton's Trees and Woodlands  
**PORTFOLIO:** Physical Environment  
**WARD(S):** Borough-wide

## 1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to have the '**A Strategy for Halton's Trees & Woodlands**' document adopted as policy.

2. **RECOMMENDATION:** That the Executive Board adopt the '**A Strategy for Halton's Trees & Woodlands**' document (*Appendix 1*) as the Council's policy with regards to the management of its tree and woodland assets.

## 3. SUPPORTING INFORMATION

### Background

- 3.1 On 5 September 2013 the Executive Board agreed that '*The Council develop a new tree strategy that clearly articulates how the Council manages its tree stock whilst adhering to guidance and recommendations set out in the National tree Safety Group - Common sense risk management of trees 2010*'. This was a recommendation of a Tree & Woodlands working group that had reported to the Environment & Urban Renewal Policy and Performance Board on 12 June 2013.
- 3.2 Further work was carried out by the Tree and Woodlands Working Group in 2015 which reported to the Environment & Urban Renewal Policy and Performance Board on 23 March 2016. The 2016 report contained 7 recommendations including '*Rec. 1 - The Council develop a tree strategy that clearly articulated how the Council managed its tree Stock*' and that the strategy be taken to the Executive Board. The '**A Strategy for Halton's Trees & Woodlands**' document (appendix 1) has been produced in response to the Executive Board decision of 5 September 2013 and the Tree Working Group recommendation of 23 March 2016.

## 4. A Strategy for Halton's Trees & Woodlands

- 4.1 The strategy follows the principles that were developed by the Member led Tree and Woodland Working Group.

- 4.2 The intention of the strategy is to clearly articulate how the Council manages its trees and woodlands within the resources that it has. It sets out exactly what we will and won't do in relation to tree and woodland management.
- 4.3 The strategy explains how the Council will inspect its trees and woodland and how it will prioritise its work programme.

## **5. FINANCIAL AND RESOURCE IMPLICATIONS**

- 5.1 The resource implications of this report have already been put into place via other decisions made in relation to trees and woodlands by the Executive Board on 5 September 2013.

## **6. POLICY IMPLICATIONS**

- 6.1 Adoption of the strategy will make it the Council's policy with regards to Trees & Woodlands.

## **7. IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

### **7.1 Children and Young People in Halton**

Trees and Woodlands contribute towards the positive development of children and young people by creating pleasant environments in which play and learning can take place.

### **7.2 Employment, Learning and Skills in Halton**

None identified

### **7.3 A Healthy Halton**

Trees and Woodlands contribute significantly to health. .

### **7.4 A Safer Halton**

The strategy contributes towards a safer Halton as it sets out how the Council will inspect and maintain its trees to ensure a safe environment for all.

### **7.5 Halton's Urban Renewal**

Trees and woodlands have a significant positive impact on the attractiveness of the Borough. An attractive environment encourages inward investment.

**8. RISK ANALYSIS**

There is significant risk in not having a tree and woodland strategy. The **'A Strategy for Halton's Trees & Woodlands'** wood mitigate the risks associated with these assets.

**9. EQUALITY AND DIVERSITY ISSUES**

There are no equality and diversity issues.

**10.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

None

# A Strategy for Halton's Trees and Woodlands

**DRAFT**

**OPEN SPACE SERVICES**

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PREFACE

This is a draft version of a proposed Tree and Woodland Strategy dated November 2018. Once adopted, this document will be subject to periodic review in response to legislative changes, reviews of Council Strategies and Policies and industry best practice.

## Summary

Halton Borough Council is changing the way it manages its trees and is embracing new systems and practices to achieve a more efficient approach.

This new approach will focus resources into the management of trees that are in Council ownership by routinely inspecting trees in accordance with a risk based methodology. If during an inspection, a tree poses an unacceptable risk of harm to people or property, remedial work will be carried out.

This new approach will mean the Council will now only prune or remove trees for sound arboricultural reasons and will no longer be able to routinely respond to requests for tree works for any reasons other than safety, or the prevention of damage. The Council will however seek to act as a ‘good neighbour’; Officers will treat enquiries with diligence and respect, and hopefully in some circumstances the Council may be able to help.

The Council will inspect; undertake remedial works and respond to tree enquiries according to urgency. Timescales are proposed in this document and should be adopted as standard.

### 1. Introduction

Trees by their nature are dynamic living systems. They have evolved to cope with losing limbs, breaking apart and being wounded and they grow adaptively in response to the environment around them. Trees and woodlands can make a significant contribution to quality of life, the local economy and the environment. Where trees and people co-exist however there is a need to ensure that a tree’s natural processes do not pose a risk to the people and property around them.

Owners of trees have a legal duty of care and are obliged to take all reasonable care to ensure that any foreseeable hazards can be identified and made safe. Although it is not possible to completely eliminate the risk of tree failure, there are often indications that a tree may be in decline, have structural faults or be suffering from decay or pests and diseases. Many of these signs can be recognised by trained inspectors who can then instigate further investigations by a qualified arboriculturalist.

The safe and appropriate management of trees is important to the Council, who want to ensure that a balance is maintained between the safety of the public and sustaining a healthy tree population with the benefits it provides.

Some examples of the many aesthetic, social, economic and health benefits of trees are listed below

- Trees play a vital role in urban and rural ecosystems by helping to support a great variety of wildlife
- A large beech tree can provide enough oxygen for the daily requirements of ten people

- Property in tree lined streets is worth 18% more than in similar streets without trees
- Trees intercept water, store some of it and reduce storm runoff, and the possibility of flooding
- Trees help to lock up the carbon emissions that contribute to global warming. For example, 1 hectare of woodland grown to maturity and looked after forever would absorb the carbon emissions of 100 average family cars driven for one year (Climate Care/Trees for Cities estimate)
- Trees have a positive impact on the incidence of asthma, skin cancer and stress-related illness by filtering out polluted air, reducing smog formation, shading out solar radiation and provide an attractive, calming setting for recreation
- Trees can also save up to 10% of energy consumption through their moderation of the local climate

The importance of trees has been emphasised by a number of recent government reports including a national survey of England’s urban trees and their management entitled *Trees in Towns II*, published in February 2008. More recently, in December 2011, the National Tree Safety Group released its guidance on how tree owners should approach tree safety management ([3.3 refers](#)).

This document is concerned with the management of trees by Halton Borough Council. This includes reducing the risk of harm from trees which are either:

- Within the responsibility of the Council
- Outside the responsibility of the Council, but have the potential to impact upon land, infrastructure and property for which the Council has responsibility.

Trees which present the greatest risk of harm to people and property tend to be in urban locations, such as:

- Trees along roads and pavements
- Trees in pedestrian areas
- Trees in parks and green spaces
- Trees in the grounds of Council properties and buildings

Not only do urban trees provide important benefits, they also present a range of problems. Current issues associated with the management of urban trees include:

- ensuring that the right trees are planted in the right places ([14.1 refers](#)) - in response to directives to plant more trees
- Poor understanding of tree management practices by local residents that can lead to opposition to essential tree works

## 2. Aims of the Strategy

Sustainability is at the heart of the Council’s long term aims and this Tree and Woodlands Strategy sets out how the benefits provided by trees and woodlands will be maintained and enhanced. This will include positive steps to consolidate tree stocks and address some of the recurring problems associated with Council’s trees.

**The primary aims are summarised as follows:**

- **To initially survey, inspect and record all trees within Council ownership**
- **To maintain and enhance the tree population of Halton**
- **To increase the tree canopy cover across Halton with particular reference to areas with low canopy cover**
- **To protect, consolidate and, where necessary, restructure the legacy of established trees and woodland**
- **To maintain and maximise the ecosystem services provided by the Council’s trees**
- **To ensure, as far possible, that the Council’s tree stocks are resilient in the light of threats from introduced tree pests and diseases and climate change.**
- **To promote biodiversity and conserve tree and woodland eco-systems**
- **To conserve and protect ancient woodland and ancient trees with significant ecological, historical and amenity value**
- **To work with partners to expand the woodland cover through sustainable external funding**
- **To fulfil the Council’s duty of care in respect of its tree stocks. The systems of health and safety checks on trees that have been implemented; developed and maintained. The aim will be to keep risks presented by trees as low as it is reasonably practical to do so**

## 3. Context:

Halton Borough Council has adopted the following Plans, Strategies and Guidance in support of this strategy document.

These documents provide a strategic plan to deliver a network of high quality green spaces. They set out to ensure green space will be designed and managed as a multi-functional resource, delivering a wide range of environmental and quality of life benefits. Trees and woodlands are a very important part of this and play a vital role in defining Halton green environment.

Woodlands, especially old trees and ancient woodlands are amongst our richest habitats. The highest levels of biodiversity are often found in woodlands that are actively and sensitively managed. Their diversity is even greater when they form part of a mixed

landscape in close proximity to other features such as ponds, grasslands and even residential gardens. Hedgerows linking woodlands act as wildlife corridors and so greatly promote the extent and range of wildlife. In order to protect this ecological asset an evaluation will be given to the sensitivity of the species and habitats identified to ensure public access remains appropriate, without harming the biodiversity.

The challenge in the future will be to maintain and enhance diversity. Planning and management needs to be aimed at providing a natural environment which is resilient to climate change. Climate change will impact on the range of native wild plants and animals and hence the character of our woods.

Woodlands protect ground water from pollution and lessen the likelihood of flooding by intercepting rain before it reaches watercourses. Strategically planted shelterbelts intercept air pollutants. To realise integrated and multifunctional landscape management the Council will work closely with external partners and a variety of landowners.

The Trees and Woodland Strategy is mutually compatible with these overlapping plans and strategic documents and thus provides a clear direction for the management of the Halton’s Green space and natural environment assets.

### 3.1 The Local Plan

The Delivery and Allocations Local Plan (DALP) provides a robust and up-to-date policy framework to guide future development within the Borough. This document reviews, replaces or compliments a number of core strategy documents. It is important to note that the Local Plan should be read as a whole as the policies are cross cutting and inter-relate. Specifically, the Local Plan document and accompanying Adopted Policies Map will:

- a) Replace the remaining saved policies of the Halton UDP (adopted April 2005).
- b) Refresh and update, selected policies of the Core Strategy (adopted April 2013).
- c) Include allocations of land for residential, employment, retail, leisure and other land uses.
- d) Identify areas to be designated and protected for landscape, nature conservation, environmental and heritage reasons.
- e) Provide policies to guide decision making in the development management process.
- f) Replace the existing UDP Proposals Map

#### 3.1.1 Section 20 - Key policies in the Local Plan pertinent to this strategy:

##### **HE1: Natural Environment and Nature Conservation**

Halton benefits from a broad range of diversity in landscapes and townscapes, which identify the area’s unique and beautiful natural environment. There are also a number of designated areas, identified for their unique landscape or rare habitats and species that require protection from development which would be

damaging and harmful. The Council recognises the importance of these features and assets and the planning policies contained within this document provide the opportunity to ensure that not only are these features and assets protected, but where possible enhanced for the enjoyment of current and future generations.

**HE4: Green Infrastructure**

Green Infrastructure is a network of multi-functional green spaces, urban and rural, which are capable of delivering a wide range of environmental, economic and quality of life benefits for local communities. Therefore Green Infrastructure is considered a key element similar to water, waste, transport and energy infrastructure.

**HE5: Trees and Landscaping - Woodlands, Trees and Hedgerows**

Woodlands, Trees and Hedgerows are an important visual and ecological asset; they provide a significant contribution to an area’s distinctiveness as well as playing an important role in mitigating and addressing climate change. Whilst the landscape of Halton encompasses all outdoor space, from town centre squares and pedestrian precincts, to the Green Belt and open countryside, each play a key part in creating a distinct local character.

**HE7: Pollution and Nuisance**

This policy together with CS23 – Local Plan: Managing Pollution and Risk looks to ensure that development takes into account the potential environmental impacts on people, buildings, land, air and water arising from the development itself and any former use of the site, including, in particular, adverse effects arising from pollution and nuisance.

### 3.2 Policy and Performance Board

In June 2012, a Tree Working Group was established by the Environment and Urban Renewal Policy and Performance Board. The Working Group considered issues relating to inspection and liability, insurance claims following alleged damage to property, the management of the Council’s tree stock and neighbour issues such as tree height and maintenance.

On 5 September 2013 the Tree Working Group recommended to the Executive Board that:

- The Council develop a new tree strategy that clearly articulates how the Council manages its tree stock whilst adhering to guidance and recommendations set out in the ‘National Tree Safety Group - Common Sense Risk Management of Trees 2010 ([3.3 refers](#)).
- A post of Open Space Officer who holds portfolio for trees and woodlands should be created to oversee the implementation of work. This post holder would implement and oversee inspection and monitoring systems.

- A tree inspection regime should be implemented at a frequency that is deliverable with the resources available to the Council. This system should be robust enough to defend the Council from potential liabilities.
- That new advice and guidance leaflets and webpages be produced to assist elected members and members of the public to understand how the Council manages its tree stock. This includes explaining the Councils position on right to light, trees interfering with Sky reception, etc.
- That officers should identify a suitable tree management system (database) that allows mobile working and resources be made available to procure such a system or develop one in-house. Issues concerned with systems being able to ‘speak’ with other Council IT systems be investigated and resolved. Members of the Tree Working Party recognised that budgets are tight at this time but that the potential risk of more accidents and claims could be avoided by investment.
- Strengthen the operational tree maintenance team so that more proactive maintenance work can be carried out. This should help reduce complaints and ensure more effective handling of tree issues.
- Officers will explore all opportunities to derive income from the Councils tree stock through the sale of logs or arisings. In particular opportunities relating to biomass energy production should be explored.

The Executive Board resolved that:

- 1) The recommendations of the Environment and Urban Renewal Policy and Performance Board Tree Working Group be adopted; and
- 2) The recommendation for Capital Funding referred to the Budget Working Group for support and approval.

### 3.3 National Tree Safety Group

The National Tree Safety Group (NTSG) comprises representatives from 20 organisations. These range from tree specialists such as the Arboricultural Association and the Institute of Chartered Foresters, to tree owners and managers such as the Country Land and Business Association, National Farmers Union and the Forestry Commission, to conservation organisations such as the National Trust, Woodland Trust and Ancient Tree Forum.

The aim of the NTSG is to develop a nationally recognised approach to tree safety management and to provide guidance that is proportionate to the actual risks from trees. Its new national guidance document entitled Common Sense Risk Management of Trees was released in December 2011.

The NTSG guidance is underpinned by 5 key principals:

- Trees provide a wide variety of benefits to society
- Trees are living organisms that naturally lose branches or fail
- The overall risk to human safety is extremely low
- Tree owners have a legal duty of care
- Tree owners should take a balanced and proportionate approach to tree safety management

The NTSG has produced three documents:

1. Common sense risk management of trees (The main guidance document)
2. A Landowner Summary (for estates and smallholdings)
3. Managing Trees for Safety (for the domestic tree owner)

These are downloadable free from the Forestry Commission’s Publications website <http://www.forestry.gov.uk/forestry/HCOU-4VXJ5B>

#### 4. Stakeholder Involvement

It is very important that stakeholders and residents living in Halton understand the principles set out in this strategy, particularly that cyclical renewal and management of trees is necessary to ensure their long term sustainability. This strategy will be available on the Halton Borough Council web site.

It is hoped residents will be assured that Halton’s trees are being sensitively and professionally managed to achieve long term sustainability. The Council would like residents to feel a sense of involvement and communal ownership and take pride in Halton’s extensive tree cover, woods and greenspaces.

The Council will seek to support community based projects regarding trees, in particular to encourage schools and youth groups to become involved in Halton’s trees and woodland.

Trees and woodlands offer a variety of outdoor opportunities for recreation and learning. The priority will be to provide high quality access near to where people live and work. To ensure trees and woodlands remain valued as a ‘lifelong’ resource appropriate information needs to be freely available. This should include recognition of their historic, archaeological and cultural significance.

Partnership working promotes community involvement, and so links to existing partners should be strengthened and new ones established by providing advice and support to communities with plans to create and maintain their own woodland, or become involved in managing existing blocks of woodland in their neighbourhood. Partnerships can help support funding applications and could qualify for funding from organisations such as The Woodland Trust. The Council will also maintain a dialogue with the Mersey Forest.



## 5. Service Delivery, Policies and Priorities

### 5.1 Standards of Service Delivery

Trees are complex organisms with a long natural lifecycle, in order to manage them sustainably, a strategic operational approach is essential. As understanding of the way pruning affects trees has evolved, the basic premise has not changed: all tree surgery is not for the benefit of the tree, other than to enable it to continue to co-exist in an artificial human environment.

The management and maintenance of trees is therefore a complex and skilled task, often requiring different services and organisations to work closely together in order that trees are appropriately managed to minimise the risk they may pose and may be posed to them.

An important part of delivering an effective risk management system is ensuring that the tree managers have the pre-requisite skills, with suitable qualifications and experience to meet the challenges.

The complexity of tree stock within Halton requires well trained Arboriculturists as an integral part of a defensible tree and woodland management service. This has been substantiated by industry best practice, peer review and confirmed in common law precedence.

The breadth of arboricultural knowledge and skill is not only needed by those who undertake the works, pruning, planting and removing trees, but in this highly regulated industry, also those inspecting the trees, responding to service requests and specifying works must be appropriately qualified.

Analysis of tree related enquiries has enabled the Council to monitor customer concerns, prioritise work and the way that it is undertaken. Improved levels of consultation and communication have been developed, which are detailed below. Equally, firmer policies have been developed that inform residents of the Council’s actions in respect to common concerns. These policies are integral to a more pro-active level of service delivered within financial constraints.

### 5.2 Common Law Rights

In the English legal system, Common Law refers to laws that have been developed through precedent set by similar cases as opposed to being created through legislative statutes.

Under English Common Law Rights, you have a right to remove (abate) the nuisance associated with trees encroaching onto your property. The following advice with respect to encroaching trees is given for general guidance only. You are advised to obtain independent legal advice before acting:

- a) You can only consider removing those parts of the tree from the point where they cross the boundary of your property. You must not go beyond your property boundary without the permission of the tree owner. You have no legal right to cut or remove any part of a tree that does not overhang your property.
- b) You are strongly advised to consult a professional tree surgeon for guidance on how best to prune back encroaching trees, unless the works are trivial meaning you could do the works with hand secateurs or similar.
- c) You are strongly advised to tell the owner of the trees what you plan to do. You can find out if the trees are owned by the Council by telephoning the Halton Direct Link.
- d) Before you consider doing any works to the trees you should find out if they are protected by a Tree Preservation Order or if they are in a Conservation Area. If trees are protected, then you will need to gain consent by making an application / give notice to the Council. For guidance on how to check if the trees are protected and how to make an application please telephone the Contact Centre.
- e) Legally you do not own those parts of the tree that encroach over your property and you should make arrangements to return these to the owner. You are advised to discuss this with your neighbour to agree a mutually acceptable solution.
- f) If your actions render a tree to be unsafe you may be liable for any subsequent damage, or injury that results from tree failure.

### 5.3 Legal Considerations (meeting the Council’s Duty of Care)

The risk presented by trees is low. For example the Health and Safety Executive estimate the risk of death caused by a failing tree or branch is 1 in 10,000,000, which is much lower than the risks accepted by people on a day to day basis such as using the roads where the risk of death is 1 in 16,800. These low risks must also be balanced with the benefits trees provide.

The Council has a duty of care to employees and members of the public in respect of the safety of trees in its ownership. This does not mean that the Council must maintain all its trees in a safe condition. Trees are dynamic organisms, subject to the forces of nature, which can fail without showing warning symptoms and can never be classed as entirely safe. However, the Council must try to keep risks presented by trees as low as is reasonably practicable.

The most recent guidance in the Tree Health and Safety Group’s “Common Sense Guide to the Management of Tree Safety” published by the Forestry Commission in 2011 sets out how a Local Authority should approach tree safety. This involves zoning areas based on the usage of the ground around the trees, working out a level of tree inspection needed, employing trained and competent staff to complete various levels of survey, and recording and storing all findings on a database.

In support of this Strategy the Council has produced a Tree Risk Management Plan (Appendix 16.4), which includes all the measures recommended in current guidance.

The strategy has been fully implemented with all streets trees checked and their details recorded.

The instigation of the database and a system of inspections will lead to a pro-active system of management complimented by structured systems to respond to service requests. It is anticipated the adoption of this system will delivered greater efficiency and economy savings over the position before this system was in place.

## 6. General Policies

### 6.1 Priorities

**TP1: The Council will maintain its trees and woodlands in accordance with its obligations to observe duty of care and the safety of both people and property.**

TP1.1: Implement the regime of periodic tree inspections and data recording as set out in the Tree Risk Management Plan.

TP1.2: Staff employed to manage the Councils tree stock will maintain a high level of training and continued professional development to ensure that tree management decisions are well founded and in line with current industry practice.

TP1.3: To undertake tree works in line with the risk based prioritisation.

**TP 2: The Council will encourage a better understanding of tree and woodland management and in so doing promote community involvement.**

TP2.1: The Council will seek to disseminate information on its tree and woodland activities as widely as possible.

TP2.2: The aim will be to support and maximise community involvement in the Halton’s trees and woodlands.

**TP3: The removal of trees and woodlands shall be resisted, unless there is sound Health and Safety or arboricultural reasons supported within this strategy.**

TP3.1: The removal of healthy trees in response to complaints shall be resisted unless the complaint has an overriding justification and no alternative management practice can be implemented.

**TP4: The Council will maintain its trees and woodlands in a way that demonstrates best practice, providing worthy examples of management for others to follow.**

TP4.1: To provide plans for long term management and development of trees and woodlands as essential components within the landscape.

TP4.2: To ensure the best use of resources is made during the planning of operations.

TP4.3: To supplement the Council’s spending by seeking additional funding from external sources where ever possible.

TP4.4: To realise any economic potential of trees, and woodlands, or materials generated from them, where this does not conflict with the other policies and priorities of the Strategy.

## 7. Operational Policies

### 7.1 Bird Droppings

**TP5: Council trees will not be pruned or removed to stop or reduce bird droppings from trees, nor will the Council remove bird droppings from private land.**

Bird droppings may be a nuisance, but the problem is not considered a sufficient reason to prune or remove a tree. Nesting birds are protected under the Wildlife and Countryside Act (and other related wildlife law).

TP5.1: Residents will be advised of their powers to exercise your Common Law right to remove the nuisance associated with encroaching trees or alternatively that warm soapy water is usually sufficient in removing bird droppings.

### 7.2 Blossom

**TP6: Council trees will not be removed to stop or reduce blossom from trees and fallen blossom will not be removed from private land.**

Blossom is a natural occurrence, which cannot be avoided by pruning.

TP6.1: Roads, streets, foot or cycle paths will be swept of excessive blossom as part of normal cleaning cycles.

TP6.2: Residents will be informed of their entitlement to exercise their Common Law right to remove (abate) the nuisance associated with encroaching trees.

### 7.3 Low Tree Branches; Road, Cycle or Footpaths

**TP 7: The Council will carry out work to a Council owned tree with the aim to maintain a minimum of:**

- Road – 5.5 metre height clearance

- Cycle path next to a road or highway – 3 metres height clearance
- Footpath next to a road or highway – 2.5 metres height clearance

TP7.1: These works will be identified and actioned in routine pro-active surveying and as a result of reported breaches of these standards.

#### 7.4 Trees Overhanging Property

**TP 8: Council owned trees will not be pruned or removed to stop the nuisance of overhanging branches.**

TP8.1: All trees (excluding woodland areas) will be inspected every three to five years, depending on how much the area surrounding them is used. Maintenance will be carried out if the tree is considered likely to touch property structures prior to re-inspection.

TP8.2: Residents will be informed of their entitlement to exercise their Common Law right to remove (abate) the nuisance associated with encroaching trees.

#### 7.5 Drains

**TP9: The roots of Council owned trees will not be pruned, removed or cut to prevent roots entering a drain that is already broken or damaged.**

TP9.1: Residents will be advised that tree roots typically invade drains that are already broken or damaged.

TP9.2: Trees themselves very rarely break or damage a drain. Tree roots found in drains are usually due to an underlying problem with a broken pipe.

TP9.3: If residents are concerned about the condition of their drains they are advised to contact their Water and Sewerage Company or a drainage expert.

#### 7.6 Fruit, Berries, Nuts and Seeds

**TP10: Council owned trees will not be pruned or removed to stop or reduce the nuisance of fruit, berries, nuts or seeds, nor will the Council remove fallen fruit, seeds or seedlings from private land including gutters.**

TP10.1: Should fallen fruit lead to significant anti-social problem residents will be advised to contact the police.

TP10.2: Residents will be advised that the maintenance of gutters is the responsibility of the landowner and that the Council is not obliged to remove fruit/berries/nuts/seeds or seedlings that may have fallen from Council owned trees.

TP10.3: Residents or the Council’s tree team will report a road, street or highway that needs to be cleaned to the Open Space Services.

### 7.7 Poisonous Berries

**TP11: There is no general policy to remove trees bearing poisonous fruit / foliage (such as yew trees). However, where it is claimed or known that unsupervised young children or livestock are likely to be exposed to poisonous berries or foliage, such cases will be investigated and appropriate action considered.**

TP11.1: All reported concerns over a tree with poisonous berries that unsupervised young children are exposed to will be investigated promptly.

### 7.8 Leaves

**TP12: Council owned trees will not be pruned or removed to stop or reduce leaf fall nor will the Council remove fallen leaves from private property.**

TP12.1: Residents will be advised that the loss of leaves from trees in the autumn is part of the natural cycle and cannot be avoided by pruning.

TP12.2: Residents will be advised that the maintenance of gutters is the responsibility of the landowner and the Council is not obliged to remove leaves that may have fallen from Council owned trees.

TP12.3: Where leaves have been reported to have accumulated on Council owned roads, footpaths these will be reported to Open Space Services.

### 7.9 Light

**TP13: A Council owned tree will not be pruned or removed to improve natural light in or to a property. This includes properties with (or planned to be installed) solar panels.**

TP 13.1: Residents will be advised that in law there is no general right to light.

### 7.10 Suckers from Tree Roots

**TP14: Council owned trees will not be pruned or removed to stop or reduce the nuisance of sucker growth on private land.**

TP14.1: Residents will be advised of their rights to remove suckers on their land.

### 7.11 Personal Medical Condition – Complaint

**TP15: There is no policy regarding personal medical conditions that may be specifically affected by nearby Council owned trees. Such cases will be investigated, and appropriate action considered.**

TP15.1: Residents will be informed of their entitlement to exercise their Common Law right to remove (abate) the nuisance associated with encroaching trees.

### 7.12 Pollen

**TP16: Council owned trees will not be pruned or removed to stop or reduce the release of pollen.**

TP16.1: Residents will be advised that pollen is a natural and seasonal problem.

### 7.13 Trees Affecting Street Lights, Signs and Traffic View

**TP17: Work on Council owned trees will be undertaken to maintain clear sight lines (where feasible) at junctions, access points (associated with a street, road or highway), traffic signals and street signs.**

TP17.1: These works will be identified and actioned in routine pro-active surveying and as a result of reported, breach of these standards.

### 7.14 Sap and Honeydew

**TP18: Council owned trees will not be pruned or removed to reduce honeydew or other sticky residue from trees.**

TP18.1: Residents will be advised that honeydew is a natural and seasonal problem. When new trees are planted we try to choose trees less likely to cause this problem.

### 7.15 Subsidence Damage to Property (Tree-related)

**TP19: The Council has in place active tree management systems to minimise risk of damage being caused to buildings and other structures because of the action of Council owned trees.**

TP19.1: Residents will be advised that if they have concerns about tree related subsidence damage to property, that they should contact their insurance provider for advice.

TP19.2: If a residents wishes to make a formal claim for damage they will be advised to contact the Council Insurance Team Direct. Alternatively the case will be investigated by the Council’s Open Spaces Team, once reported.

### 7.16 Trip Hazards

**TP20: The Council will make safe an unacceptable trip hazard caused by the growth of Council owned trees.**

TP20.1: All reported cases will be investigated and actioned accordingly.

### 7.17 Tree Touching Building

**TP21: If a Council owned tree is touching a property (house, boundary wall, garage etc.) action will be taken to remove the problem.**

TP21.1: All reported cases will be investigated and actioned accordingly.

### 7.18 Tree Too Big / Too Tall

**TP22: Council owned trees will not be pruned or removed because they are considered to be too big or tall.**

TP22.1: Residents will be advised that a tree may seem too big for where it is, but this doesn’t make it dangerous.

TP22.2: All trees (excluding woodland areas) will be inspected for safety. We inspect them every three to five years, depending on how much the area surround them is used. Maintenance will be carried out, if necessary.

### 7.19 Tree and TV / Satellite Reception

**TP23: Council owned trees will not be pruned or removed to prevent interference with TV / satellite installation / reception.**

TP23.1: Residents will be advised that their satellite or TV provider may be able to suggest an alternative solution to the problem.

### 7.20 Vistas and Views

**TP24: Council owned trees will not be pruned or removed to improve the view from a private property.**

TP24.1: The Council will promote the amenity value offered by trees in their own right.

### 7.21 Wild Animal / Insect Pest

**TP25: Council owned trees will not be pruned or removed to stop or reduce incidents of perceived pests such as bees, wasps, or wild animals, unless it is in the national or public safety interest to do so due to a harmful invasive species.**

TP25.1: On private land residents will be advised that external companies provide a chargeable service for removing certain pest species.



## 8. Policies and Priorities for the Management of Council Owned Trees

**The Council’s tree stocks can be divided into 6 main categories as follows:**

1. **Street Trees and Trees in Residential Areas:** Street trees are planted in pavements or road verges. These help to filter traffic pollution; provide shade for car parking and improve the overall appearance of the street scene. Trees in residential areas are trees growing within and around housing estates to enhance the local environment.
2. **Parks and Open Spaces:** These are frequently the trees of greatest local significance and provide maximum visual amenity for both residents and visitors.
3. **Woodlands:** These are usually dating back to historical local landowners and areas of Halton’s agricultural past. These woodlands are usually a valuable wildlife and amenity resource within the urban fringe and form many of Halton’s Local Nature Reserves.
4. **Highway Structure:** Mostly new plantings alongside major roads to attenuate noise; filter traffic pollution and provide visual amenity and habitat for wildlife corridors.
5. **Village and Rural Trees:** The villages have a unique character, much of which is achieved by their content of historic trees, as well as those growing within the surrounding countryside.
6. **New and Replacement Planting:** policies and priorities in respect of new and replacement planting are a key element of the strategy and decisions made now will have a bearing on the future resilience and sustainability of Halton’s tree cover.

Each category of tree cover is assessed below and the specific policies and priorities that relate to them are detailed.

### 8.1 Street Trees and Trees in Residential Areas

The trees in streets and residential areas have to survive in difficult environments. Utilities demand space, as do road signs, streetlights and aerial telecommunications. The limited space is made all the more challenging because of polluting car emissions, road salt, oil and other contaminants. Against the odds, trees can and do survive but often with a limited life expectancy.

The character of Halton’s street trees vary considerably, from the older roadside planting in areas like Higher Runcorn and Northern Widnes, to the newer developments of Upton Rocks and Sandymoor.

Many of Halton’s streets have tree populations that are over-mature. Such trees are vulnerable to climatic change, disease and damage. As time progresses this over-mature population of street trees will be removed as individual trees deteriorate. In these areas new trees will be introduced between the mature specimens to ensure that there will be continuous future tree cover.

A large proportion of trees fringe housing estates that enhance the environment and are very important to the quality of life for the residents. However as the trees mature, design faults such as planting trees too close to each other, property and

gardens and selecting inappropriate species for a given situation become evident. Problems of branch and root encroachment are therefore common and make up a high proportion of enquiries to the Council.

**TP26: To endeavour to protect street trees from threats such as loss of verges and damage to same.**

TP26.1: Work with and monitor the activities of utility companies in order to minimise accidental operational damage to trees.

**TP27: To place a priority on the replacement of ageing street trees; particularly where these adjoin major traffic routes. Planting will ensure the selection of the most appropriate species for the location.**

TP27.1: To plant new and replacement street trees in appropriate sites, giving priority to streets where trees are currently standing or have been in the past.

TP27.2: To consider alternative planting positions and methods of establishment where maintenance of street trees in the same positions of the trees to be replaced will be either unduly difficult or expensive to maintain.

**TP28: To renew and restructure tree stocks planted within residential areas;**

TP28.1: Consider a phased removal of trees growing too close to buildings and replace with new planting more appropriate to the situation, or relocate planting areas to more suitable sites in the neighbourhood. Replanting will be, as far as is practicable, carried out using a combination of standard trees, whips and bare root transplants.

TP28.2: To thin dense groups of trees to allow full crown development where there is sufficient space.

TP28.3: To ensure that replacement planting is sufficient to retain the existing level of canopy cover in the area.

**TP29: To maintain formal arboricultural features in the urban landscape by careful management and timely renewal as required.**

TP29.1: To consider the long term development and safe life expectancy of mature avenues and instigate a policy of gradual renewal and replacement in advance of them becoming untenable. Measures could include pruning, total removal and replacement, partial removal and replacement.

**TP30: To take action to restructure avenue trees planted with inappropriate species too close to neighbouring properties.**

TP30.1: In areas where avenue trees pose a potential threat to adjoining buildings, the council will manage or restructure the avenues to minimise the impact on the properties. Options will include but not be limited to:

- Removing avenue trees and replacing with low water demand species.
- Removing avenue trees adjoining buildings and filling the gaps with smaller low water demand species. As far as possible maintaining regular spacing and the avenue effect.

## 8.2 Parks and Open Spaces

Trees are fundamental to the structure of parks and very important contributors to the environment of the area. The nature of different parks and green spaces is very variable. For example, Victoria Park has a declining tree population displaying over maturity in comparison to Town Park with younger but neglected stock, which is now in need of management by selective thinning. The latter is now urgently required to prevent very high losses over the next ten years. For this reason management has to be planned on a site by site basis.

Certain newer areas of Halton contain large open spaces of short grass and minimal structural planting. These areas are ideal for enhancement. Research in The Woodland Trust’s report “Trees or Turf” aims to demonstrate that management of woodlands could be markedly cheaper than maintaining some types of grassland. By creating small woodlands on such amenity grassland opportunities for wildlife can be promoted in addition to landscape enhancement.

### **TP31: To maintain tree cover within Halton’s parks by renewing the tree stocks and increasing the range of age classes present**

TP31.1: To commence a replacement programme that incorporates a diverse range of tree species and, where appropriate, to re-establish historic landscapes.

TP31.2: To ensure that management work takes into consideration the sensitivities of the residents who use and care about the parks. In particular, ensure that the reasons for particular operations are explained to the public before commencement.

TP31.3: To carry out tree removal and replanting in a phased way rather than causing large amounts of disturbance and change to the landscape of the park in one operation.

TP31.4: To carry out replacement tree planting in anticipation of the need to replace older tree stocks in the future. Planting of low maintenance bare rooted whips with appropriate guards will be favoured over larger planting stock.

### 8.3 Woodlands

Woods provide considerable benefits in terms of ecosystem services, biodiversity and landscape amenity however, some woods have a flaw, which is that many trees, including some unsuitable fast growing species are too close to residential properties as illustrated in Image 1 and Image 2. It has been identified that the issue of proximity, particularly encroaching branches, accounts for the majority of enquires received by the Council.



Image 1 - Woodland trees affecting property 1



Image 2 - Woodland trees affecting property 2

**TP32: The Council will seek to reduce impact of woodland trees on adjoining properties.**

TP32.1: Where necessary, the woodland belts will be restructured cutting trees back from the edge of property boundaries. Following the tree removal new native small trees and woody shrubs will be planted to form a woodland fringe. The replanting will both replace the lost biomass and provide improved wildlife habitat. In addition to the edge clearance some light selective thinning will be carried out in the belts to ensure some of the best trees have room for proper crown development. The aim of the thinning is to slowly reduce the number of trees in some of the belts to achieve the effect of groves of full crowned trees rather than dense woodland conditions. However this process will be done in stages, to maintain stability and to spread the significant financial impact.

TP32.2: High water demand trees within influencing distance of adjoining properties will be progressively removed in thinning.

TP32.3: As part of the tree health and safety strategy, basic level checks will be periodically carried out on boundary trees, looking for obvious defects that present a risk of failure.

**TP33: Woods will be managed in a fully sustainable manner which will include periodic thinning to allow proper crown development and light to reach the woodland floor.**

TP33.1: In suitable woods, selective thinning will be carried out removing no more than 10% of the trees by number.

TP33.2: Mechanisation such as a tractor mounted tree harvester will be used where it is practicable to reduce the cost of management. Economical mechanised working will help address the problems of proximity to buildings and high water demand trees in a cost efficient way. However, not all areas are suitable for this approach.

TP33.3: Those woodland belts that are unsuitable for either thinning or re-structuring with a dense low cover of species such as hawthorn and blackthorn will be managed as non-intervention areas.

**TP34: The woods will not be clear felled and management will be on a continuous cover basis.**

TP34.1: Natural re-generation within the woodland belts will be managed and encouraged.

TP34.2: Management will endeavour to increase the range of age classes within the woods.

**TP34: The Council will encourage community involvement and where practical, advise residents when work is proposed.**

TP34.1: The council will try to address the problems of anti-social behaviour in woodlands.

TP34.2: The Council will encourage community involvement in the woods and support projects such as Coppicing and Woodcraft.

## 8.4 Highway Structure

The Borough of Halton has excellent transport links being part of the region’s transport network. The M56 motorway runs through the south of the Borough and the M62 to the North. These motorways are linked by the local roads network built during the 1960 and 70’s as part of the New Town Development spanning the River Mersey with the Silver Jubilee Bridge and the new Mersey Gateway. This network of high speed roads is heavily planted with pioneer species such as Poplar, Willow, Sycamore, Ash, Alder, Maple, Birch and Elm.

Trees within the road network has predominantly been neglected, but now require urgent intervention to address issues of poor structure of dense shallow crowns that

reduce the value of screening and the removal of species ravaged by disease such as Dutch Elm.

**TP35: To maintain formal arboricultural features in the Highway by careful management and timely renewal as required.**

TP35.1: To consider the long term development and safe life expectancy of highway tree plantings and instigate a policy of gradual renewal and replacement in advance of them becoming untenable. Measures could include pruning, total removal and replacement, partial removal and replacement.

TP35.2: To thin dense groups of trees to allow full crown development where there is sufficient space. Replanting will be, as far as is practicable, carried out using a combination of standard trees, whips and bare root transplants.

TP35.3: To ensure that replacement planting is sufficient to retain the existing level of screening and canopy cover in the area.

## 8.5 Village and Rural Trees

Many of the trees in the villages and rural areas are privately owned. In spite of this the Council still has responsibility for a small proportion. These trees include trees up to 200 years old and are amongst the oldest managed by the Authority.

Distinctive village scenes can be maintained and enhanced by planting tree species that originally generated such landscapes. The use of native species will be prioritised within locations where appropriate i.e. rural verges. In certain village locations the use of non-native stock may be considered where site restrictions or the surrounding landscape dictates. For the foreseeable future planting of ash will not be supported.

Many trees have been planted on verges by village communities. Where possible, the Council has helped facilitate these requests by offering suitable planting locations and the commitment to manage those trees planted on Council owned land. The Council will fulfil its duty of care in respect of Council owned trees in villages which will be surveyed in line with the Tree Risk Management Plan.

**Policy TP36: The Council will preserve and enhance the distinctiveness of village and rural trees in its ownership.**

TP36.1: To ensure that all Council owned trees in Villages are logged on to the Tree data base and receive periodic inspection in line with the Tree Risk Management Plan.

TP36.2: To replace all trees which are removed in these areas and attempt to expand tree cover where this is appropriate.

TP36.3: To re-plant using suitable native trees except where this would result in loss of familiar vernacular.

## 8.6 New and Replacement Plantings

A key aim of this strategy is to increase the numbers of trees within Halton by both new and replacement planting. Opportunities to improve wildlife habitats and connectivity between woods and tree groups will be a major consideration in setting out new planting areas.

Trees as living organisms have a finite life expectancy. Whilst relatively long-lived, the stress and strain of the urban environment significantly shortens their life span. Tree surveys and inspections in Halton have revealed a large number which are not suitable for their location in the medium to long term.

The expansion of tree cover will be on a planned basis. To build in resilience to pests and diseases, planting stock will be selected from a wide range of genera and species. The guiding principle for new planting will be using no more than 10% of the same species, no more than 20% of the same genus and no more than 30% from the same plant family. However, this principle must be balanced with other factors such as site conditions and design criteria. There is a limited range of native tree species (approximately 35 species excluding micro species drawn from 21 genera and 11 plant families) therefore where ecological considerations dictate that native species are used it will be more difficult to achieve the desired variation.

While the aim is to produce a more even spread of canopy cover over Council owned land it is important that we set targets to achieve this within Council tree planting budgets. As detailed earlier within the strategy, the Council has very high levels of canopy cover on land within its ownership. The aim will be to retain and expand this cover in the following ways:

- Council owned street trees that are removed will be replaced on a one for one basis, using established nursery grown standard trees.
- Trees felled owing to them being inappropriate for their location will typically be replanted on a one for one basis.
- Trees felled within groups, avenues or woodlands will not be replaced, where it is considered appropriate arboricultural or woodland management, to reduce competition between species.

Many of the problems encountered during the daily management of trees can be directly attributed to the inappropriate choice of species at the time of planting. Greatest long term economic savings in tree management can be achieved by ensuring the philosophy of “Right Tree in the Right Place” is followed every time a new or replacement tree is selected and planted.

Deciding which tree species to plant will take account of a range of factors beyond purely ornamental or conservation values. Trees must be selected in the light of the need for resilience to changes caused by climate change in particular drought resistance. Some diseases such as Ash Dieback will be a major limiting factor for the use of certain species or genera.

Planting is only the first stage in the process of planted trees achieving independence in the landscape. Well drafted planting specifications will ensure healthy trees are established, failures minimised, and defects, which could affect the mature condition of the tree, removed at the time which is most cost effective.

A tree requires space in which to grow if it is to thrive and provide its many positive benefits. To achieve this any proposed site should provide adequate space for both the tree and, most importantly, its root system to develop in the long-term. Species selection must be with consideration to the tree's likely ultimate size.

The constraints of the urban environment can make the planting of street trees and avenues impractical. With fore-planning and management of open spaces the addition of trees within the urban environment can be created.

**TP37: The Council will encourage an increase in tree cover by new and replacement planting, placing great emphasis on use of appropriate tree species.**

TP37.1: To implement the planting plan that sustains the tree population, with emphasis on the long term replacement of mature and over mature trees.

TP37.2: Allocate a percentage of the annual budget to fund the replacement and planting of new trees.

TP37.3: As and when the prospect arises, to work with other organisations to secure additional funding streams for the establishment and management of tree stocks.

TP37.4: To pay careful attention to the site conditions in particular providing sufficient space for root development.

TP37.5: To ensure that all planting stock used, of whatever type, is healthy and has a well formed root structure. Imported plants must have spent at least one growing season in the UK and be free from pests and diseases.

TP37.6: To ensure all newly planted trees achieve independence in the landscape by virtue of a sustained programme of maintenance.

TP37.7: As far as is practicable, reduce the tree maintenance commitment by the use of smaller planting stock that will establish quickly and require less attention.



## 9. Threats and Challenges

### 9.1 Tree Pests and Diseases

In the last 20 years there has been a steady rise in the number of introduced tree pests and diseases some of which have the potential to cause significant loss of tree cover and the benefits they provide. The reasons for this include increasing levels of world trade particularly in plant material, world travel and changes in the climate making it suitable for pests from warmer environments to establish in the UK.

To illustrate the destructive potential of tree diseases the virulent strain of Dutch elm disease, which was imported into the country in the late 1960’s on elm logs, killed around 23 million trees changing landscapes and reducing tree cover over large areas the UK countryside.

Among the recent introduction or occurrences of pests and diseases the following two examples pose a particular threat to Halton’s trees and landscape:

#### **Ash Dieback (*Hymenoscyphus fraxineus*)**

This fungal disease has caused extensive tree losses in continental Europe, for example killing over 90% of the ash population in Sweden. It was first found in the UK in 2012 and has rapidly spread from east to west across the country.

The level of infection is currently low but expected to rise significantly in the next few years. The symptoms are initially browning and dead leaves and diamond shaped stem lesions as illustrated in Image 3. This is followed by a fairly rapid dieback in the crown on larger trees. Typically, an infected tree will have tufts of re-growth that eventually succumb to the disease and illustrated in Image 4. The progress of the disease can be quite rapid with large trees killed in a single growing season where the disease has become well established.



Image 3 - Dead leaves and diamond shape stem lesions are symptomatic of the disease



Image 4 - Typical crown dieback with tufts of regrowth

There is, currently, no proven cure or treatment that can be applied. However, there has been extensive research to try to isolate resistant individuals and indeed, in areas of high infection some trees appear to remain free from infection. It is not clear how the disease will progress in the area so, at this stage, ash should not be pre-emptively removed.

Ash should be excluded from new tree planting schemes and alternative species planted. However, in woodland conditions, natural re-generation of ash should, as far as possible, be retained as it may contain resistant individuals.

### **Horse Chestnut Leaf Miner (*Cameraria ohridella*)**

Horse chestnut leaf miner is an exotic insect pest which lives in horse chestnut trees. It was first reported in the UK in 2002, in the London Borough of Wimbledon, and has since spread north, south and west to most of England and parts of Wales, and there has been one confirmed sighting in Scotland.

Its larvae (Image 6.) mine within the leaves and at high population densities they can destroy most of the leaf tissues (Image 7.). Although it can cause severe damage to horse chestnut leaves on an annual basis, and discolouration and defoliation before normal autumn leaf-fall, on its own the pest does not significantly impair trees' health, and they will usually flush normally the following spring.

However, it is possible that differences in climate, or interactions with other pests and diseases, might lead to greater impact in the UK. Consequently, the effects of the moth and its interaction with other pests and diseases, especially bleeding canker are currently being studied.



Image 5 - Effect of the larvae on the leaf of Horse Chestnut



Image 6 - Larvae of the Horse Chestnut Leaf Miner

### Other Pests and Diseases

#### Species

Ramorum  
Disease  
(Phytophthora  
ramorum)

#### Images of infected trees



Image 7 - Early symptoms of canker caused by Ramorum Disease

#### Details

Initially known as “sudden oak death” this disease is currently mainly affecting larch but could affect a wide species range. It can kill larch trees within 12 months. The only control for Ramorum disease is to remove both the infected trees and a buffer of healthy trees to prevent the spread. There are few larch at risk in the urban area where they make up <1% of the population.

Sweet Chestnut  
Blight  
(Cryphonectria  
parasitica)



Image 8 - Lesions on the stem of Sweet Chestnut caused by blight

Recently found in the UK, this disease of sweet chestnut wiped out the entire population of American sweet chestnut on the eastern seaboard of the USA; killing an estimated 3.5 billion trees. Symptoms appear as cankers on the stem with fungal mycelium under the bark. Sweet chestnut makes up less than 1% of the tree stock in Halton.

### Pests and diseases not yet established in the UK

There are a number of very serious pests and diseases that have either not yet been found in the UK or have been found, and eradicated such as The Asian Longhorn Beetle; Emerald Ash Borer and Plane Wilt. All have the potential to seriously denude Halton’s tree population.

**Species**

The Asian  
Longhorn Beetle,  
(*Anoplophora*  
*glabripennis*)

**Images of infected trees**

Image 9 - An adult Asian Longhorn Beetle with distinctive white markings and long antenna

**Details**

Introduced into the USA from Asia the larva of this wood boring insect has killed large areas of urban trees. It is transported around the world in packing timber and by the international plant trade. A small population found in Kent has been eradicated by plant health officials. Any sighting of the large (25 to 30 mm) distinctive beetle must be reported to DEFRA and the Council without delay. It has a large host range encompassing many of the broadleaved species found in Halton including maples that make up a high proportion of the tree stock.

Emerald Ash  
Borer (*Agrilus*  
*planipennis*)



Image 10 - The adult Emerald Ash Borer Beetle on ash foliage

This wood boring insect was introduced into the USA where it has devastated ash populations killing millions of trees. It is now present in Europe with a rapidly expanding population centred on Moscow. The larva of the insect bore into the stems of trees weakening and killing them. Wood boring insects are particularly attracted to trees in a weakened condition and, if it reaches the UK, trees infected with ash dieback would facilitate its rapid spread.

Plane Wilt  
(*Ceratocystis platani*)

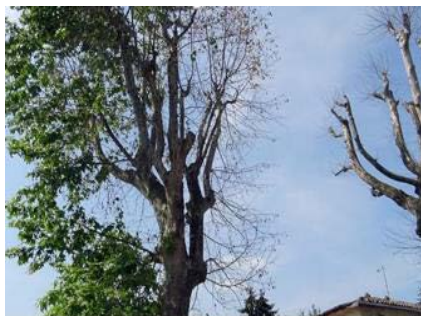


Image 11 - Effects of Plane Wilt on the crown of a mature tree

This fungal wilt disease is related to Elm disease and works in the same way blocking water carrying vessels in the tree causing rapid decline. It is currently killing large numbers of London plane trees in France and throughout Europe. London plane are important street and amenity trees in Halton.

**TP38: To maintain a high level of training and awareness of tree pests diseases and take prompt action, in accordance with best practice guidance, to, as far as is practicable, alleviate the impact when they are discovered.**

TP38.1: The condition of Council owned trees will be monitored as part of the normal health and safety inspections policy and promptly dealt with if they present a significant risk to the public. This does not mean that all infected or dead trees will be removed. The Council’s policy on tree pests will be reviewed on an annual basis.

TP38.2: Where appropriate and advised, simple biosecurity measures such as cleaning boots, shoes and tyres after visiting woodlands will be implemented.

TP38.3: With regard to protected trees, the Council will not grant permission to fell infected ash trees unless the disease has caused the tree to become dangerous or to present a significant health and safety risk.

## 9.2 Climate Change

The likely effects of climate change, caused by anthropogenic carbon emissions which are enhancing the greenhouse effect of the upper atmosphere include summer drought and more frequent storm events. Measures to both mitigate and adapt to these predicted effects of climate change will be incorporated into the strategy wherever possible, taking full account of the “Climate Change Strategy for Halton”.

## 10. Privately Owned Trees and Woodland Policies and Priorities

### 10.1 Trees and Development

The significance and changes to the National Planning Policy Framework (NPPF) and National Planning Practice Guidance means there will be major investment in housing, community facilities and infrastructure. This brings with it opportunities for innovative and strategically planned tree and woodland enhancement. It is essential that trees and woodlands are recognised as an essential part of the design and fabric of growth.

Accommodating the predicted growth in Halton’s population and economy provides significant opportunities for a strategic approach to tree and woodland planting. There are a number of initiatives to enhance the natural environment. They all offer opportunities to increase the tree and woodland cover of Halton as part of the mosaic of green space and habitats. However, as each has its own agenda and priorities, efforts should be made to ensure that they are coordinated and complimentary.

The scale of development which will need to take place in coming decades will facilitate significant funding for the creation of attractive and green residential and business environments. Developers have a valuable role as the key player in the majority of land use changes. They need to respect the existing trees and where appropriate incorporate tree planting within new developments. There is extensive research showing that retained trees and newly planted trees increase the sale value of new properties providing firm financial reasons for developers to consider trees as integral part of their projects.

**TP39: The Council will respond to tree issues within planning applications, in accordance with Local Plan Policies, in such a way that ensures the retention of good quality trees and woodland coverage or ensures its creation. Development will not be supported that would directly or indirectly damage existing ancient woodland or ancient trees.**

TP39.1: To be guided by best practice and local policies for a consistent approach to assessing planning applications.

TP39.2: Trees and woodlands are to be given significant consideration within planning applications, requiring submission of Arboricultural Impact Assessment (AIA) surveys in accordance with British Standard 5837:2012 “Trees in relation to demolition, design and construction – Recommendations”. Where trees are on or within influencing distance of a potential development (within 15m of the development area) an AIA must be prepared and submitted as part of the planning application.

TP39.3: The British Standard sets out a process to protect trees at every stage of a development. The Council will, normally, condition the tree protection measures set out in the AIA. This will include proper provision for arboricultural supervision by a qualified Arboriculturist and a timetable for inspection visits and the method of reporting findings to all parties including Council Open Space Officers.

TP39.4: Producing an AIA is only the first stage in protecting trees during construction. The tree protection measures set out in the AIA are often either disregarded or are poorly implemented once planning permission has been granted. The Council will seek to enforce conditions relating to tree protection

and to consider prosecution when planning conditions are breached or there are breaches of Tree Preservation Orders (TPO) or the requirements of Conservation Area regulations.

TP39.5: It is extremely important that plans for remedial tree planting and green infrastructure submitted as part of planning applications come to fruition. When granting planning permissions the Council will set conditions for the protection, planting and proper maintenance of trees and periodically check on compliance.

TP39.6: Where appropriate, the Council will allocate funds produced from the Community Infrastructure levy for community tree planting projects.

TP39.7: The Council will utilise planning powers to retain and protect good quality existing trees threatened by new development including changes to existing properties and enforce the tree protection measures put in place.

**TP40: The Council will require that new and replacement tree and woodland planting to be included in new development proposals wherever it is practicable to do so.**

TP40.1: To require developers to submit details of tree species, size of planting stock to be used and numbers to be planted as part of their proposals. Planting should aim to replace any loss of biomass and, where practicable, retain or increase the canopy cover on the site. Where it is difficult to achieve the Council will consider offering alternative planting sites on its own land.

TP40.2: To ensure that provision made for tree planning takes account of industry best practice, in particular, BS 8545:2014 “Trees from nursery to independence in the landscape-Recommendations”. Further guidance is available from the publications of the Trees and Design Action Group (TDAG).

TP40.3: The Council will encourage planting of healthy plant material. In the light of the threat from imported pests and diseases all planting stock used in Halton should be healthy and sourced from reliable sources with appropriate documentation such as plant passports where required. While British grown stock is preferable, if imported stock is used it should have spent at least one year in a UK nursery under observation.

## 11. Tree Protection

In conjunction with its duty, as set out in the Town and Country Planning Act, the Council will incorporate policies relating to Trees and Woodlands within its Local Development Framework. Policies protecting trees exist within the Core Strategy and Planning Policies Development Plan documents.

### 11.1 Tree Preservation Orders

There are currently 112 TPOs and 10 Local Authority Conservation Areas in Halton (Under review). The pressure for development sometimes necessitates the pro-active use of Tree Preservation Orders (TPO’s). TPO’s are also used reactively when a threat to the condition or retention of a tree is known. The Council will, as far as funding will allow, review many of its older Tree Preservation Orders.

The work on trees protected by a TPO places a duty on the tree owner to be granted permission from the Council prior to undertaking the work. The Council has a duty to respond to these requests within 8 weeks. In the event that the Council refuse permission for work on, or removal of a protected tree, the owner can appeal to the Planning Inspectorate.

Before carrying out any tree work or felling of trees within a Local Authority Conservation Area the Local Planning Authority must be given six weeks advance notice. During the six week period the Council may decide to protect the trees in question. However, if no response is received from the Council work may proceed.

To carry out work, damage or remove trees which are the subject of Tree Preservation Order or within a Conservation order without permission is a criminal offence that, on conviction, carries fines of up to £20,000 per tree. However, if trees are illegally removed to facilitate development then the fine per tree is unlimited and may reflect the increase in land value that has resulted from the loss of the tree.

### 11.2 Protection through Advice

Where necessary and appropriate the Council will provide advice on trees in relation to planning TPOs and work in Conservation areas with the aim of making the process more efficient and therefore provide a cost effective service.

There are, unfortunately, many people willing to offer tree advice which is inaccurate, and may have serious consequences for the tree and its owner. Arboriculture is an established technical discipline where qualifications at various levels are available. Research is carried out to further our knowledge of trees and their care, good advice is available and should be sought from reliable sources. Tree owners should be aware that research has resulted in updated and substantially changed tree management in the last 20 years. Consequently, any person offering advice should keep their knowledge up to date, through membership of an appropriate professional body.

Also of concern is the numbers of people who carry out tree surgery work whose technical abilities are poor. This can lead to low standards of work, which are not in the interests of the tree or its owner. Only reputable companies, capable of working to recognised standards of work such as “British Standard 3998: 2010, “Tree work Recommendations”, should be engaged to carry out tree work. Companies or



individuals undertaking tree work should hold Public Liability Insurance cover and proof of cover should be provided before commencement.

As the Local Planning Authority, the Council has a statutory duty to protect trees of greatest amenity value. This section sets out Halton Council's approach to the protection of privately owned trees.

**TP41: The Council will seek to ensure that all trees and woodlands making a positive contribution to the environment\* are protected.**

TP41.1: To utilise and enforce planning powers to retain and protect trees through Tree Preservation Orders and Conservation Area status.

TP41.2: To comment and advise on strategy and other initiatives which affect trees and woodlands.

\*based on the quality and value categorised using the criteria within BS5837:2012 Trees in relation to design, demolition and construction – Recommendations

**TP42: The outright removal of good quality trees and woodlands shall be resisted unless there are sound arboricultural and technical reasons such as irrefutable evidence of damage caused to a property by soil volume change associated with trees.**

TP42.1: To protect trees of amenity value

**TP43: The Council will promote public awareness and a better understanding of tree and woodland management through community consultation and involvement.**

TP43.1 The Council will promote good standards of tree and woodland care.

TP43.2: To, as far as possible, encourage owners of notable trees that are worthy of protection to adopt better practices of tree care.

TP43.3: To support community tree initiatives.

TP43.4: To support the work of national bodies such as the Tree Council.

### 11.3 Forestry Felling

Statutory protection is afforded to trees under the Forestry Act 1967 (as amended) and permission from the Forestry Commission (FC) to fell growing trees is often required. There are certain exemptions which include trees in gardens, orchards, Churchyards and designated public open spaces. This permission is granted by the FC via a Felling Licence. Typically an application would be required where trees above 8

cm stem diameter at 1.3 m diameter above ground level need to be felled. If the felling is for thinning a plantation the minimum diameter rises to 10 cm and in the case of coppicing the minimum is 15 cm. A licence is not needed to fell up to 5m<sup>3</sup> of timber within a given calendar quarter. However, this drops to 2m<sup>3</sup> if the timber is sold. Any felling approved as part of a planning permission will not need a felling licence. Felling trees within the scope of the regulations without a felling licence is illegal and subject to prosecution and fines.

## 12. Memorial Tree Planting

Requests for tree memorialisation can sometimes be accommodated within parks wherever such requests coincide with planned revisions to existing planting schemes.

Any agreed planting will be subject to the conditions of the Memorial Tree Planting in Parks Policy (12.1 refers).

### **Customer Advice:**

Requests for memorial tree planting should be made to the Parks Manager at: Open Space Services, Picow Farm Depot, Runcorn WA7 4UB

There is a cost attached to all memorial plantings. The price is variable and will be based upon the cost of the tree, planting materials and associated labour. However, due to the fact that the tree will be of a species and siting/location of the Council’s choosing, the final cost to the client will represent a percentage of the total cost, the remainder being met by the Council.

### 12.1 Memorial Tree Planting in Parks

**TP44: Requests for tree memorialisation can sometimes be accommodated within parks wherever such requests coincide with planned revisions to existing planting schemes.**

In the planning of such works, suitable plots within the park will have been identified in advance by parks management along with a suitable species of tree for that given location.

TP44.1: At the point of request, clients may be invited to select one of these plots (complete with the allocated tree species for that plot), and then invited to contribute towards the establishment of that tree.

TP44.2: Plantings will not be accompanied by a plaque in any case; however accurate maps and records will be kept of all trees which have been planted in conjunction with a request for memorialisation. A copy of this plan may be supplied on request to the contributing party so they may retain a record of where the tree is located, its species and date of planting.

TP44.3: Aspects of the planting procedure will be completed in accordance with the Council’s standard tree planting good practice.

TP44.4: Every stage of the planting process will be completed by parks staff and at a time of the departments choosing. The scheduling of planting may be subject to changes at short notice due to variables such as unsuitable weather conditions.

TP44.5: The time of planting will be communicated to the contributing party, however it is not intended that plantings become a ceremony of any kind.

TP44.6: Where the planting takes place in the absence of the contributing party, they will be contacted shortly afterwards and informed that the planting has been completed.

TP44.7: Except where Civic requirements dictate, Tree plantings will only take place at a suitable time of year (usually mid-winter). This will often lead to a delay between the initial request for memorialisation and the final planting operation, but will give the greatest chance of successful establishment of the tree.

TP44.8: The cost of memorial planting does not entitle the requesting party to ownership of the tree.

TP44.9: The tree will remain the property of the Council and as such the Council assume responsibility for all aspects of maintenance and aftercare of the tree and reserve the right to carry out any form of maintenance necessary to keep the tree in a safe and healthy condition for the duration of its life.

TP44.10: In the case of trees becoming damaged or failing beyond natural recovery during its normal establishment period, the council will replace the tree on a like for like basis.

TP44.11: In cases where a tree successfully establishes, matures and reaches the end of its natural life, the Council reserves the right to remove the tree and not replace it.

TP44.12: No other form of memorials shall be placed on or around the tree or upon the surrounding ground. Any such additional memorial or decoration will be removed and disposed of by Council staff.

### 13. Summary of the Key Elements to this Strategy

This strategy highlights the immense value of Halton’s trees and woodlands to the wellbeing of its residents and the substantial contribution it makes to Halton’s sustainable future.

The focus of this new strategy is consolidation of the Council’s trees stocks; the majority are even aged and all growing towards maturity at the same time. Up to this point they

have required relatively low maintenance. However, increasing growth rates are causing conflicts with private properties on the boundaries of the woods and close to trees growing within residential areas. Dealing with these problems is taking up a high proportion of the allocated funds and unless positive management steps are put in place the level of service requests will increase exponentially. It is important that the need for this programme is recognised and adequate resources allocated.

Faults of both design and implementation such as planting trees too close to each other and buildings, and allowing deviation from carefully planned species layouts and mixtures need rectifying by restructuring woodlands, and tree and tree groups in residential areas. Where it is necessary to remove trees these will be replaced with more suitable species while retaining or improving the level of canopy cover.

Shallow, narrow crowned and un-thinned trees provide only a fraction of the ecosystem services of healthy full crowned trees. Dense woods prevent light reaching the ground leading to lack ground flora and poor natural re-generation of tree species. It is therefore necessary to instigate a programme of periodic thinning in many of the woods and tree groups.

The tree stock must be carefully managed to provide a degree of resilience to both imported pests and diseases and the climate change.

The expansion of the 'urban forest' will be a priority to ensure that the ecosystem services can be maintained to meet the needs of a growing population. However this will be carefully planned and targeted to as far as possible avoid the mistakes of the past.

Development in Halton presents both challenges and opportunities for its tree cover. The Council will seek to ensure suitable trees are retained on development sites and commensurate and appropriate provision is made for new tree planting and green space.

Unless adequate resourcing chains are provided there is a danger that the problems will get progressively worse to the point where the tree stocks become a negative asset.

It is hoped that both stakeholders and residents of Halton will appreciate that the 'urban forest' requires careful management to thrive and provide the considerable benefits of which it is capable. The Council's policies and priorities contained in this strategy represent a commitment to sustainable management of Halton's trees for both the existing and future generations.

Every effort has been taken to make this Tree and Woodland Strategy as comprehensive as possible. However, we acknowledge that it would not be possible to anticipate every eventuality. The Council therefore reserves the right to exercise discretion in application of policies where this is in the best interests of the Council.

## 14. References

- Arboricultural Association 2005, “Tree Surveys: Guide to Good practice”
- British Standard 3998:2010 “Tree work. Recommendations”
- British Standard 5837:2012 “Trees in relation to demolition, design and construction - Recommendations”
- British Standard 8545:2014 “Trees from the nursery to independence in the landscape- Recommendations”
- Countryside and Rights of Way Act 2000
- DEFRA 2007, “A Strategy for England’s Trees, Woods and Forests”
- Health and Safety at Work Act 1974
- Health and Safety Executive 2007, SIM 01/2007/05 “Management of Risk from Falling Trees”
- Forestry Commission “The case for trees”.
- Forestry Commission Practice Guide 2003; The Management of Semi-natural Woodlands  
8. Wet Woodlands
- Forestry Commission 2011 The UK Forestry Standard the governments’ approach to sustainable forestry
- Management of Health and Safety at Work Regulations 1999
- Natural Environment and Rural Communities Act 2006
- National Tree Safety Group 2011 Common Sense Risk Management of Trees - Guidance on trees and public safety in the UK or owners, managers and advisers
- Halton Borough Council “Climate Change Strategy”
- Halton Borough Council “Local Plan”
- Halton Borough Council “Halton Open Space Strategy”
- Town and Country Planning (Trees) Regulations 1999
- Town and Country Planning Act 1990
- UKCP09 Climate Predictions
- Wildlife and Countryside Act 1981
- Woodland Trust “Space for People”
- Woodland Trust 2002, “Woods for People”
- CABE Space (No date) - The benefits of urban trees

National House Building Council (NHBC) Chapter 4.2

## 15. Glossary of Terms

**Ancient Trees** – Trees significantly older, and often larger in girth, than the general tree population providing a rich variety of habitats for wildlife.

**Ancient Woodlands** – Woodland thought to have been in existence since at least 1600 and designated on the Natural England register of ancient woodlands.

**Biomass** – Renewable vegetation that can be used as a carbon neutral fuel source. This includes not only the timber but small branches and foliage.

**Carbon neutral fuel** - The term carbon neutral fuel is used for wood used for fuel that comes from sustainably managed woodlands where the carbon loss will rapidly be mediated by replacement trees

**Canopy Cover** – The area of ground occupied (covered) by the overall branch spread of trees normally expressed as a percentage of the total land area.

**Coppice and Standards** – A traditional woodland management practice of retaining a proportion of single stemmed trees within an area of coppice to grow on for timber production

**Coppicing** – A method of repeatedly cutting back trees and woody shrubs to the base of the stem on a short cycle to produce small poles or rods. A traditional management technique associated with ancient woodlands which provide an important sequence of habitats for woodland flora and fauna.

**Ecosystem disservices** – Trees can cause problems in conditions particularly when growing in close association with roads, railways and buildings.

Trees can also have negative effects on the urban atmosphere for example roadside trees trapping polluting gasses under the canopy. However, most researchers see the net effect of trees on the atmosphere as positive.

**Ecosystem Services** – Services provided by trees and vegetation that contribute to the quality of the environment such as their capacity to sequester carbon from the atmosphere and reduce surface water runoff.

**Heat Island Effect** – Urbans areas are warmer than the surrounding countryside by virtue of the concentrated activities their population particularly energy use. Hard surfaces store thermal energy and release it slowly keeping up night time temperatures. In heat waves urban conditions can lead to even higher temperatures.

**High Water Demand Trees** – Trees that take up large amounts of water from the soil in comparison to other species with a lesser capacity to extract water.

**Mature trees** – Trees in the second third of their life cycle and still growing strongly.

**Natural Regeneration** – Young self-sown trees derived from naturally distributed seed produced by nearby trees.

**Newly planted trees** – Trees that require regular maintenance and have yet to become established in the landscape

**Over mature trees** – Trees in the final third of their life expectancy and beginning to decline with very slow growth rates or signs of natural retrenchment (bare dead branches in the upper crown with a healthy but reduced crown at a lower level)

**Pollarding** – A traditional management technique often used in deer parks and wood pasture which involves cutting off the tree at a height of around 3 to 4 m on a cyclical basis to provide firewood and small poles; the regrowth is then safe from browsing livestock and deer. In an urban situation pollarding is often used to control the crown spread of trees and reduce the water demand. Cyclically reducing trees to a low framework of branches is a form of pollarding. Some species are particularly tolerant of this treatment such as lime, London plane and willow.

**Semi Mature Trees** – Trees in the first third of their life cycle and growing strongly.

**SUDS** – Acronym for Sustainable Urban Drainage Schemes which allow for natural drainage of water runoff from roofs and hard surfaces into the ground, rather than directing runoff into the sewerage and main drainage systems.

**Specimen Trees** - Largely free standing, Council owned trees in streets or public open spaces.

**Structured Soils** – Specially formed soils that can be compacted but still allow root growth and water percolation. Normal structural soils have a high percentage of sand and gravels.

**Tree Stocks** – The total of Council owned trees.

**Tree Belt** – Narrow belt of trees typically 15 to 20 m often planted for screening and shelter. Tree belts were widely planted by PDC surrounding residential areas and edging roads.

**Urban Forest** – All trees and woody vegetation which grow within a town or city collectively form the urban forest regardless of ownership.

**Veteran Trees** – Traditionally, trees with the same characteristics as given for ancient trees. However, more recently, the term has been expanded to include trees of any age that have features that support wildlife such as splits, cracks, holes and dead wood.



**Wet Woodlands** – Woodland growing on soils subject to seasonal waterlogging, often in river valleys and adjacent to watercourses. Common species in wet woodlands include alder, willow, aspen and birch.

**Whips** – Transplanted and bare rooted nursery stock 60 cm to 1.2 m.

**Young Trees** – Recently established trees that have achieved independence in the landscape.

## Appendix 1 - The Right Tree in the Right Place Framework

### The Right Tree in the Right Place Framework

- |                              |   |
|------------------------------|---|
| <b>Landscape Impact</b>      | <ul style="list-style-type: none"> <li>• Consider the existing use of the space and question whether the presence of trees would be a positive addition.</li> <li>• Identify the landscape type and what constraints this will place on the selection of species.</li> <li>• Examine existing habitats so as to assess their compatibility with additional trees and woodlands and therefore the latter’s ability to add value.</li> <li>• Establish the history of tree cover to determine whether new additions would be appropriate.</li> </ul>  |
| <b>Site Constraint</b>       | <ul style="list-style-type: none"> <li>• Maintain local distinctiveness</li> <li>• Assess the impact of planting on vistas.</li> <li>• Consider the presence of underground and overhead services.</li> <li>• Meet the statutory safety requirements of access for pedestrians and vehicles.</li> <li>• Assess impact on the nearest buildings to be sure that future potential problems can be minimised, particularly subsidence.</li> <li>• Prioritise sites in relation to where greatest public benefit can be realised.</li> </ul>  |
| <b>Species Consideration</b> | <ul style="list-style-type: none"> <li>• Select species known to thrive on the soil type, its compaction, nutrients and available water.</li> <li>• Consider space available relative to size of tree at maturity unless the tree is destined for controlled management such as coppicing or pollarding.</li> <li>• Select the largest growing species the site will reasonably accommodate.</li> <li>• Consider use of natural regeneration where appropriate.</li> <li>• Where possible use native species.</li> <li>• Maintain diversity within the tree population planting no more than 10% of any species, 20% of any genus and 30% of any plant family.</li> <li>• Consider the species' tolerance to disease and wind damage.</li> <li>• Consider the use of fruit tree planting as a productive and attractive feature.</li> <li>• Consider potential nuisance of fruit fall in the autumn, slippery paths and associated requests for service to deal with problems.</li> </ul> |

## Appendix 2 - Consultation Protocol

## Consultation Protocol

**TREE WORK OPERATIONS - Tree Work Operations are described as follows:**

### Major Tree Work Operations

These operations are classified as any work that alters the appearance of a tree significantly. These works may include:

- Felling of any live tree over 20cm diameter at 1.5m from ground level.
- Transplanting a tree that, prior to transplantation, does not require the support of a stake or underground guying system.
- Major crown reduction - in excess of 30% of the canopy.
- Pollarding, if the tree has not been pollard before, or has not been pollard within the last 10 years.
- Coppicing, if the tree has not been coppiced before, or has not been coppiced within the last 20 years.
- Schedule of minor works that would have a significant cumulative impact on a landscape character or habitat.

### Minor Tree Work Operations

These procedures are good management practice and are carried out in accordance with BS 3998:2010 'Tree work-Recommendations'. Some of the operations are undertaken on a regular, cyclical basis. The work should have no adverse impact upon the health of the tree, or significantly change its appearance, such that the amenity of the tree, or the townscape, is diminished. This work includes the following operations:

- Felling of dead trees
- Felling of dying or diseased trees, where 40% of the canopy has died and no recovery is possible.
- Felling of newly planted trees that had been damaged, vandalised, diseased, dead or dying.
- Pollarding, when the tree is under a regular management regime.
- Coppicing, when the tree is under a regular management regime.
- Formative pruning of young trees to promote a well-developed canopy.
- Cleaning out the canopy. This operation includes the removal of dead wood, diseased or dying branches and snags, which may harbour pests and diseases. It also includes the removal of crossing branches, unwanted climbing plants and objects.
- Crown lifting is a procedure which removes the lower branches from the main stem, or branch system, up to a specified height above ground. It is usually carried out to provide sufficient headroom for pedestrians, cyclists and vehicles

to pass under the canopy, or to allow light to reach surrounding plants and buildings.

- Crown thinning is an operation carried out to reduce the density of foliage. This may help to make the tree safer by reducing wind resistance, giving a more balanced weight distribution and removing unsafe branches. It stimulates good growth by admitting more light and air to the crown and encourages good branch development in young trees. Thinning may also be carried out to allow light into buildings.
- The following pruning operations: - The removal, or shortening, of branches which are interfering with overhead public utility wires and lamp heads; The removal, or shortening of branches which would, in time, become excessively long and heavy; Shortening branches so as to manage excessive end weight; Removing, or shortening, branches which are weakly attached, dead, detached but hanging, cracked, seriously decayed or a hazard; Balancing the crowns of storm-damaged trees; Crown reduction and crown thinning to reduce the lever arm or the sail area of hazardous trees and Root pruning to abate minor structural damage, or a trip hazard.

## TREE MANAGEMENT PROCEDURES

Tree Management Procedures fall within four categories which are described as follows:

**Proactive Works:** These are the subject of planned management surveys. These surveys are usually undertaken on a cyclical basis. In some circumstances, the client service may request a survey to be undertaken of a tree(s) on land for which it is responsible. Works set out in the schedules may include tree work operations of a major and minor nature.

**Reactive Works:** This is reactive work. It is usually scheduled in response to enquiries or notifications to the Council, but may also include work identified as part of an unscheduled inspection. Works may include operations of a major and minor nature.

**Emergency Works:** These works are required to make a tree safe without delay. Under the Framework Agreement the contractor appointed to deal with such work shall be available 24 hours a day, 365 days a year, and is required to respond to a call out immediately. Occasionally, an event may occur whereby a tree does not present a hazard, but the situation, or circumstance, requires an immediate solution which can only be resolved by pruning or felling. These works may include operations of a major and minor nature.

**Urgent Works:** These works are required to rectify a hazard and, in accordance with the Framework Agreement, must be undertaken within 7 or less working days. These works may include operations of a major and minor nature.

**CONSULTATION PROCESS FOR TREE WORK OPERATIONS**

**Major Tree Work Operations Consultation** will take place in advance of any works being undertaken. The consultation will comprise the following:

1. Relevant Parish and Ward Councillors shall be advised of Major tree work operations that are programmed 14 day in advance of the works.
2. The works will be advertised on the Council’s website.
3. Notices shall be posted on trees stating the nature of the proposals, a brief explanation for the reasons for undertaking the work.

**Minor Tree Work Operations Consultation** – no formal consultation will take place in advance of the works other than relevant Ward and Parish Council’s notified of the pro-active works commencing in their area.

**Emergency Works Consultation** - No consultation will be undertaken

**Urgent Works Consultation** - No consultation will be undertaken.

### Appendix 3 - Summary of Tree Policies

**TP1: The Council will maintain its trees and woodlands in accordance with its obligations to observe duty of care and the safety of both people and property.**

**TP 2: The Council will encourage a better understanding of tree and woodland management and in so doing promote community involvement.**

**TP3: The removal of trees and woodlands shall be resisted, unless there is sound Health and Safety or arboricultural reasons supported within this strategy.**

**TP4: The Council will maintain its trees and woodlands in a way that demonstrates best practice, providing worthy examples of management for others to follow.**

**TP5: Council trees will not be pruned or removed to stop or reduce bird droppings from trees, nor will the Council remove bird droppings from private land.**

**TP6: Council trees will not be removed to stop or reduce blossom from trees and fallen blossom will not be removed from private land.**

**TP 7: Policy: The Council will carry out work to a Council owned tree with the aim to maintain a minimum of:**

- Road – 5.5 metre height clearance
- Cycle path next to a road or highway – 3 metres height clearance
- Footpath next to a road or highway – 2.5 metres height clearance

**TP 8: Council owned trees will not be pruned or removed to stop the nuisance of overhanging branches.**

**TP9: The roots of Council owned trees will not be pruned, removed or cut to prevent roots entering a drain that is already broken or damaged.**

**TP10: Council owned trees will not be pruned or removed to stop or reduce the nuisance of fruit, berries, nuts or seeds, nor will the Council remove fallen fruit, seeds or seedlings from private land including gutters.**

**TP11: There is no general policy to remove trees bearing poisonous fruit / foliage (such as yew trees). However, where it is claimed or known that unsupervised young children or livestock are likely to be exposed to poisonous berries or foliage, such cases will be investigated and appropriate action considered.**

**TP12: Council owned trees will not be pruned or removed to stop or reduce leaf fall nor will the Council remove fallen leaves from private property.**

**TP13: A Council owned tree will not be pruned or removed to improve natural light in or to a property. This includes properties with (or planned to be installed) solar panels.**

**TP14: Council owned trees will not be pruned or removed to stop or reduce the nuisance of sucker growth on private land.**

**TP15: There is no policy regarding personal medical conditions that may be specifically affected by nearby Council owned trees. Such cases will be investigated, and appropriate action considered.**

**TP16: Council owned trees will not be pruned or removed to stop or reduce the release of pollen.**

**TP17: Work on Council owned trees will be undertaken to maintain clear sight lines (where feasible) at junctions, access points (associated with a street, road or highway), traffic signals and street signs.**

**TP18: Policy: Council owned trees will not be pruned or removed to reduce honeydew or other sticky residue from trees.**

**TP19: The Council has in place active tree management systems to minimise risk of damage being caused to buildings and other structures because of the action of Council owned trees.**

**TP20: The Council will make safe an unacceptable trip hazard caused by the growth of Council owned trees.**

**TP21: If a Council owned tree is touching a property (house, boundary wall, garage etc.) action will be taken to remove the problem.**

**TP22: Council owned trees will not be pruned or removed because they are considered to be too big or tall.**

**TP23: Council owned trees will not be pruned or removed to prevent interference with TV / satellite installation / reception.**

**TP24: Council owned trees will not be pruned or removed to improve the view from a private property.**

**TP25: Council owned trees will not be pruned or removed to stop or reduce incidents of perceived pests such as bees, wasps, or wild animals, unless it is in the national or public safety interest to do so due to a harmful invasive species.**

**TP26: To endeavour to protect street trees from threats such as loss of verges and damage to same.**

**TP27: To place a priority on the replacement of ageing street trees; particularly where these adjoin major traffic routes. Planting will ensure the selection of the most appropriate species for the location.**

**TP28: To renew and restructure tree stocks planted within residential areas;**

**TP29: To maintain formal arboricultural features in the urban landscape by careful management and timely renewal as required.**

**TP30: To take action to restructure avenue trees planted with inappropriate species too close to neighbouring properties.**

**TP31: To maintain tree cover within Halton’s parks by renewing the tree stocks and increasing the range of age classes present.**

**TP32: The Council will seek to reduce impact of woodland trees on adjoining properties.**

**TP33: Woods will be managed in a fully sustainable manner which will include periodic thinning to allow proper crown development and light to reach the woodland floor.**

**TP34: The woods will not be clear felled and management will be on a continuous cover basis.**

**TP34: The Council will encourage community involvement and where practical, advise residents when work is proposed.**

**Policy TP35: To maintain formal arboricultural features in the Highway by careful management and timely renewal as required.**

**Policy TP36: The Council will preserve and enhance the distinctiveness of village and rural trees in its ownership.**

**TP37: The Council will encourage an increase in tree cover by new and replacement planting, placing great emphasis on use of appropriate tree species.**

**TP38: To maintain a high level of training and awareness of tree pests diseases and take prompt action, in accordance with best practice guidance, to, as far as is practicable, alleviate the impact when they are discovered.**

**TP39: The Council will respond to tree issues within planning applications, in accordance with Local Plan Policies, in such a way that ensures the retention of good quality trees and woodland coverage or ensures its creation. Development**



**will not be supported that would directly or indirectly damage existing ancient woodland or ancient trees.**

**TP40: The Council will require that new and replacement tree and woodland planting to be included in new development proposals wherever it is practicable to do so.**

**PTP41: The Council will seek to ensure that all trees and woodlands making a positive contribution to the environment\* are protected.**

**\*based on the quality and value categorised using the criteria within BS5837:2012 Trees in relation to design, demolition and construction – Recommendations**

**TP42: The outright removal of good quality trees and woodlands shall be resisted unless there are sound arboricultural and technical reasons such as irrefutable evidence of damage caused to a property by soil volume change associated with trees.**

**TP43: The Council will promote public awareness and a better understanding of tree and woodland management through community consultation and involvement.**

**TP44: Requests for tree memorialisation can sometimes be accommodated within parks wherever such requests coincide with planned revisions to existing planting schemes.**

**Appendix 4 – A Strategy for Halton’s Trees and Woodlands Part 2: Tree Risk Assessment**

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## 1. Tree Risk Management

The Local Authority either in its capacity as owner or manager, is responsible for trees located on land for which it manages or has control over under the Health and Safety at Work Act 1974 and the Occupiers Liability Act 1999. As such, it has a common law and statutory duty of care in relation to its trees.

Compliance with this duty requires the operation of a reasonable systematic inspection of all its trees and to ensure that members of the public and staff are not put at risk because of a failure by the Council to take all reasonable precautions to ensure their safety.

A Risk Assessment is required under the Management of Health and Safety Regulations 1999 along with a need to inspect trees in or near public places, or adjacent to buildings or working areas. This is to assess whether they represent a risk to life or property, and to take any remedial action as appropriate.

This document sets out minimum standards of inspection; competence and record keeping that Halton Borough Council will commit to and is in accordance with the industry guidelines.

## 2. The Nature of Tree Risk Failure

Where land is constantly occupied by people or by valuable property, a moderately small tree might, by virtue of its position, represent a significant “Risk of Harm”. On the other hand, a large tree in an area of low access such as a remote woodland or country park will represent only a very low “Risk of Harm” even where its stability is substantially compromised.

In the latter scenario, access to a remote area will be considerably reduced during the high wind events that are most likely to result in failure of trees and as a result the risk from tree failure in these areas is further reduced.

## 3. The System

Halton Borough Council has adopted a system known as Quantified Tree Risk Assessment (QTRA). This methodology has led the way in the field of tree safety management with a risk assessment approach that is led by the usage and value of the targets having potential to be affected by trees. The target led approach to tree safety management is a considerable shift from the generally accepted wisdom where the tree assessor focuses on identifying defects in trees and then seeks to remove or modify the tree.

One of the greatest benefits of QTRA is that it enables an informed overview of the risks associated with a tree population to be carried out as a desktop exercise before the survey of trees. When the risk overview is complete, the assessment will usually record only the general attributes of groups or collections of trees.

Assessing and recording individual trees will be necessary only where they are likely to be significant in relation to the targets.

### 3.1 Target

In tree risk assessment, a target is a person/s or property or other things of value which might be harmed by mechanical failure of the tree or by objects falling from it.

### 3.2 Definition of Tree Failure Hazards

For a tree-failure hazard to exist, two criteria must be fulfilled. There must be potential for failure of the tree and potential for injury or damage to result. The issue that the inspector must address is the likelihood, or risk, of a combination of factors resulting in harm, and the likely severity of the harm. The starting point of the inspection process is to establish that there is potential for significant harm to occur, and in this regard there must be something of significance (a significant ‘target’) that is exposed to a risk from tree failure. *There cannot be a significant risk of significant harm in the absence of something significant to be harmed.*

At all times hazards are to be assessed in relation to the target. Parts of the tree or group that are not significant in their relationship with targets will not be assessed further for tree failure.

### 3.3 Hazard

A hazard is the disposition of a thing, a condition or a situation to produce injury (Health and Safety Executive 1995) A tree-failure hazard is present when a tree has potential to cause harm to people or property.

### 3.4 Probability

Statistical probability is a measure of the likelihood of something happening.

### 3.5 Risk

Risk is the probability of something adverse happening. The QTRA system is a risk assessment process which uses numerical estimates.

### 3.6 Reasonable Practicability

The concept of “reasonable practicability” is a central tenet of English law, which is evident throughout the English Health and Safety legislation and guidance (e.g. Health and Safety at Work Act 1974), and in judgements of the higher courts in relation to tree failure.

### 3.7 Acceptable Risk

The Local Authority is constantly exposed to risk, and accepts or rejects risks of varying degrees.

When evaluating tree-failure hazards, two types of risk will be considered. Consideration is given to the person upon whom a risk is imposed.

With regard to the level of acceptable risk, The British Medical Associations Guide “Living with Risk” (Henderson 1987) states *‘few people would commit their own resources to reduce an annual risk of death that was already as low as 1/10,000’*. It is therefore suggested that a 1/10,000 might be a suitable place to start with the limit of acceptable risk. The Health and Safety Executive identified that ‘For members of the public who have a risk imposed on them ‘in the wider interest’ HSE would set this limit at 1/10,000 per annum.’

### 3.8 Cost and Benefit

The benefits of trees are always under-estimated; they are essential to our well-being and generally enhance our built and natural environments. It is essential within our management principles to maintain a balance between the benefits of risk reduction and the cost of risk reduction; not only financially but also in terms of the lost amenity and other tree related benefits.

### 3.9 Assessing the Level of Risk and Zoning

Assessments will be undertaken by the appropriately qualified Council Officer with sufficient local knowledge and with advice from relevant on site staff and colleagues.

Zoning is a practice whereby landowners and managers define areas of land according to levels of use. This practice prioritises the most used areas, and by doing so contributes to a cost-effective approach to tree inspection and focusing resources where most needed. As groups and individual trees are inspected, each area is assigned a refined risk zone which will in turn inform the re-inspection regime for that tree or group of trees.

For a programme of tree inspection to be manageable, most resources need to be directed to areas where there is potentially most risk to people and property. This is initiated by designating a site, or each part of a site to one of three Risk Zones (Table 1 refers).

These zones will reflect typical usage but must be kept under review. The level of risk changes over time. For example, plans to hold an event involving many people in a moderate risk zone will change its status to high risk for the duration of the event; new facilities or activities may change the patterns of public usage permanently and may require a review of the designated risk zone originally associated with the area in which the trees or tree groups are located.

The designation of Risk Zones is a matter of informed judgement and periodic review. It is the responsibility of the Council to ensure that risk is periodically reviewed, realistically assessed and decisions documented within the inspection data.

The criteria to define Halton Council tree risk zones shown in table 1, below, are as follows:

- Highway characteristics are prioritised according to traffic volume, speed and emergency accessibility. Top priority areas include congested junctions, major roads and emergency access routes.
- Public areas and buildings are prioritised according to occupancy. Top priority areas around schools, shopping precincts, emergency and medical facilities.
- Tree population characteristics are primarily prioritised according to age and species. Discrete populations of trees that are mature to over-mature, or key single veteran specimens will be prioritised.

**Table 1 - Tree risk zone categories and examples**

Hazard Zone Categories	Examples of target criteria
<p><b>High Hazard</b></p> <p><i>N.B. All Highway Inspections are undertaken every 6 months as a minimum by virtue of the planned highway inspection. Non-highway related sites are inspected every 18 months</i></p>	<ul style="list-style-type: none"> <li>• <a href="#"><u>Street trees in defined town centre. Inspection areas include Category 1 footways</u></a></li> <li>• <a href="#"><u>Street trees on Category 2 footways</u></a></li> <li>• <a href="#"><u>Street trees on urban Category 2 &amp; 3 roads (40mph and below)</u></a></li> <li>• Public buildings (high use sites)*</li> <li>• Schools and Social Service sites*</li> <li>• Footpaths and cycle ways*</li> <li>• Major play areas*</li> <li>• Parks and public space areas*</li> <li>• Cemeteries</li> <li>• Seating areas</li> <li>• Car park areas adjacent to high use sites*</li> <li>• Sites identified by Open Space Officers as high risk</li> <li>• Trees with high risk characteristics identified by Open Space Officers</li> </ul> <p>*High use sites = &gt;36 people per hour</p> <p><a href="#"><u>Sites to receive Highway Tree Inspections are marked blue and underlined (4.1 refers).</u></a></p>
<p><b>Medium Hazard</b></p> <p><i>Inspections every 2½ years</i></p>	<ul style="list-style-type: none"> <li>• <a href="#"><u>Street trees on Category 2 &amp; 3 rural routes (over 40mph)</u></a></li> <li>• Public buildings(all other sites with moderate use)**</li> <li>• Schools and Social Services**</li> <li>• Informal play areas, minor paths and grass recreational areas**</li> <li>• Woodlands**</li> <li>• Car parks**</li> <li>• Sites identified by Open Space Officers as moderate risk</li> </ul>

	<ul style="list-style-type: none"> <li>• Trees with moderate risk characteristics identified by Open Space Officers</li> </ul> <p>**Medium use sites = &lt;36 people per hour</p> <p><u>Sites to receive Highway Tree Inspections are marked blue and underlined (4.1 refers).</u></p>
<p><b>Low Hazard</b></p> <p><i>Highway or Level 1 Inspection every 5 years</i></p>	<ul style="list-style-type: none"> <li>• <u>Street trees on remaining roads, detached footways or cycle ways</u></li> <li>• Low use parks or public areas with dispersed recreation</li> <li>• Open areas, woodland and peripheral areas with limited use or access</li> <li>• Pedestrian rates lower than 1 per hour</li> <li>• Trees with moderate risk characteristics identified by Open Space Officers</li> </ul> <p><u>Sites to receive Highway Tree Inspections are marked blue and underlined (4.1 refers).</u></p>

The timing of high and moderate risk inspection is designed to ensure that trees are seen at different times of year, both in the winter and when in leaf. This will give a better overall indication of a tree’s physiological and structural condition. It would be an advantage if the low risk inspections are carried out at different times of the year for the same reason. Sites should be checked for hazardous trees or branches after strong winds.

### 3.10 Assessing Hazards

Many trees are potentially hazardous, but only the conditions most likely to lead to injury or damage to people or property can reasonably be addressed by inspectors. In practice only visible defects are likely to be identified during an initial survey unless a more detailed individual inspection is undertaken.

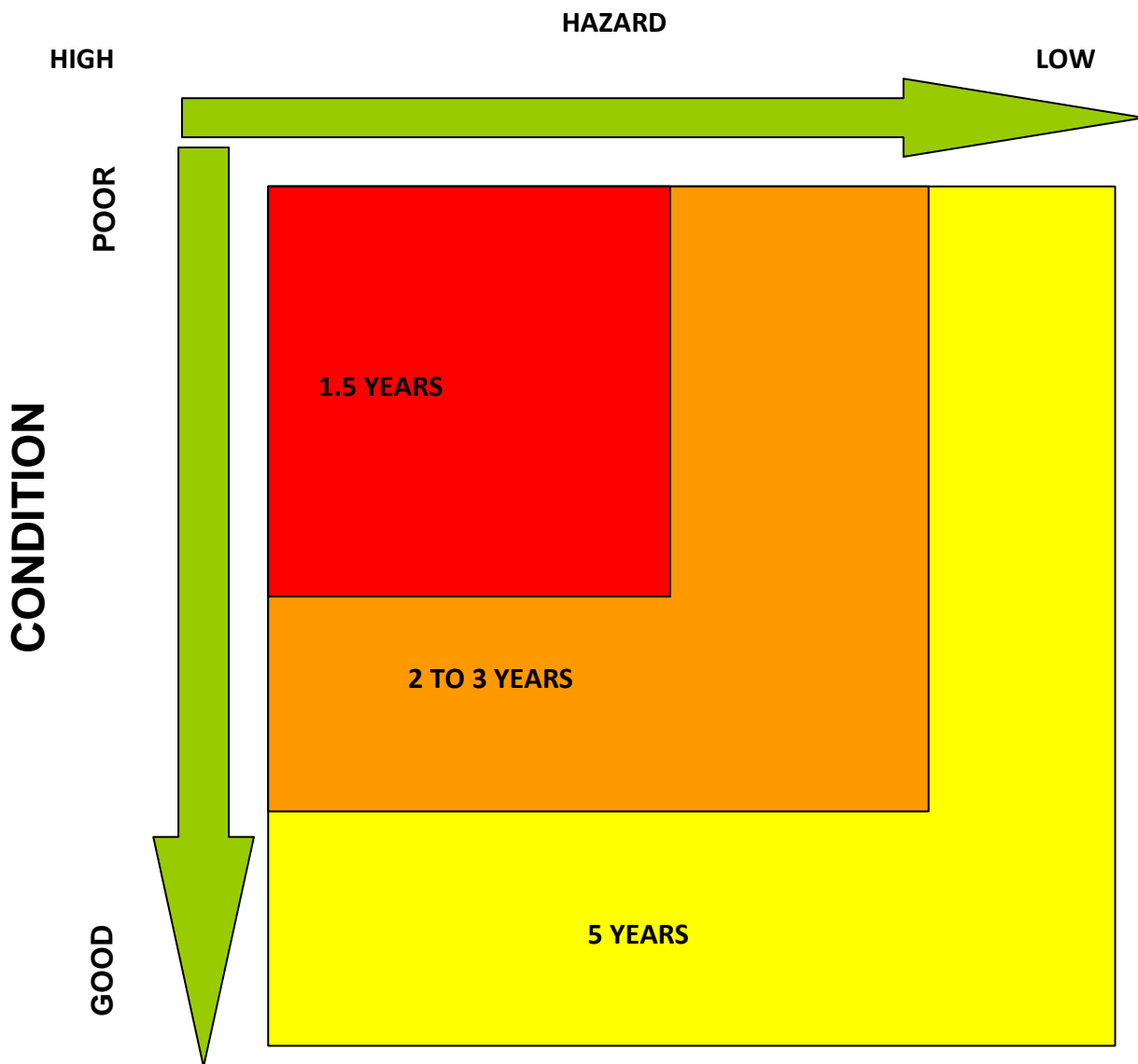
It is the responsibility of the inspector to ensure that the hazard is assessed within a level of their competency and recorded accurately. The frequency, condition and method of inspection will reflect the designated Risk Zones shown within the tables below.



Table 2 - Frequency and method of inspection showing the reflection of designated Risk Zones

Hazard Zone Categories	Timing of Inspections	Recommended Inspection Methods	Comments
High Hazard	<1.5 years	Walk-by tree inspections	Trees will be viewed from all sides using a systematic process to look for obvious defects. (4.4 Refers - Competence)
Medium Hazard	2 to 3 years	Walk-by tree inspections	
Low Hazard	5 yearly	Walk-by tree inspections	

Table 3 - Frequency of inspection showing target and tree condition for re-inspections



The timing of inspections is to be led by two components. If for example a tree in good condition in a high hazard area the inspection regime will be 5 years. If a tree is identified as in poor condition and in a low hazard area the inspection will still be 5 years.

### 3.11 Recording Information

The Council uses the Kaarbontech and Mayrise computer programmes, which enables tree inspectors to record and store all inspections and public enquiries with a clear audit trail.

Information is recorded against individual trees or groups irrespective of whether works are specified or not. Where it is appropriate, photographic evidence will be attached to the tree record for future reference.

### 3.12 Work Priorities

The priority for implementing remedial action will depend on both the assessment of risk, presented hazards and the subsequent risk score.

In a high risk area trees which show obvious signs of imminent collapse, or are otherwise seriously hazardous should be dealt with immediately on the best advice of the inspector.

Works identified during inspections will be prioritised as follows within Table 4 (below):

**Table 4 - Reactionary timescales following inspection**

Urgency	Risk of harm	Notes	Time to complete works
Emergency	High	Response to trees where the associated risks are perceived to be imminently dangerous.	Council will attend site and make safe normally within 1 hour and always within 2 hours. The site can be made safe by completing works or by cordoning off area/s at risk until works are completed.

Urgency	Risk of harm	Notes	Time to complete works
<b>Urgent</b>	Medium	Response to trees where the associated risks are perceived as urgent but not imminently dangerous.	7 working days to complete. If resources are not available to complete works within 7 working days then areas at risk will be cordoned off.
<b>Essential</b>	≥1/10,000 per year	Works on trees that are not considered high risk but where remedial work is required.	1 year to complete
<b>Desirable</b>	<1/10,000 per year	Improvement works to enhance streetscene or public space...Work to abate nuisance caused by council trees.	5 years to complete
<b>Private - Urgent</b>	<i>The degree of risk will determine the actions to be taken by the local authority. In the first instance the owner or occupier will be given every opportunity to mitigate the risk posed*</i>	Response to trees where the associated risks are perceived to be imminently dangerous.  Site can be made safe by completing work, or by cordoning off areas at risk until work completed	Council will attend site and make safe normally within 1 hour and always within 2 hours. The site can be made safe by completing works or by cordoning off area/s at risk until works are completed.

\*the local authority can take action without consent using the Local (Miscellaneous Provisions) Act 1976 (Section 5 refers).

### 3.13 General Legal Duty

No matter how low the risks, the need remains to consider the safety of trees under the Local Authority control. Halton Borough Council as owners have a duty (under English Law) to ensure, insofar as reasonably practicable, that people and property are not exposed to unreasonable levels of risk from the mechanical failure of trees under the Council’s control.

To achieve this, evaluation of tree hazards are only carried out by trained Council Officers, and experienced or qualified Council Arborists (Section 4.3 refers).

## 4. The Tree Inspection Procedure

It is the responsibility of the Council to ensure that tree safety inspection procedures are in place and that they are undertaken only by staff or others who meet the requirements of competency (4.4 refers).

Initial assessment; detailed inspection and prescribing remedial action need not be undertaken by the same person.

### 4.1 Highway Tree Inspections

This type of inspection is restricted to all highways in Halton. The inspection will be carried out by Highway Inspectors as part of their inspection process at frequencies dictated by a risk based code of practice and defects found will be recorded in the Mayrise computerised system. Highway Inspectors will have attained the Level 1 Tree Inspection Certificate. The procedure will ordinarily consist of a walked inspection consistent with current highway inspection procedures. The inspector will observe trees within the highway on both sides on the road systematically looking for obvious defects that are described in the Level 1 Tree Inspection Course (4.4 refers).

Occasionally and where appropriate, drive by inspections will be undertaken by two officers, one a dedicated driver whilst the other person observes. If a defect is seen that requires closer investigation, a more detailed inspection will be undertaken on foot.

It should be noted that reliance on drive-by inspections is not appropriate in busy urban areas. Initial drive-by inspections can, when appropriate, assist in deciding where tree management, walk-over or detailed inspection might be necessary.

Where tree defects are found on the highway, these will be referred to Open Space Officers to inspect in greater detail, who will initiate the remedial action.

### 4.2 Level 1 Tree Inspections

This inspection procedure will be carried out at all other Council sites, public buildings, parks, woodlands and open spaces. The frequency of inspections will be dictated by the site zoning regime shown in Table 2. The person carrying out the inspection will have attended the Level 1 Tree Inspection Course, passed the assessment and gained the Level 1 Tree Inspection Certificate (4.4 refers).

### 4.3 Professional Tree Inspections

Halton Borough Council’s Open Space Officers are qualified and can demonstrate competence to undertake systematic expert tree inspection, in order to identify and recommend remediation for hazards arising from impaired condition or structural

integrity in trees. These inspections will be undertaken following identification of significant defects by Highway Tree and Level 1 Inspections. Professional Tree Inspections will also be carried out in response to reactive Level 1 Inspections. Systematic inspections of high risk trees identified by the Council’s Open Space Officers will be carried out at the designated times.

### 4.4 Competence

The rating of target areas (zoning) must be done in accordance with the guidelines in table 2 above and by suitably qualified members of staff and who may have specific local knowledge.

The HSE (2007) considers that someone to be competent requires a working knowledge of trees and their defects, but need not be an arboricultural specialist.

The authority has finite resources to reasonably meet its duty of care by demonstrating a defensible, proactive tree management regime. Currently, trees will receive initial inspection as per the frequencies shown in Table 2, and by officers who have received, as a minimum the initial basic tree survey training - a Level 1 Tree Inspection Course. Trees identified with defects and consequently posing a medium to high risk to the public are referred to Open Space Officers who have training and experience to undertake a systematic professional tree inspection in order to identify and recommend remediation of hazards arising from impaired condition or structural integrity.

Officers who are undertaking initial inspections, the Council will ensure the provision of a Level 1 Tree Inspection Course based on accredited courses delivered by the Arboricultural Association or LANTRA. This one day course is designed for people with limited, or no arboricultural knowledge. The Level 1 course is also a preliminary qualification for tree surgeons, dedicated tree inspectors, and assistant and principal arboricultural officers wishing to complete a higher level programme. There is an assessment at the end of the day. A certificate is awarded to those candidates who pass the assessment.

The candidates on the course are trained to visually assess a tree for obvious defects, record them, assign a hazard rating and provide a report of their findings. The type of defect that a candidate is trained to look for are detailed below:

- Fungal fruiting bodies (at the base or on the trunk and branches)
- Dieback of the crown – i.e. foliage not dense, foliage not the right colour or size
- Dead branches (especially on species that are not oaks)
- Dead trees
- Detached branches, hanging branches or branches lodged within the canopy
- Compression forks
- Cracks and splits
- Major or numerous cavities

- Dead bark
- Significant bulges
- Evidence of root damage or severance
- Presence of ivy and its significance
- “Bleeding” areas and fluxes

**There can be only 3 outcomes of a Level 1 inspection:**

- 1) The tree has no observed significant defects and therefore requires no action
- 2) The tree requires a more detailed inspection, or the inspector needs further advice or clarification from an Open Space Officer. The inspectors will be trained to assign a priority of low, medium or high risk so that a professional tree inspection can be programmed accordingly
- 3) The work is an emergency (such as a hanging branch over a highway or footpath, or a tree is in imminent danger of collapse).

Depending on the competence and confidence of individual employees, Level 1 Tree Inspection training may need to be refreshed. However, the skills learnt on the course will be applied regularly through inspection and the employee will learn informally from the Open Space Officers as and when further advice is sought. It is therefore possible that refresher training will be rendered unnecessary.

NB. It is important that Level 1 Tree Inspectors are aware of current legislation relating to trees and wildlife and Halton Borough Council’s Tree Policy when carrying out their inspections.

In emergency situations the Level 1 inspector can order the work directly e.g. for a hung up branch over a busy carriageway.

Although emergency work is exempt from the Tree Preservation Order and Conservation Area legislation the Local Planning Authority must still be notified of works carried out to trees subject to such constraints”.

### 4.5 Reactive and Emergency Tree Inspections

In addition to the planned inspections, reactive Level 1 Tree Inspections will be carried out as a result of customer complaints, concerns and enquiries, events, storms or as a result of damage to a tree or its root system from accidental or environmental causes.

## 5. Inspection of Trees in Private Ownership

Trees on private land within falling distance of a highway, or Borough Council land can also present a hazard to the public.

Owners are responsible for trees on their property and have a legal duty of care. “This duty of care is to take reasonable care to avoid acts or omissions that cause a reasonably foreseeable risk of injury to persons or property” (NTSG 2010). Best practice advice on fulfilling this duty is now available from the National Tree Safety Group (NTSG).

It is advisable for Level 1 Tree Inspectors, when looking at trees to give a cursory glance to neighbouring trees within falling distance of the Highway or Council land. They should note any trees that may be of concern to them in the course of their planned inspection. They should follow the procedure for further advice or assistance from the Council’s Open Space Officers

## 6. Measuring Performance

The following local indicators have been developed to measure the performance of all the key areas of the system.

- Percentage of work required on Council owned trees falling in the emergency category (target annual reduction)
- Percentage of planned work undertaken on time (target annual increase)
- Percentage of re-inspections undertaken within the assigned re-inspection date – target percentage rate is 100%

Performance targets will be further defined as data becomes available from tree inspections.

## 7. References

Ellison, M.J. (2005) Quantified Tree Risk Assessment (QTRA)

Lonsdale, D. (1999) Principles of Tree Hazard Assessment, Stationary Office

Health and Safety Executive (1996) Use of Risk Assessments within Government  
Departments - HSE Books

Health and Safety Executive (1998) - Five steps to risk assessment INDG163, HSE Books

Heliwell, D. R. (1990) - Acceptable Level of Risk Associated with Trees

Mynors, C. (2002) - The Law of Trees, Forests and Hedgerows

Adams, J. - Arboricultural Journal 2007 Dangerous Trees

Local (Miscellaneous Provisions) Act 1976 c.57 Part 1 GENERAL - Dangerous trees and excavations s23

Highways Act 1980 c.66 Part IX LAWFUL AND UNLAWFUL INTERFERENCE WITH  
HIGHWAYS AND STREETS s154

<b>REPORT TO:</b>	Executive Board
<b>DATE:</b>	13 December 2018
<b>REPORTING OFFICER:</b>	Strategic Director, Enterprise, Community & Resources
<b>PORTFOLIO:</b>	Physical Environment
<b>SUBJECT:</b>	Masterplan Strategy for improvements at Town Park, Runcorn
<b>WARDS:</b>	Halton Castle, Halton Lea, Norton North, Norton South, Windmill Hill

### **1.0 PURPOSE OF THE REPORT**

- 1.1 To seek approval on a proposed Masterplan Strategy for a comprehensive set of improvements to Halton's largest park and seek approval to deliver the project in line with the Masterplan, including making any suitable grant applications that may be required.

### **2.0 RECOMMENDATION: That the Board**

- 1) **approves the Masterplan; and**
- 2) **gives delegated authority to the Strategic Director for Enterprise, Community & Resources, in consultation with the Executive Member for the Physical Environment, to progress the Town Park project and prepare all necessary information for suitable grant applications.**

### **3.0 SUPPORTING INFORMATION**

- 3.1 Town Park was created as an integral part of the original Runcorn New Town development with the aim of forming a central landscape feature for local residents. The creation of Town Park preserved nearly 157 hectares of existing woodlands and undulating grassland, retaining a countryside feel within the New Town. The park was planned to link the New Town centre with local centres via green corridors and included large areas of open grassland and woodland as well as buildings for recreational and cultural activities. Other features included were an artificial lake, footpaths, cycleways and playgrounds. Some facilities such as the large arena for open air exhibitions although partially built were never fully realised to their full potential.
- 3.2 Currently the park fulfils the original concept as a substantial continuous open space central to the New Town character, and includes Norton



Priory, Haddocks Wood playing fields, 3 formal playgrounds, a skate park, an artificial ski slope, a miniature railway, together with numerous ponds and 15 km of footpath walks through open meadow, grassland and woodland areas. (See Appendix 1 for map of extent of Town Park and Appendix 2 for images of current condition.)

- 3.3 Many of the features and assets date to the original layout and design, with some piecemeal additions and alterations which have lessened the overall scale and character of the original Town Park design.
- 3.4 The main aim of the Town Park Masterplan (See Appendix 3 plan and example images in Appendixes 3-6) is to preserve a strong landscape identity for the future as well as provide a setting for sustainable leisure and recreational needs for Halton residents. Sustainable routes will be enhanced North to South connecting the different character areas together, providing enough interest for visitors to extend the time they spend in the Park and repeat visits to further explore different areas.
- 3.5 Entrances, boundaries and signage will all be rationalised and better defined improving access and circulation and path connections for park users and better access for management purposes.
- 3.6 Proposals have been discussed with the Planning Dept., and are in accordance with the principles set out in Halton's Core Strategy, for the enhancement of Green Infrastructure.
- 3.7 It is proposed that these general park improvements are carried out over a 4-5 year period as funding becomes available and this investment will raise the overall standard of the park to that of Halton's other major open spaces such as Runcorn Hill Park and that any further future additional features and facilities are only added if they are in keeping with the nature and character set out in this Masterplan.
- 3.8 A key element of the proposals will be the development of 3 visitor/activity hubs. Individual hubs will be developed as separate projects in accordance with the Masterplan and are not set out in detail as part of this report. However, they are summarised as follows.
  - 3.8.1 Northern Heritage Hub – Norton Priory & Walled Garden.  
Currently Norton Priory is very well established with good facilities with potential to improve still further. This will comprise of further improvements to the approach and arrival facilities, including access approach, arrival and car parking to a standard expected of a regional / national tourist attraction. There will also be improved access to footpath / cycle route connections, for instance improving links to Halton Castle.
  - 3.8.2 Central Activity Hub – Phoenix Park.  
Currently Phoenix Park is fairly well established with good facilities. There is potential to improve this area still further. This location already contains extensive play and youth provision, as well as angling on the

lake and will be further enhanced as the primary site for local youth activities.

### 3.8.3 Southern Adventure Hub – Ski Slope/miniature Railway.

Currently the Ski Slope has poor facilities and is the least up to date of the three hubs and requires substantial investment. It has the potential to extend the facilities to improve the existing ski provision by adding an outdoor pursuits centre, café and improvements to the miniature railway and themed playground; making it an attractive location for families to visit. There is an existing group of volunteers who run the miniature railway and plans will include working closely with the group as proposals for this area are developed.

## 4.0 POLICY IMPLICATIONS

- 4.1 The proposals are in accordance with policy CS21 - Green Infrastructure, supporting the delivery of programmes and strategies to protect, enhance and expand green infrastructure across the Borough.
- 4.2 The proposals are in keeping with policy CS15 - Sustainable Transport by improving important East to West routes, for instance via the Bridgewater Canal; which connect off road pedestrian/cycle routes from the Silver Jubilee bridge through Runcorn in to Warrington. As well as introducing improved North to South connections for example from Astmoor industrial area to Palacefields and Murdishaw residential areas.
- 4.3 Improvements in Town Park will also link to the Mid-Mersey Estuary Park concept delivering important destination attractions for visitors.

## 5.0 FINANCIAL IMPLICATIONS

- 5.1 Much of the current infrastructure dates back to the original laying out of the New Town, which at the time included remnants of original lanes, paths, fences, walls etc. The Masterplan Strategy seeks to rationalise, update and renew this infrastructure which will not only provide safe and effective routes but will reduce ongoing management costs of old assets and allow more efficient management of the site in the future.
- 5.2 It is anticipated that improvements to the whole Park infrastructure in order to bring the Park up to standard (items 1 - 3 & item 6 on The Masterplan - Appendix 3) will cost circa £1.4m. This can be phased over a 4-5 year period, which will help to avoid major disruption for park users, but still allow sufficient scope for a contract sum to benefit from economy of scale. This would be equate to circa £280k of capital expenditure per year over 5 yrs. Funding would be sought from a variety of external sources (see 5.4). Funding of £339k has been sourced in 2018/19 which will allow a first phase of works to be completed. Should

funding not be available in any particular year then the programme would simply be extended (to cover a 5-6 year period for example).

5.3 The following shows the budget requirement for the scheme:

• Replacement and improved boundary treatment	£160k
• Improved entrances and access points	£355k
• Repaired, Improved, new, paths	£491k
• Renewed and improved signage	£89k
• Vegetation clearance/hedge laying, planting	£73k
• Ponds, ditches, ditch/brook crossing	£193k
• Site furniture renewal/refurbishment	£45k

5.4 A typical annual funding package could be made up from the following possible sources: s106 monies, The Energy from Waste INEOS fund, external grants such as Landfill tax credit scheme (WREN/Veolia). There may also be opportunities through City Region tourism initiatives.

5.5 Proposals for further development of hub facilities (item 4 on The Masterplan - Appendix 3) will be funded separately and are not included in the above costs. These proposals will be the subject of separate reports as these detailed areas are further refined.

5.6 The Masterplan approach allows proposed infrastructure improvements to the wider park area and hub facilities to be undertaken either separately or in combination with each other, with the minimum of disruption or abortive work as and when funds become available.

## **6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

### **6.1 Children and Young People in Halton**

Town Park offers a wide range of different habitats, recreational areas and play opportunities, which are well suited to a wide age range for young people to enjoy. As well as providing a massive educational resource. Proposals will further enhance access to these opportunities.

### **6.2 Employment, Learning and Skills in Halton**

The Town Park hubs offer opportunities for local employment, related to the running of attractions; Norton Priory, cafés and small businesses associated with running of the leisure facilities and attractions will further promote employment opportunities. Proposals will also promote the availability of natural resources for educational opportunities.

### **6.3 A Healthy Halton**

Improved facilities and access to over 15km of footpaths and extensive cycle and equestrian routes will encourage more recreation and exercise

in the area, helping to combat obesity, to encourage cardio vascular and muscular activity to promote mental well-being for local communities.

#### **6.4 A Safer Halton**

Access and gateway improvements, together with increased user numbers will help deter anti-social behaviour, reduce crime and encourage more use of the Park by a wider range of people. Proposals will include improved information and interpretation boards as well direction signage to help people navigate the park.

#### **6.5 Halton's Urban Renewal**

Improvements to Halton's green infrastructure, cycle and pathway network will further improve the image of the borough and help retain and attract residents, businesses and visitors in to the borough.

### **7.0 RISK ANALYSIS**

- 7.1 The Park infrastructure is at a stage that requires major intervention in order to maintain safe routes and retain site boundaries, entrances, ponds, drainage ditches etc., in a serviceable condition. Combining a comprehensive programme of refurbishment works with a rationalisation of assets helps focus Council resources in the best locations for long term benefit avoiding costly repairs on assets no longer required.
- 7.2 The proposals build on the recent investment at Norton Priory which attracts visitors from a wide area, and seeks to capitalise on this by providing further opportunities for repeat visits to other attractions planned as part of the Town Park project.
- 7.3 The Masterplan proposals do not present any serious risk to the Council. Individual proposals for the hubs will be subject to a separate project risk assessments as they develop as individual projects.

### **8.0 EQUALITY AND DIVERSITY ISSUES**

No significant Equality and Diversity implications have been identified.

### **9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
Runcorn Development Corporation, New Town Master Plan (report) 1967	Picow Farm Depot	Nick Martin



Appendix 1

# EXTENT OF TOWN PARK

0 100m 200m 300m 400m 500m





# TOWN PARK

## CONDITION OF EXISTING PARK INFRASTRUCTURE

### Existing footpath and cycle routes



1. Original park footpaths and cycle routes are of insufficient width for current level of usage.



2. Footpath drainage problems.



3. Existing path surfacing of insufficient width to allow for maintenance access through the park.



4. Lack of path surfacing connecting routes through the park.

### Existing entrances and boundaries



5. Poor impression - entrance to Town Park from Holt Lane and Shopping City.



6. Lack of entrance definition - Town Park from Palace Fields Avenue.



7. Lack of signage - pedestrian entrance to Town Park from Stockham Lane.



8. Lack of protection - the boundary to the park along Tower Lane.

### Existing access, circulation and connections



9. Poor arrival experience - existing unsurfaced car park at Norton Priory.



10. Lack of directional signage - existing footpath cycleway towards Halton Lea.



11. Poor connections through the park across the Busway.



12. Low quality bridged connection linking the park to local neighbourhoods.

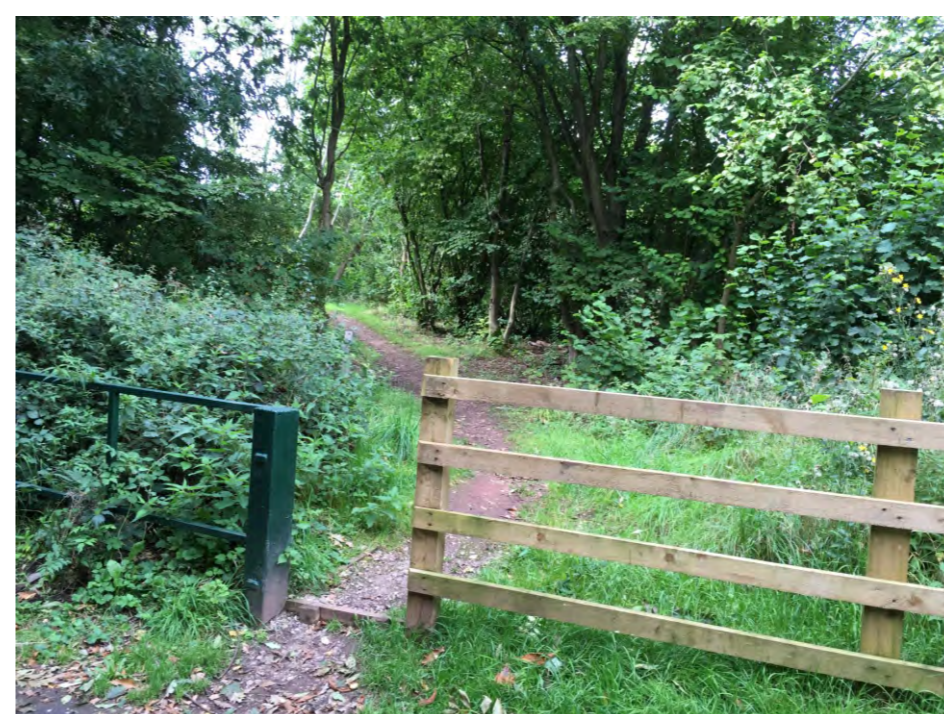
### Existing meadows, woodlands and hedges



13. Lack of maintenance access and poor path connections through the meadows.



14. Opportunity for improved woodland access including interpretational signage.



15. Opportunity for improved links with Woodland Trust owned woodlands.



16. Original mature hedgrows restricting visibility along footpath and cycle routes.

### Existing street furniture, ponds and ditches



17. Existing seating in poor condition. Lack of seating in some areas.



18. Overgrown vegetation obscuring and reducing capacity of ponds.



19. Existing brook headwall in poor condition.









20. Ditches at full capacity.

MASTERPLAN KEY


- 1. Establish the extent of the park**


  - Maintain and improve existing boundaries.
  - Identify areas of new boundary treatments.
  - Safeguard the park area from future development.
  
- 2. Define the entrances**


  -  Improve visitor access and car parking facilities.
  -  Improve existing local pedestrian entrances.
  
- 3. Sustainable connections**






  -  Develop a main north to south spine link through the park.
  -  Improve and rationalise existing footpath & cycle routes, enabling maintenance access.
  -  Create opportunities for new path connections.
  -  Develop a signage and wayfinding strategy.
  
- 4. Develop Park Hubs**

  - NORTHERN HUB**

 Enhance Norton Priory as the northern Heritage Hub. Improve access approach and car parking.
  
  - CENTRAL HUB**

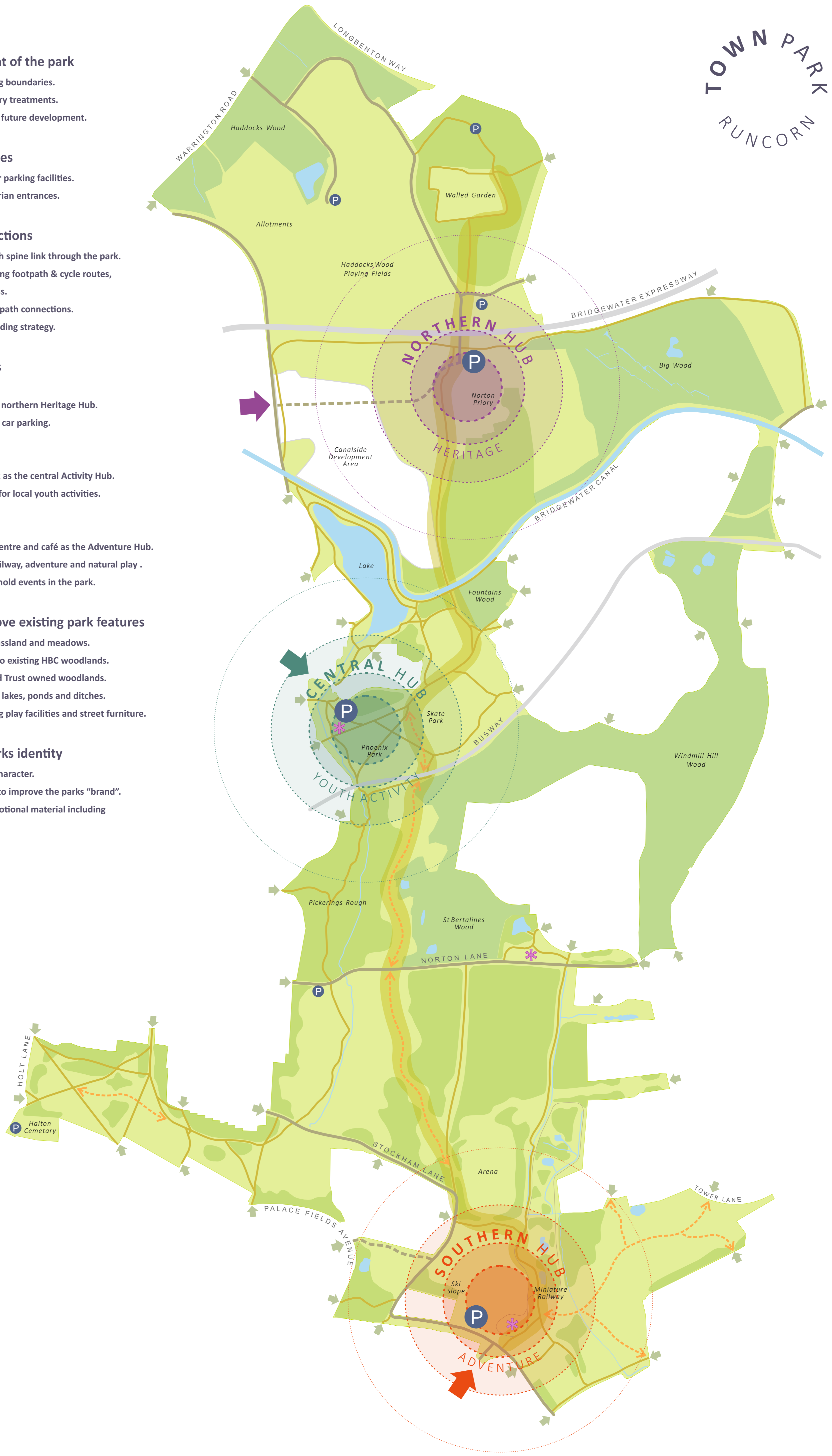
 Development of Phoenix Park as the central Activity Hub. Enhance area as primary site for local youth activities.
  
  - SOUTHERN HUB**

 Create new southern visitor centre and café as the Adventure Hub. Improve existing miniature railway, adventure and natural play. Provide the infrastructure to hold events in the park.
  
- 5. Manage and improve existing park features**

  -  Maintain amenity to open grassland and meadows.
  -  Manage and improve access to existing HBC woodlands.
  -  Maintain links with Woodland Trust owned woodlands.
  -  Manage and improve existing lakes, ponds and ditches.
  -  Maintain and improve existing play facilities and street furniture.
  
- 6. Strengthen the parks identity**

  - Reinforce the parks existing character.
  - Promote a consistent "style" to improve the parks "brand".
  - Promote the park using promotional material including social and digital media.

TOWN PARK  
RUNCORN





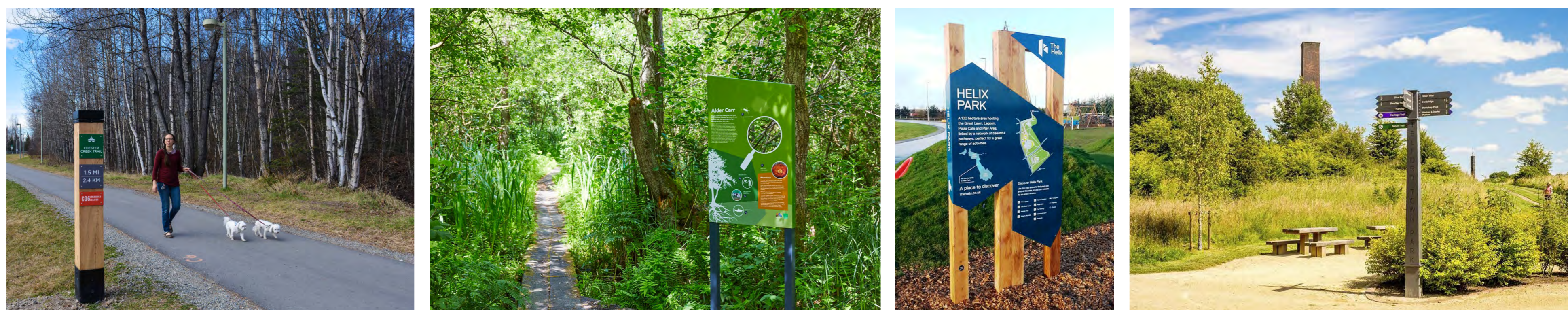
# PARK WIDE IMPROVEMENTS

## BOUNDARIES, ENTRANCES & INFRASTRUCTURE

Establish the park boundary and define vehicular and pedestrian entrances



Improve sustainable connections including north to south spine through the park, with signage and wayfinding



Manage and improve access to existing woodlands, hedgerows, meadows and ponds



Maintain and improve existing park infrastructure including play areas and street furniture



Encourage new leisure activities to the park







# NORTHERN HUB HERITAGE

## EXISTING FEATURES AND FACILITIES

Norton Priory & Walled Garden



Haddocks Wood & Playing Fields



Big Wood

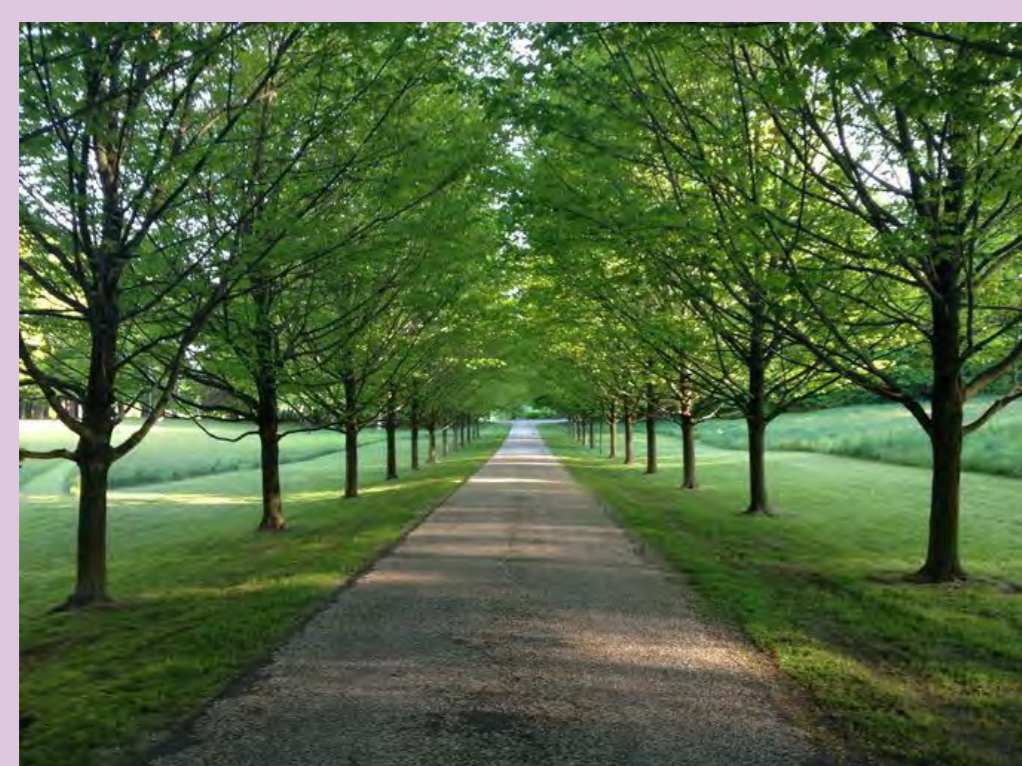


Bridgewater Canal



## OPPORTUNITIES FOR ENHANCEMENT

Improvements to Norton Priory access and car park including links to footpath cycleway routes



Enhanced landscape setting including sculptural and natural play features





# CENTRAL HUB YOUTH ACTIVITY

## EXISTING FEATURES AND FACILITIES

Phoenix Park Play Area



Park Café & Youth Activity Provision



Lake



Pickerings Rough



Bridgewater Canal



Meadows

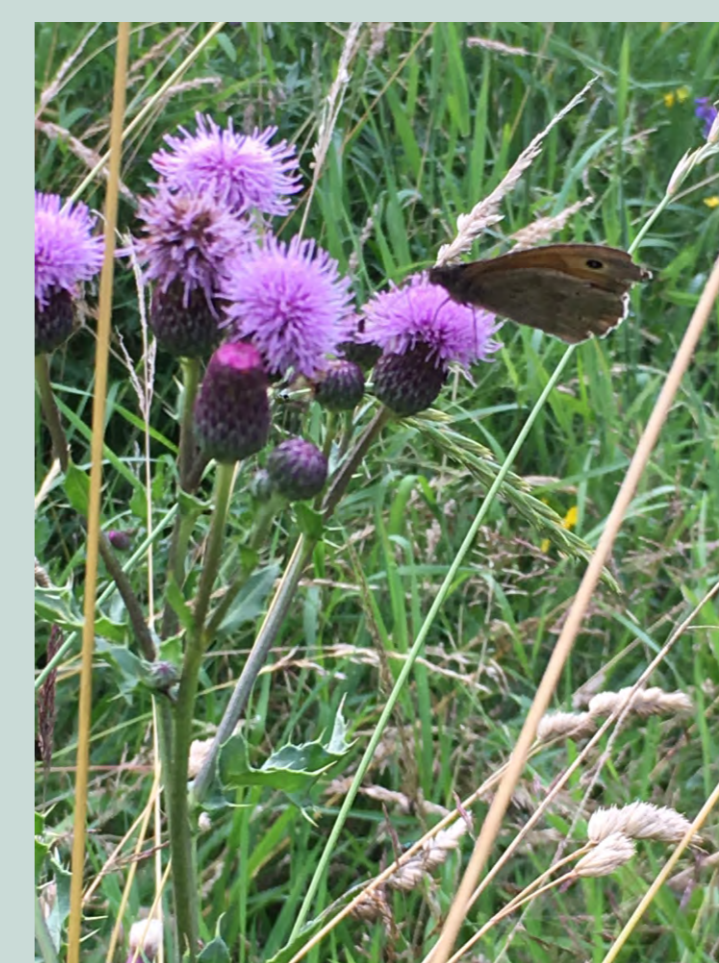


## OPPORTUNITIES FOR ENHANCEMENT

Enhancement of youth and community activities



Enhancement of existing park features and routes





# SOUTHERN HUB ADVENTURE

## EXISTING FEATURES AND FACILITIES

Ski Slope



Miniature Railway



Play Area



Arena

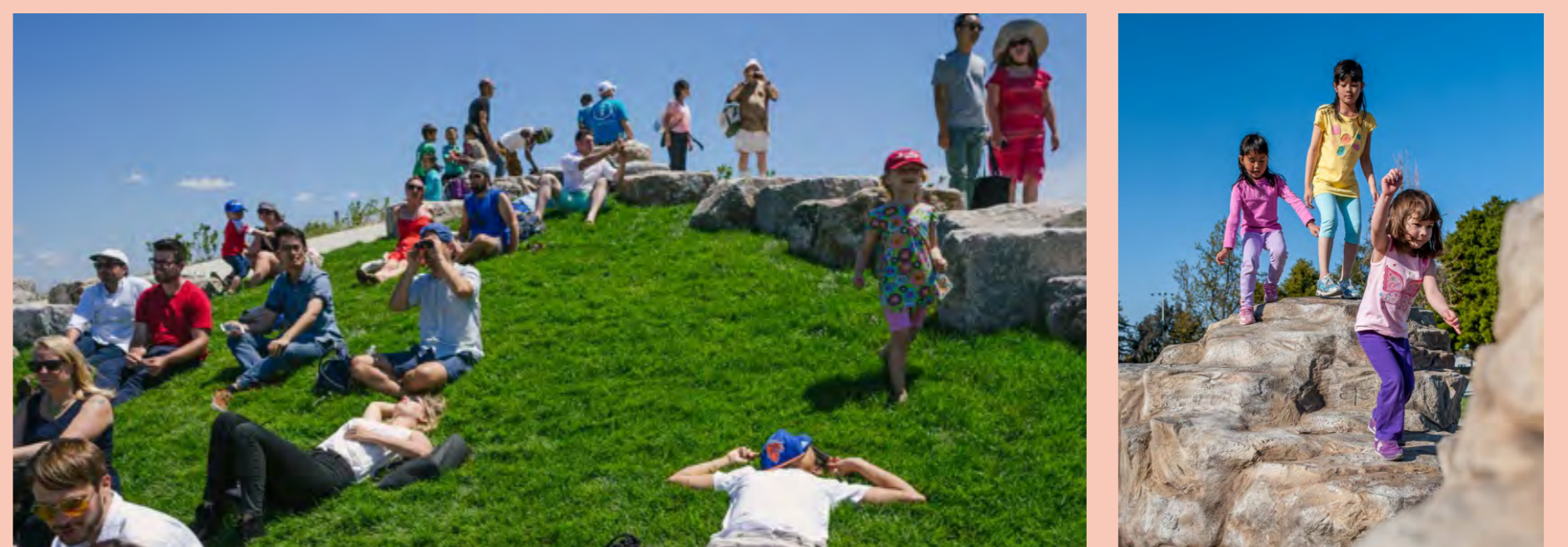


## OPPORTUNITIES FOR ENHANCEMENT

New Visitor and Outdoor Pursuits Centre & Cafe



Expanded Ski Slope & Adventure Play



New Infrastructure for Events



<b>REPORT TO:</b>	Executive Board
<b>DATE:</b>	13 December 2018
<b>REPORTING OFFICER:</b>	Strategic Director, Enterprise, Community and Resources
<b>PORTFOLIO:</b>	Physical Environment
<b>SUBJECT:</b>	Statement of Community Involvement (SCI) Local Plan Document
<b>WARDS:</b>	Boroughwide

## **1.0 PURPOSE OF THE REPORT**

1.1 Approval is sought to publish the draft Statement of Community Involvement (SCI) 2018 for a six week period of public consultation.

**2.0 RECOMMENDATION: That the draft SCI (Appendix A) is approved by the Executive Board for the purposes of a six week public consultation.**

## **3.0 SUPPORTING INFORMATION**

3.1 The Statement of Community Involvement, or SCI, sets out the way the Council will involve the local community, stakeholders and statutory bodies in the preparation and revision of Local Plans.

3.2 The duty to engage the community in planning matters arises from the Planning and Compulsory Purchase Act 2004 (section 18) (as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017). This legislation requires the Local Planning Authority to prepare a statement covering how it will involve those with an interest in development in the area in the preparation and review of the Local Plan, Supplementary Planning Documents, Neighbourhood Plans/Orders, Community Infrastructure Levy, and the consideration of planning applications.

3.3 The SCI informs the community about how and when they can get involved. The procedures contained with an adopted SCI must be followed for consultation on all Local Plan documents, Neighbourhood Plans/Orders, Community Infrastructure Levy and all planning applications within Halton. The SCI is also guided by the Government's Consultation Principles: Guidance (2016) which provides guidance on how consultations should be conducted in general, by adopting a more proportionate and targeted approach.

3.4 The council's first SCI was adopted in 2007, and revised in 2013. It is being updated in 2018 because there have been a number of legislative changes to the way that planning documents are prepared. In addition, technological advances have seen the emergence of online and electronic communication as the preferred media for many individuals and organisations.

3.5 Following the public consultation, a final version of the SCI will be presented to the Executive Board for formal adoption of the document by the Council.

#### **4.0 POLICY IMPLICATIONS**

4.1 The SCI has been produced to ensure that the Local Planning Authority is in accordance with national planning policy and legal regulations.

#### **5.0 OTHER IMPLICATIONS**

5.1 There are no other implications.

#### **6.0 RISK ANALYSIS**

6.1 No legal or financial risks arise from the preparation of the SCI.

6.2 Continuing with the original SCI entails minor financial risk as its requirements become increasingly out-of-date and out of step with modern communication practices impeding potential cost savings from electronic consultation.

#### **7.0 EQUALITY AND DIVERSITY ISSUES**

No equality and diversity implications have been identified.

#### **8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
Planning and Compulsory Purchase Act (2004 as amended) Section 18	Municipal Building	Alasdair Cross
Town and Country Planning (Local Planning) (England) Regulations 2012(as amended)	Municipal Building	Alasdair Cross
Neighbourhood Planning	Municipal Building	Alasdair Cross

(General) Regulations 2012 (as amended) CLG (2010) The Community Infrastructure Levy Regulations (as amended)	Municipal Building	Alasdair Cross
Halton Local Development Scheme	Municipal Building	Alasdair Cross

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# **DRAFT STATEMENT OF COMMUNITY INVOLVEMENT OCTOBER 2018**

Operational Director  
Policy, Planning and Transportation,  
Halton Borough Council,  
Municipal Building,  
Kingsway,  
Widnes,  
WA8 7QF



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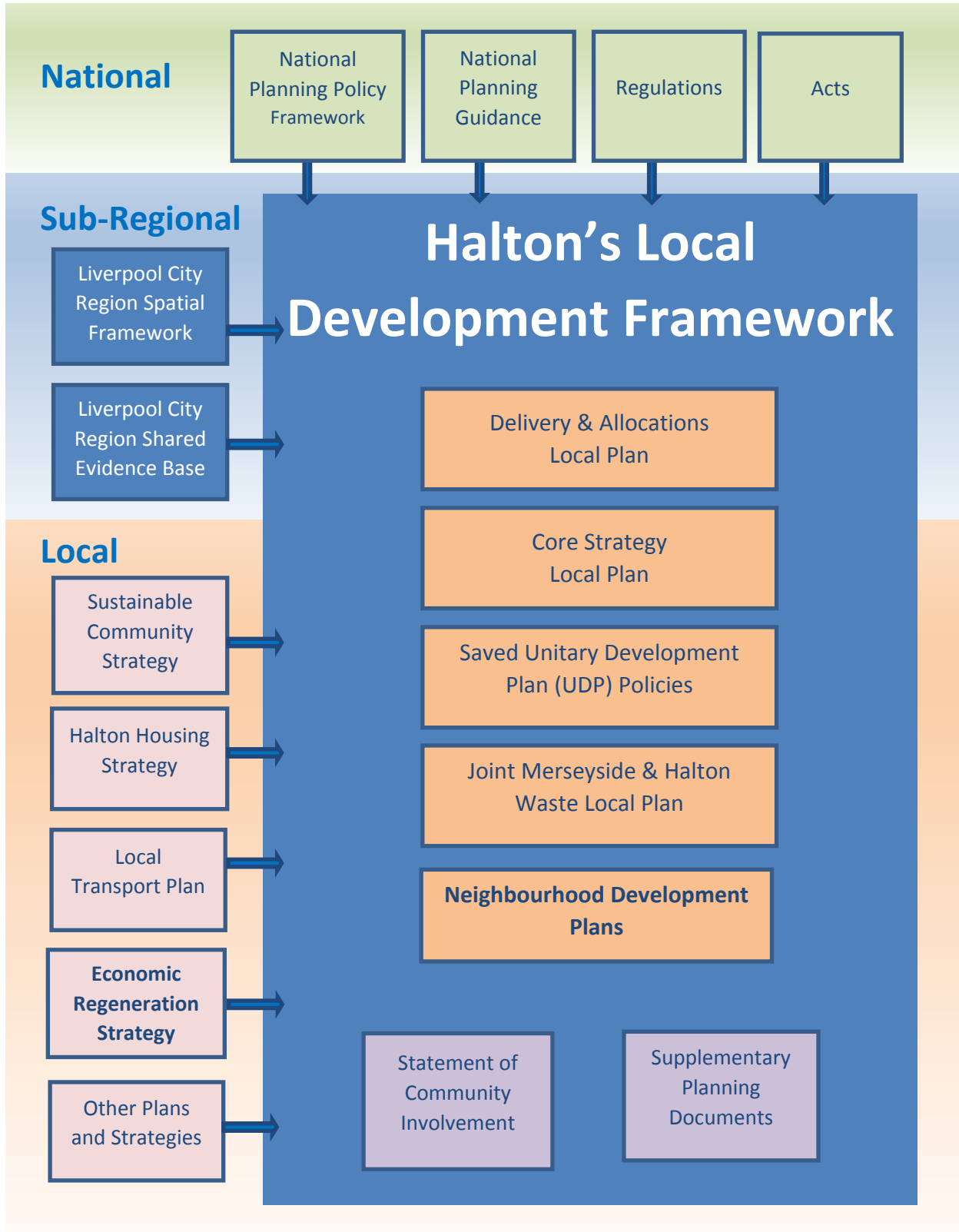
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## I. Introduction and Purpose

### Our Statement of Community Involvement (SCI): Role and Purpose

- I.1 The role and purpose of the SCI is to provide the community with clarity on the levels of involvement that they should expect in planning processes. This statement explains how the Council will involve the community in planning for the future use of land in the Borough.
- I.2 The Council is responsible for preparing planning documents used to shape the future development of the Borough. Together, these documents are known as the Local Development Framework (LDF). The policies within these documents need to take account of local, regional, sub-regional and national policies, needs and interests. This document is the third Statement of Community Involvement (SCI) Halton Borough Council has produced and is part of the LDF. The first SCI was adopted in 2007 and revised in 2013. The SCI now requires revision because of:
- recent changes in the National Planning Policy Framework, planning regulations and procedures governing plan making.
  - the introduction of the 'Duty to Inform, Consult and Involve' arising from the Local Government & Public Involvement in Health Act 2007,
- I.3 The LDF is a folder made up of a number of;
- Local Development Documents (LDDs),
  - Supplementary Planning Documents (SPDs) and,
  - process documents such as the Authority's Monitoring Report (AMR) and the Statement of Community Involvement (SCI).
- I.4 These plans and documents can be prepared and reviewed separately, increasing opportunities for community involvement, as different LDDs and SPDs will be prepared at different times in response to changing circumstances. The Halton LDF is illustrated in figure 1 below.

Figure 1: SCI Policy context



### Statutory basis for this Statement of Community involvement (SCI)

- I.5 The requirement to prepare a SCI was introduced by section 18 of the Planning and Compulsory Purchase Act 2004.
- I.6 The functions specified for the purpose of SCI's are the Council's functions relating to:
- The preparation and revision of Local Plans and other Local Development Documents (including joint Local Development Documents) and
  - The provisions relating to the control of development in Part 3 Town and Country Planning Act 1990.

### What are the legal requirements?

- I.7 Details of consultation required during the preparation of the documents covered by the SCI are set out in various Acts, Statutory Instruments and policy documents, including;
- The Planning and Compulsory Purchase Act 2004, Section 18 (Part 1), sets out the requirement for LPAs to produce a Statement of Community Involvement;
  - The Town and Country Planning (Local Planning) (England) Regulation's 2012 (as amended) set out the minimum requirements for consultation on planning policy documents;
  - The Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out the minimum requirements for consultation on planning applications;
  - The Localism Act 2011, Sections 110, sets out a "Duty to Co-operate" between public bodies on planning issues that cross administrative boundaries;
  - The National Planning Policy Framework (NPPF) 2018 sets out the importance of community involvement and multi-agency consultation, and further emphasises the importance of cross-boundary co-operation.
  - The Community Infrastructure Levy Regulation's 2010 (as amended) set out the minimum requirements for consultation on the Community Infrastructure Levy;
  - Section 69 of the Planning (Listed Building and Conservation Areas) Act 1990 sets out the need to periodically review Conservation Area designations in consultation with the community;
  - The Town and Country Planning Act 1990, Section 199, sets out the need to consult persons and consider representation and objections in relation to Tree Preservation Orders (TPOs)

## 2. Regulatory Framework

- 2.1 The Council's first SCI<sup>1</sup> was prepared in the context of the Town and Country Planning (Local Development) (England) Regulations 2004<sup>2</sup> (as amended). It was first adopted in July 2007 and subsequently revised in 2013.
- 2.2 The Government has since made changes to the planning process through legislation<sup>3</sup> and associated revised regulations<sup>4</sup>, together with revised policy in the National Planning Policy Framework (NPPF)<sup>5</sup>. This fourth version of the SCI has been prepared in the context of these changes and to ensure that the legal requirements for community involvement will be met.
- 2.3 The requirements set out in the regulations can be summarised as follows:
- Formal consultation for a defined period: this must be for a minimum of six weeks for Local Development Documents (LDDs) and four weeks for Supplementary Planning Documents (SPDs).
  - Notification and issue of information to specific consultation bodies which the Council considers would have an interest in the subject matter.
  - Notification to 'general' consultees which the Council considers appropriate or have expressed an interest in the preparation of a LDD or SPD and whose details are held on the LDF database.
  - Information made available on the Council's website.
  - Make information available at 'deposit locations'.
  - Publish a statement setting out who has been consulted during the preparation of the LDD and how the consultation was undertaken. The statement will also include a summary of the main issues raised and details as to how the issues have been addressed in the document.
  - Publish an adoption statement on the website, and inform to consultees who had requested to be notified of the adoption of a LDD document.
- 2.4 The Localism Act 2011 requires all LPAs to engage with neighboring authorities and other statutory bodies to consider joint approaches to plan-making. Halton Council is committed to fulfilling its Duty to cooperate and works closely with neighbouring authorities and other partner organisations and stakeholders. Regulation 4 of the Town

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<sup>1</sup> HBC (2007) Statement of Community Involvement

<sup>2</sup> CLG (2004) Town and Country Planning (Local Development)(England) Regulations

<sup>3</sup> CLG (2008) The Planning Act

<sup>4</sup> CLG (2012) Town and Country Planning (Local Planning)(England) Regulations 2012 (as amended)

<sup>5</sup> CLG (2018) National Planning Policy Framework (as amended)

and Country Planning (Local Planning) (England) Regulations 2012 lists the Duty to Co-operate 'prescribed bodies'.

- 2.5 A number of documents are also relevant to the preparation of the SCI these include:
- Halton Borough Council Sustainable Community Strategy 2011-2026 which sets out the Council's approach to community engagement; and
  - The Halton Local Development Scheme (LDS) – this sets out the timetable for the preparation of planning policy documents
- 2.6 Nothing in this SCI overrides any statutory provision relating to the preparation, adoption or revision of local development documents (including joint local development documents).

### 3. How to interpret this document

- 3.1 This document is divided into four sections to reflect the requirements of Section 18 Planning and Compulsory Purchase Act<sup>6</sup>. Part C and Part D to reflect the Localism Act (2011) and the Neighbourhood Planning (General) Regulations 2012 (as amended).

#### **Part A : Local Plans**

Deals with the preparation and revision of Local Plans and other local development documents (including joint local development documents and supplementary planning documents).

#### **Part B : Development Management**

Deals with the provisions relating to Development Management, i.e. the control of development as set out in Part 111 of the Town and Country Planning Act 1990<sup>7</sup>.

#### **Part C : Neighbourhood Plans**

Deals with the preparation and revisions of Neighbourhood Plans and Local Development Orders.

#### **Part D : Community Infrastructure Levy**

Deals with the preparation and introduction of the Community Infrastructure Levy (CIL).

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<sup>6</sup> [HMSO \(2004\) The Planning and Compulsory Purchase Act](#)

<sup>7</sup> [HMSO \(1990\) The Town and Country Planning Act](#)

## PART A: Local Plans

### Preparation and Revision of Local Plans and other Local Development Documents

#### 4. Community Involvement in the Local Development Framework

- 4.1 Halton Borough Council is responsible for preparing a LDF to guide development in the borough. At the time of writing in 2018, the Core Strategy Local Plan is the overarching strategic planning document. The LDF also includes the saved policies from the Halton Unitary Development Plan (UDP)<sup>8</sup> and a range of adopted SPDs. These documents will be in place until superseded by the adoption of new local plans which are subject to examination in public by an independent inspector appointed by the Secretary of State.

#### Key Contacts and LDF Consultation Database

- 4.2 The Council holds a database of contact details for organisations and community groups. It contains details of statutory organisations and people who have responded to previous consultations or have requested to be informed of the production of LDDs, SPDs and/or supporting documents. This is a 'live' database, updated on a regular basis as requests for inclusion or removal are received. All data held is pursuant to the principles of the Data Protection Act<sup>9</sup> (1998).
- 4.3 To subscribe, see <https://halton.me/planning-contact/>

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<sup>8</sup> HMSO (2011) The Localism Act

<sup>9</sup> HMSO (2012) Neighbourhood Planning (General) Regulations (as amended)



## When and how can the community get involved in the production of the LDF documents?

### Local Development Documents

- 4.4 Each Local Development Document (LDD) that the Council prepares has to go through a number of stages, with informal and formal consultation stages taking place along the way. The stages are described below and illustrated in Figure 2.

### Scoping and Pre-Production

- 4.5 The Council will seek the involvement of relevant groups in the formation of evidence; this will be used to support planning policies. The Council will ensure that based upon the relevance to the subject of the LDD. Those who have expressed an interest in the subject area when subscribing to the consultation database may be consulted.
- 4.6 Information relating to the formal 'scoping' stage (Reg 18) will be made available for viewing at deposit locations (as listed in Section 10) and made available on the Council's website. As a method of reducing duplication and achieving greater efficiency, the Council anticipates that multiple documents may be consulted upon at one time.
- 4.7 Planning Authorities must undertake a Strategic Environmental Assessment (SEA) on documents which are likely to have significant environmental effects under European Directive 2001/42/EC<sup>10</sup>. It is also mandatory for LDDs to produce a Sustainability Appraisal (SA)<sup>11</sup>. The SA process ensures that we assess the environmental, economic and social effects of policies and proposals as the LDD is being produced. The overall aim is to check whether our policies and plans are contributing towards achieving sustainable development. The SA takes place alongside the preparation of a Local Development Document and includes opportunities for involvement at key stages of the document's production. Whilst the SA and SEA tests are distinct, it is possible to carry them out in one appraisal process. During formal consultation(s) in the production stage of a LDD the SA and SEA will be made available at deposit locations and on the Council website.

### Production

- 4.8 Using evidence previously gathered or commissioned, the Council will begin work on preparing a draft document that;

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<sup>10</sup> European Union Directive (2001) The European SEA Directive 2001/42/EC

<sup>11</sup> Sustainability Appraisal

- a) has considered alternative approaches and is justified in the selected approach, and;
  - b) is underpinned by both the evidence base and SA.
- 4.9 The draft LDD will be subject to a six week public consultation period. Appropriate stakeholders, and those individuals with an identified interest in the topic/document subscribed to the LDF notifications system (consultation database) will be contacted. The draft LDD and supporting documents will be placed at deposit locations and will be made available on the Council website.
- 4.10 Representations received during the public consultation will be taken into consideration and the LDD altered as appropriate. A concise report called a 'Statement of Consultation' will be prepared summarising the representations received and how they are to be, or have been, addressed in the subsequent 'submission' version of the LDD.

### Submission - Examination

- 4.11 The 'submission' version of the LDD, the SA and supporting documents will be placed at deposit locations and on the Council website. These documents will also be sent to the Secretary of State. Representations can be made at this stage, however, they will not be considered by the Council, but by an independent Inspector, appointed by the Secretary of State, who will hold a public examination.
- 4.12 At least six weeks before the examination hearing sessions begin all details of the hearing sessions will be advertised in the local press and on the Council website. This information will include times, dates and the location of the examination and the name of the inspector appointed.
- 4.13 It is at the inspectors' discretion as to whether a 'pre examination' meeting is called. This would take place 8 weeks prior to the start of the examination hearing sessions.
- 4.14 It is at the Inspector's discretion as to what issues they wish to cover in the Hearing Sessions, whether to hold Hearing Sessions and whom may be invited to take part in any Hearing Sessions.

### Adoption

- 4.15 Following an examination, the Inspector will produce a report which informs the Council of their findings. If no major changes to the LDD are required the Council can proceed to adoption. If major changes are required these will be subject to a six week public consultation.

- 4.16 The Council will produce an adoption statement; this will be available on the Council's website. A notification letter will also be posted to all consultees that have previously requested to be notified of the adoption of the LDD.

Figure 2: LDD production stages

DPD Preparation Stage	Reg Number	Purpose	Consultation Required?	Publicity Required?
Evidence gathering	-	Gather evidence in order to identify the issues and opportunities for development in the Borough	As necessary for each evidence document	As necessary for each evidence document
Scoping	Reg 18	Notify persons/groups of the subject of the DPD and invite them to make representations about the content of the DPD	Yes	Yes
Issues and Options	-	Gathering evidence on the issues and options for suggested policy directions and undertaking initial work on the Sustainability Appraisal. Notify persons/groups of the issues for the DPD and invite them to make representations.  If consulted upon, comments received will inform the next stage.	Optional (requirement removed by the 2012 Regulation's)	Optional (requirement removed by the 2012 Regulation's)
Preferred Options	-	To prepare a draft document taking into account the comments made at Issues and Options and produce a Sustainability Appraisal.	Optional	Optional
Publication	Reg 19 Reg 20	Prepare a final draft document taking into account the comments made at any previous stages, along with a Sustainability Appraisal.	Yes	Yes
Submission of a DPD to the Secretary of State	Reg 22	All representations received at Publication stage will be collated, summarised and forwarded to an independent Planning Inspector	No	Yes
Independent Examination	Reg 24	The EiP considers the soundness of the DP, which includes an assessment of whether the LPA has considered the views of the community and met the requirements of the SCI	No	Yes
Main Modifications		The Planning Inspector may recommend modifications to the DPD in order to make	Yes	Yes

		it pass a test of soundness. Any comments received will be considered by the Planning Inspector		
Publication of Inspectors Report / Adoption of the DPD	Reg 25 Reg26	Subject to the recommendations of the Planning Inspector, the Council will adopt the DPD as soon as practical and will notify consultees of the publication of the Inspectors Report and adoption of the DPD.	No	Yes
Monitoring and Review		Annual Monitoring will track the performance of policies and to advise on necessary adjustments	No	No

### Supplementary Planning Documents (SPD)

- 4.17** Supplementary Planning Documents are produced to provide more detailed planning policy guidance to applicants or their agents seeking planning permission. They supplement existing Local Development Documents. The following section describes when and at what stage public consultation takes place in the production of an SPD and is illustrated in figure 3 below.
- 4.18** Unlike a LDD, an SPD is not required to be examined by the Secretary of State, as the content of the SPD is intended to ‘supplement’ policies within a LDD which will have undergone an examination in public.

### Pre-Production

- 4.19** At this stage evidence is gathered to support policies to be written. As previously stated SPDs supplement existing LDD policies or saved Unitary Development Plan (UDP) policies. Therefore, it is likely that some evidence will already exist which will be used in the preparation of the SPD. Where additional evidence is required, consultation will occur with groups/ departments/ organisations who have expressed an interest in the SPD subject or who are associated with the subject, for example, the Hot Food Takeaway SPD consultation was undertaken with Environmental Health.

### Production

- 4.20** A draft SPD is prepared and is subject to a minimum four week consultation period. Appropriate stakeholders stored on the LDF database and any organisation or person requesting to be kept informed of the production of SPDs will be contacted and informed that the SPD is available at deposit locations. The SPD consultation will be advertised and made available on the Council’s website.

- 4.21 In accordance with Regulation 17 (d)(i) of the Town and Country Planning (Local Planning)(England) 2004 Regulations 2012<sup>12</sup> a 'Statement of Consultation' will be produced. This will list all representations received as a result of the consultation and will explain how they have been taken into consideration and, where appropriate, the SPD altered.

## Adoption

- 4.22 Following an internal approvals process, the statement of consultation and an adoption statement will be made available on the Council website and at deposit locations. An adoption statement will be sent to any person who had requested to be notified of the adoption of the SPD.

Figure 3: SPD production stages

SPD Preparation Stage	Reg Number	Purpose	Consultation Required?	Publicity Required?
Evidence gathering	-	Gather evidence in order to the SPD	No	No
Scoping/Issues	Reg 12(a)	To set the scope of and identify issues. Comments will inform the next stage of the SPD.	Informal/ limited to bodies who have expressed an interest in the subject	Optional
Public participation on draft SPD	Reg 12(b) Reg 13	To prepare the draft SPD Publish consultation statement (Reg 12(a)) and draft SPD, invite representations on the draft SPD. Comments will inform the next stage of the SPD	Yes	Yes
Final SPD	-	To produce the final SPD	No	No
Adoption of the SPD	Reg 14	Adoption of the SPD	No	Yes
Monitoring & Review		Annual Monitoring will track the performance of policies and to advise on necessary adjustments	No	No

<sup>12</sup> CLG (2012) Town and Country Planning (Local Planning)(England) Regulations (as amended)

## PART B: Development Management

### Community Involvement in Planning Applications

## 5. Provisions relating to the control of development in Part 111 Town and Country Planning Act 1990.

- 5.1 The planning application process involves the making, consideration and determination of applications for “development” which can be either building works or a material change of use. There are also other types of applications that do not involve development but fall under the management of the local planning authority and include applications for advertisement consents and listed building consents.

### Timescales

- 5.2 The government sets targets for the time taken to determine planning applications. These are currently 13 weeks for major applications and 8 weeks for all others. If an Environmental Impact Assessment is required as a result of the scale of development, then this period will extend to 16 weeks.

### Permitted Development

- 5.3 Not all “development” requires a planning application for planning permission. Some works can be carried out as “Permitted Development” whereby planning permission is automatically granted by the Town and Country Planning (General Permitted Development) (England) Order 2015. Similarly, not all advertisements require consent from the Council; certain types of advert may be displayed with “Deemed Consent”.

If you are unsure whether or not you require planning permission, or other planning related consents please visit

[https://www.planningportal.co.uk/info/200125/do\\_you\\_need\\_permission](https://www.planningportal.co.uk/info/200125/do_you_need_permission)

The Planning portal provides a useful link to an interactive house.

- 5.4 For up-to-date information on how to make a planning application, guidance can be found on our website

<https://www3.halton.gov.uk/Pages/planning/applyforplanning.aspx>

## Pre Application Advice

- 5.5 Halton Borough Council welcomes and encourages applicants and developers to see pre-application advice from the Council prior to the submission of a formal planning application. There are a number of benefits in seeking advice before making an application, including:
- Providing early guidance on the planning policies relevant to your development and help to understand how these policies apply to your proposal;
  - Identifying if there is a need for specialist information such as a tree survey, flood risk assessment, ecological assessment.
  - Enabling proposals to be changed and potential problems overcome before an application is submitted, saving time during the application process and minimising the risk of planning permission being refused.
  - Ensuring you know what information is required to submit the application
  - Identifying and addressing issues at pre-application stage can save time when an application is submitted and may result in a quicker decision.

In summary, pre-application discussion can help deliver a higher quality of application which improves the chance of successful outcomes.

## What is required when submitting a pre-application enquiry?

- 5.6 Normally pre-application enquiries require the submission of sketch drawing and other relevant detail and applicants are asked to fill in forms which are available on the Council's website. We aim to provide a response within 28 days wherever possible, we will advise on the likelihood of gaining an approval on an informal basis.
- 5.7 The schedule of charges for pre-application advice and the pre application procedure can be found on the Council's webpages at:  
<https://www3.halton.gov.uk/Pages/planning/Get-Planning-Advice.aspx>

## How will the Council consult on pre-application enquiries?

- 5.8 For major pre-application enquiries the Council may seek advice from statutory consultees in order to provide comprehensive pre-application advice.
- 5.9 During pre-application discussion officers will advise developers on whether we feel the proposal would benefit from a process of community involvement before the application is submitted. National Planning Practice Guidance advises that "pre application engagement with the community is encouraged where it will add value to the process and the outcome." The Council understands that different types of

development will require public consultation to be tailored to suit the individual circumstances, however on major schemes a developer would be expected to consider holding a public meeting, exhibition and leaflet drop in the local area. Appropriate consultation plans can be agreed at pre application stage.

- 5.10 Community consultation measures are not necessary for small scale applications for example a house extension or single dwelling. However, we emphasise with applicant/developers the benefits to be gained from discussing proposals with neighbours.

### Development Management

- 5.11 The Council exercises its development management function in the public interest and is committed to publicising and consulting on planning applications. Upon receipt of a planning application the Council will undertake a period of formal consultation.
- 5.12 Dependent upon the type of application being considered, the Council is also required to consult various organisation and bodies and to invite them to make a representation, as set out in the Town and Country Planning (Development Management Procedure Order) (England) (2015) (DMPO).
- 5.13 The main type of consultation groups include:
- Public
  - Statutory Consultees
  - Non Statutory Consultees
- 5.14 The level of consultation associated with planning applications, will be proportionate to the type and scale of planning applications being determined. The Council will meet legal requirements with regards to publicity.
- 5.15 The following regulations set out public consultation:
- Town and Country Planning (Development Management Procedure) (England) Order 2015
  - The Planning (Listed Building and Conservation Areas) Regulations and The Planning (Listed Buildings and Conservation Areas) Act 1990
  - The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

The regulations state how the consultation should be undertaken whether by site notice or individual neighbour notification.

- 5.16 Neighbour notification by letter is the principal method of consultation for most planning applications. Letters are sent to all owners/occupiers of properties that



immediately adjoin the boundary of the application site. Where the Council is unsure of the owner of an adjoining site a site notice will be displayed.

- 5.17 A press notice is also required for the following types of applications:
- Erection of 10 or more dwellings, or a site areas of 0.5 ha or more
  - Erection of 1000 sqm of floor space or site area of 1 ha or more
  - An application accompanied by an Environmental Impact Statement
  - A departure from the Local Plan
  - A development that would affect a public right of way under part III of the Wildlife and Countryside Act 1981
  - Development affecting the character or appearance of a Conservation Area
  - Development affecting the setting of a Listed Building.
- 5.18 Interested parties are given 21 days to respond in writing to the consultation.,
- 5.19 A weekly list of planning applications is available on the Council's webpage, or you can sign up to receive the weekly list via email at <https://webapp.halton.gov.uk/planningapps/>
- 5.20 We consult neighbouring Council's where appropriate and also consult directly any properties in other Boroughs which directly adjoin an application site.

### How to comment on a planning application

- 5.21 Planning applications can be viewed in on the Council's website <https://webapp.halton.gov.uk/planningapps/>
- 5.22 Comments may be made on any planning application, by anyone, regardless of whether or not they were consulted individually. All comments must be made in writing and must contain the name and address of the author. The Council will not take into consideration any anonymous comments received.
- 5.23 Comments received are public information and cannot legally be kept confidential, therefore comment should not include any personal information for example, phone numbers or signatures. Comments should be submitted within the stated identified consultation period,

### Notifying you of a decision

- 5.24 A decision on the planning application will be available on the Council webpage, it is the responsibility of the individual who have commented on an application to check the status of the application on the web page as people who have commented on an application are not notified that a decision has been made.

## PART C

### 6. Neighbourhood Plans and Neighbourhood Development Orders

#### What is Neighbourhood Planning?

- 6.1 Introduced by the Localism Act 2011 supported by the Neighbourhood Planning (General) Regulations 2012 (as amended), Neighbourhood planning offers communities three new planning tools intended to support community-led growth and development.
- 1) Neighbourhood Development Plans  
These Plans allow communities to establish general (non-strategic) planning policies for the development and use of land within a defined neighbourhood area and so influence the type, design, location and mix of new development.
  - 2) Neighbourhood Development Orders  
This is a community led “order” that grants planning permission in relation to a Neighbourhood Area for development specified in the Order. An order cannot relate to ‘excluded’ development and does not grant building regulations approval.
  - 3) Community Right to Build Orders  
This is a particular type of Neighbourhood Development Order that grants planning permission for small-scale, site-specific, community-led developments. It does not remove the need for Building Regulations approval
- 6.2 Neighbourhood Planning is a community-led framework for guiding the future development, regeneration and conservation of an area. It is about the use and development of land and may contain a vision, aims, planning policies and proposals for improving the area, or the allocation of key sites for specific kinds of development.
- 6.3 A Neighbourhood Plan is subject to an independent examination, and if approved by the Examiner a local referendum, in which residents on the electoral register within the designated area can vote. If the Plan or Order is supported by over 50% of the turnout, the local authority must adopt it into its Local Development Framework, thereby representing a material consideration in the determination of planning applications, or “make” the Order so removing the need for separate planning permission.
- 6.4 The Neighbourhood Plan must be made within 8 weeks of the date of the Referendum. Prior to a draft neighbourhood plan being “made” after succeeding at referendum, it automatically forms part of the development plan, but it would not continue to do so if the Borough Council were to decide it should not be “made”.
- 6.5 Neighbourhood Planning proposals must be;

- In line with local and national planning policies
  - In line with other laws
  - In accordance with the local planning authority plans for growth.
- 6.6 Like local plans, regulations cover neighbourhood plan/orders preparation, including consultation requirements. Regulations also cover the referendum stage. The council's role is to provide advice and support to groups developing a plan. Up to submission of the final draft ('proposed submission') plan, it is the Parish council/qualifying body that is responsible for public consultation and engagement in its preparation.

### Borough Council support for Neighbourhood Plans

- 6.7 The Borough Council will seek to provide proportionate support to 'qualifying bodies' seeking to prepare a Neighbourhood Plan, where the level of support does not adversely impact on the delivery of the Council's own Local Development Scheme.
- 6.8 Support may include;
- Technical advice on process and procedures
  - Advice on potential scope of the Neighbourhood Plan and interrelationships with existing / emerging higher level policy
  - Interpretation of Borough planning policies
  - Interpretation of evidence base studies / information
  - Provision of housing development requirements
- 6.9 Where appropriate, the Council will consider an informal service level agreement with qualifying bodies to cover information sharing (both ways), procedural issues and intended timetables.
- 6.10 The preparation of a Neighbourhood Plan is the responsibility of the individual qualifying body, and as such the nature, timing and extent of the public engagement is outside the scope of this SCI. The following table sets out the key stages in the preparation of a Neighbourhood Plan, where regulations require the qualifying body to undertake consultation and the duties/roll of the Borough Council.

<b>Neighbourhood Development Plans and Orders</b>		
<b>Key Stages</b>	<b>Opportunities for engagement</b>	
	<b>Qualifying body</b>	<b>Halton Council</b>
<b><u>Stage 1: Designation of neighbourhood area (and if appropriate neighbourhood forum):</u></b>		
Qualifying body submits an application to the borough council to designate an area	Before submitting an application to designate the neighbourhood area the qualifying body may decide to consult with the local community about preparing a neighbourhood plan/ order.	<p>Where a <b>parish council</b> applies for the whole of a parish to be designated as a neighbourhood planning area and no existing designations/applications are in place the Council must designate the area, and will publicise the designation.</p> <p>Where another group applies for designation, the Council will formally publicise and consult on the application (minimum consultation period is 4 weeks) and will publish details in relation to the designation or refusal of a neighbourhood area</p> <ul style="list-style-type: none"> <li>• Write to specific, general and all other consultees who the council consider may have an interest.</li> <li>• Make documents available on the council's website, at the HDL offices and other locations as considered appropriate.</li> </ul>
<b><u>Stage 2: Preparing the Draft Neighbourhood Plan/Order</u></b>		
<ul style="list-style-type: none"> <li>• Develop vision, aims and objectives</li> <li>• Develop communications strategy</li> <li>• Gathering baseline information and evidence</li> <li>• Identify and assess options</li> <li>• Prepare draft Neighbourhood Plan/</li> </ul>	Qualifying body should undertake ongoing consultation and engagement with the community (those living, working, with an interest in or affected by proposals) and relevant consultees (such as infrastructure providers) as the neighbourhood plan/order is being developed.	

<p>Order and associated documents</p> <p>Ensure compliance with EU obligations If the plan is deemed likely to have significant environmental effects then Strategic Environmental Assessment will be required.</p>	<p>If it is determined that a Strategic Environmental Assessment (SEA) is required for the neighbourhood plan then the Parish Council / qualifying body will need to undertake the SEA.</p>	<p>The Council will carry out an initial screening which lasts for five weeks and involves consulting the statutory consultees.</p>
<p><b><u>Stage 3: Pre-submission publicity and consultation</u></b></p>		
<ul style="list-style-type: none"> <li>• Formal consultation stage</li> <li>• After consultation, the qualifying body will consider representations received and amend neighbourhood plan as appropriate</li> <li>• Consultation statement is prepared which details the consultation undertaken, the responses received and any changes as a result.</li> <li>• The Borough Council will continue to provide informal advice and support.</li> </ul>	<ul style="list-style-type: none"> <li>• Qualifying body will formally publicise the draft neighbourhood plan or order and invite representations.</li> <li>• Consultation bodies (outlined in the Neighbourhood Planning Regulations<sup>13</sup> (Sch1) also need to be consulted.</li> </ul>	<p>The Council may make formal representations in response to consultation</p>
<p><b><u>Stage 4: Submission of Neighbourhood Plan/Order to Borough Council:</u></b></p>		
<p>Submission Plan and supporting documents submitted to the council including basic conditions statement, SEA and consultation statement.</p>		<p>If the Council finds that the plan or order meets the legal requirements it will formally publicise and consult (for a minimum of 6 weeks) as follows:</p> <ul style="list-style-type: none"> <li>• Write to specific, general and all other consultees who</li> </ul>

<sup>13</sup> The Neighbourhood Planning (General) Regulations 2012 No. 637 SCHEDULE 1

		<p>the council consider may have an interest.</p> <ul style="list-style-type: none"> <li>• Make documents available on the council’s website, at Deposit Locations as considered appropriate along with any locations suggested by the Parish Council/qualifying body.</li> <li>• Use social media and local media/ press to raise awareness</li> <li>• Collate the representations made to send to the examiner.</li> </ul>
<p><b><u>Stage 5: Independent examination</u></b></p>		
<ul style="list-style-type: none"> <li>• Qualifying body submits plan, relevant documentation and representations to independent examiner.</li> <li>• Following examination, the examiner issues a recommendation to the council and qualifying body.</li> <li>• If the council is satisfied that the Plan/Order meets the basic conditions the neighbourhood plan proceeds to referendum, working with the parish/town council/forum in light of any changes required by the examiner.</li> <li>• If the council doesn’t think the basic conditions have been</li> </ul>		<p>The Council will;</p> <ul style="list-style-type: none"> <li>• Write to specific, general and all other consultees who the council consider may have an interest informing them that the examiner’s report has been published.</li> <li>• Publish the examiner’s report on the council's website</li> </ul>

<p>met, they will work with the qualifying body to determine the way forward.</p>		
<p><b><u>Stage 6 : Referendum plan/order</u></b></p>		
<p>Referendum version of the neighbourhood plan/ order made available by the council along with associated documents including information statement, examiners report, decision statement and general information document.</p> <ul style="list-style-type: none"> <li>• Results declared after polling has taken place</li> <li>• If there is a positive referendum result the Neighbourhood Plan becomes part of the Development Plan immediately.</li> </ul>	<p>Qualifying body can raise awareness of referendum through publication of <b><i>neutral promotional material</i></b>.</p>	<p>Council makes arrangements and publishes notice for the referendum setting out the relevant information and associated documents in line with legislative requirements. These documents will be made available on the council's website, council offices, local library and parish council office along with any locations suggested by the qualifying body.</p> <ul style="list-style-type: none"> <li>• A person is entitled to vote if at the time of the referendum, they meet the eligibility criteria to vote in a local election for the area and if they live in the referendum area.</li> <li>• Council declares result of referendum on website and via social media.</li> </ul>
<p><b><u>Stage 7: Making the neighbourhood plan/ order</u></b></p>		
<p>If more than 50% vote in favour, the Borough council 'makes' the plan via Council resolution.</p>		<p>The Council will;</p> <ul style="list-style-type: none"> <li>• Publish the Neighbourhood Plan, adoption statement and SEA adoption statement (where relevant) on the council's website, at the council offices and other locations as considered appropriate. A copy of the adoption statement will be sent to specific, general and all other consultees who the council consider may have an interest.</li> </ul>

<b><u>Stage 8: Monitoring and Review</u></b>		
<p>The Neighbourhood Plan sets out the period for which it has effect. Qualifying bodies in areas where policies in a made neighbourhood plan have become out of date may decide to update their plan, or part of it before the end of the plan period.</p>	<p>The process for the 'making' of a replacement plan/order is the same as the process for the making of the existing plan/order. A streamlined procedure for modification of a neighbourhood development plans/orders where the proposed modifications would materially affect the policies in the plan/order, but would not be as significant or substantial as to change the nature of the plan is also possible.</p>	<p>The Council will advise on the options, process and timing for reviewing neighbourhood plans.</p>



## PART D

### 7. Community Infrastructure Levy (CIL)

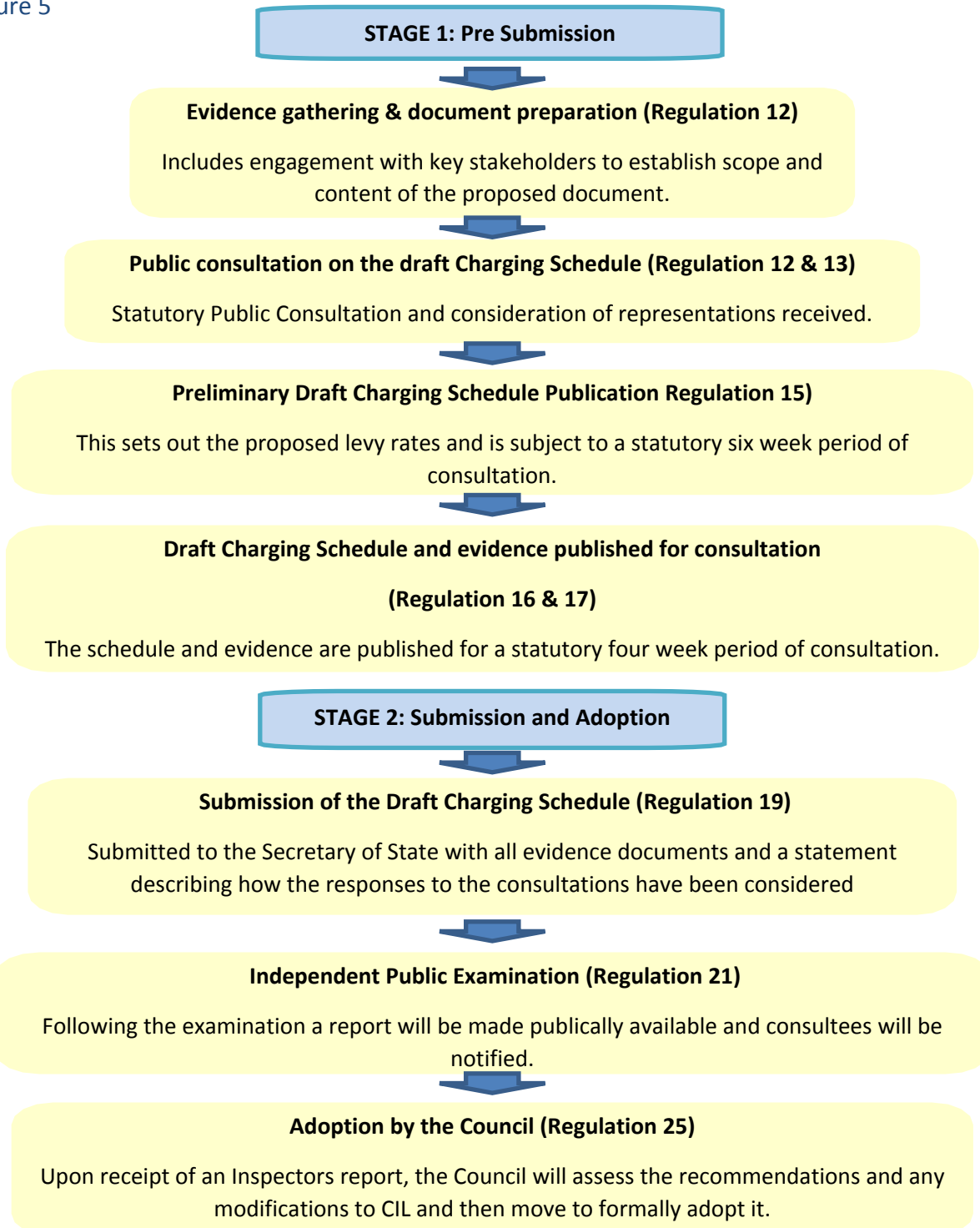
- 7.1 There are CIL Regulations<sup>14</sup> that prescribe the steps that need to be undertaken in the preparation of a CIL Charging schedule, as described in figure 5 below. The procedures for preparation, consultation, submission and examination are very similar to those for the preparation of Local Development Documents which collectively form Halton's Local Plan.
- 7.2 Initial preparation of a draft CIL involves engagement with key stakeholders to establish the scope and content of the CIL. The Council will prepare a preliminary draft and this will then be consulted on for a period of 6 weeks. Following this, the Council will consider the representations received and prepare a Draft Charging Schedule. This is then consulted upon for a further statutory six week period
- 7.3 If there are any modifications following consultation on the Draft, there will be another consultation for at least 4 weeks.
- 7.4 Following the consultation period, the Draft Charging Schedule will be submitted to the Secretary of State together with all supporting evidence documents and a statement setting out how the council have considered representations received following each consultation stage, This statement will clearly explain how the responses have been considered by the Council, and how or if the schedule has been amended as a result.
- 7.5 An independent examination of the CIL by a Government appointed Inspector, will be arranged. Members of the public, stakeholders and the Council are able to attend. The purpose of the Examination is to consider the "soundness" of the Community Infrastructure Levy and whether it meets the legal requirements as set out in the relevant legislation and regulations. The conduct of the Examination is usually hearing sessions whereby representors can present their comments orally to the inspector during the sessions. The Examination may, however, be wholly by written representations; this will be determined by the Inspector. During the Examination the Inspector may pose additional questions to the Council and other representors to help his/her understanding of the issues. These questions and the responses given will be made publically available, usually on the Council's website. The Examination may result in modifications being required in order to make CIL 'sound'. If these modifications are deemed to be significant 'material changes' to the schedule then the Inspector may advise that the Council undertakes a further round of public consultation on these changes. This consultation will usually be for six weeks.
- 7.6 Following the Examination, the Inspector will prepare a report on the CIL and make recommendations and or modifications which are required before CIL can be adopted. This report will be made publically available and consultees will be notified.

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<sup>14</sup> CLG (2010) The Community Infrastructure Levy Regulations (as amended)

- 7.7 Upon receipt of an Inspectors report, the Council will assess the recommendations and any modifications to CIL and then move to formally adopt it. The Council will produce and Adoption Statement, advertise that the Schedule has been adopted and make the document available for public inspection at the main Council Planning Offices and on the Council website.

Figure 5



## 8. Further Planning Advice

- 8.1 The Royal Town Planning Institute (RTPI) is helping to encourage public participation in planning issues by setting up a Planning Aid system in every region. The advice offered to community groups and individuals is complementary to the advice given by the local authority. Planning Aid England provides free, independent and professional planning advice to communities and individuals who cannot afford to pay professional fees:

Planning Aid England (PAE)

Tel: 020 7929 9494

([www.rtpi.org.uk/planning-aid](http://www.rtpi.org.uk/planning-aid))

- 8.2 The planning portal is a web based source of planning information. ([www.planningportal.gov.uk](http://www.planningportal.gov.uk)). The information provided allows members of the public to learn more about how the planning system works and find out how they can become involved. The planning portal provides comprehensive information for both planning policy and development control/development management.

## 9. Monitoring

- 9.1 The Council will maintain the LDF consultation database which will continue to be the main source to identify individual consultees for future consultation exercises. The Council will seek to work with partners and land owners to pursue delivery against the Vision and Strategic Objectives of the Sustainable Community Strategy and Core Strategy Development document within the LDF.

## 10. Availability of Consultation Material

- 10.1 All consultation material, supporting background and evidence base documents will be published on the Council website.
- 10.2 All consultation material will be made available in Halton Direct Link offices and in all Halton's libraries. The location and opening times of the Councils offices and libraries can be found online at: <http://www3.halton.gov.uk/educationandlearning/libraries/>

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted