

Confident Places Scrutiny Committee

This meeting may be recorded for subsequent broadcast on the Council's website. Should the meeting be recorded, the whole of the meeting will be eligible to be recorded, except where there are confidential or exempt items. This activity promotes democratic engagement in accordance with section 100A(9) of the Local Government Act 1972.

The cameras will focus on the proceedings of the meeting.

Time and date of Meeting: 6.00 pm, Wednesday 30 November 2022

Venue: Council Chamber - Town Hall, Library Street, Wigan, WN1 1YN

Agenda

- 1 **Apologies for absence:** Members are requested to advise the Democratic Services Officer of any apologies for this meeting.
- 2 **Minutes:** The minutes of the meeting held on 19 October 2022 are attached.
(Pages 5 - 8)
- 3 **Urgent Business (if any):** To be accepted at the discretion of the Chairman of the meeting.
- 4 **Exclusion of the public:** The Committee is asked to consider whether by resolution to exclude the public from the meeting during consideration of the items of business marked with an 'E' reference (if any) because of the possibility of the disclosure of exempt information.
- 5 **Whipping Declarations:** Government guidance expected Members of Scrutiny Committees not to act in accordance with party whipping and that, if they did, they were to declare it.
- 6 **Declarations of interest:** Members are asked to declare any interests in the items under consideration and in doing so state:-

(1) the type of interest from the following:-

- (a) personal interest;
- (b) prejudicial interest; or

Contact: Kay East

Wigan Council, Democratic Services, Resources Directorate, Town Hall,

Library Street, Wigan WN1 1YN.

Phone: 01942 827113

E-mail: k.east@wigan.gov.uk

www.wigan.gov.uk

(c) disclosable pecuniary interest (DPI)

(2) the nature of the interest concerned.

A blank form for declaring interests has been circulated with the agenda. Please ensure that this is returned to the Democratic Services Officer at the end of the meeting. **(Pages 9 - 14)**

Open items:

- 7 Deal for Business:** Report of the Assistant Director, Skills and Enterprise attached. **(Pages 15 - 22)**
- 8 Climate Change Strategy - Annual Progress Report:** Report of the Director – Environment attached. **(Pages 23 - 60)**
- 9 Planning Enforcement:** Report of the Assistant Director – Planning and Regeneration attached. **(Pages 61 - 92)**

Register your right to vote at:- www.gov.uk/register-to-vote



Forthcoming Meetings

Wednesday 1 February 2023

Wednesday 22 March 2023



Agenda profile for a meeting of the Confident Places Scrutiny Committee

The purpose of the Confident Places Scrutiny Committee is to consider decisions, functions, projects, programmes and services relating to the corporate priority of Our Place, falling within the corresponding Cabinet portfolios, or managed by the Places Directorate.

Councillors

Labour	Conservatives	Independent Alliance
John O'Brien (Chairman) Barry Taylor (Vice Chairman) Michael Crosby Phyl Cullen George Davies Stephen Dawber Danny Fletcher Sam Flemming Lawrence Hunt Michael McLoughlin James Palmer Billy Rotherham	Judith Atherton	Jamie Hodgkinson James Watson

From:

Brendan Whitworth
Assistant Director – Legal (Monitoring Officer)
Agenda contact: Kay East
Phone: 01942 827113
E-Mail: k.east@wigan.gov.uk

This page is intentionally left blank

Confident Places Scrutiny Committee

6.00 pm, 19 October 2022

Present at the meeting

Councillor J O'Brien (Chairman)
Councillor B J Taylor (Vice-Chair)
Councillor M J Crosby
Councillor P Cullen
Councillor G Davies
Councillor S Dawber

Councillor D Fletcher
Councillor S Flemming
Councillor L Hunt
Councillor M McLoughlin
Councillor J Palmer

Officers in attendance

Paul Barton, Director - Environment
Andy Bond, Operational Manager
Alyssa Doran, Project Officer (Economy and Environment)
Kay East, Democratic Services Scrutiny Officer
David Proctor, Assistant Director - Planning and Regeneration
Leah Salmon, Project Officer

19 Apologies for absence:

Councillors Atherton, Hodgkinson, Rotherham and Watson.

20 Minutes:

The minutes of the meeting held on 24 August 2022 were approved as a correct record and signed by the Chairman.

21 Whipping Declarations:

Government Guidance expected Members of Scrutiny not to act in accordance with party whipping and that, if they did, they were to declare it.

Resolved: There were no declarations.

22 Growth Locations:

The Committee considered a report of the Director – Economy and Growth, Aidan Thatcher, presented by the Assistant Director – Planning and Regeneration, David Proctor, which provided an update on the strategic background to the Growth Locations identified across Greater Manchester (GM) and detailed how the Council was engaging with this project in respect of the Wigan and Bolton Growth. The report also set out the key projects in the borough that were being taken forward as part of the corridor.

Some of the key points that arose from the discussions were:

- concerns in relation to the development of the homes within the Galleries site and whether these would be Council owned properties or privately owned;
- the welcoming of plans to better connect the East and West side of the Borough;
- how much of the proposed development land was actually green belt land;
- the opposition to developing on green belt land;
- whether new road infrastructures would be developed to enable better connectivity;

Confident Places Scrutiny Committee (19.10.22)

- the need for parking standards for new housing developments to be managed and the need for these roads to have sufficient width; and
- the importance of bringing new employment developments/opportunities to the borough.

The Assistant Director informed the Committee that the new homes that were to be developed within the Galleries site were not being developed by the Council and that this would be a private enterprise. The developer however, would need to adhere to the relevant planning policies and have a minimum of 25% affordable properties as units. Retirement accommodation had also been included as part of the planning application for the Galleries scheme that had been approved.

The Assistant Director advised Members that the Growth Locations Strategy did not identify land for development, this would be identified though the Places for Everyone (PfE) Plan that was currently awaiting approval by Government Planning Inspectors, although the majority of the land that had been identified was brownfield and within the built-up area. The Assistant Director did not have the specific figures in relation to the amount of green belt that had been identified as land supply within the PfE, but would circulate this information to Members.

The Assistant Director informed Members that progress had already been made with the physical infrastructure to improve the connection between the East and West side of the Borough, and these included the A49 and M58 link roads. Other plans to improve the transport infrastructure for the corridor included: an east-west link road to connect junction 26 of the M6 with junction 5 of the M61; and creating a quality bus transit corridor between Wigan and Bolton town centres. A significant bid had also been submitted to the Department for Transport (DfT) for a connecting road between Westwood Park and Atherleigh Way, and the Council was currently awaiting the outcome of this bid.

Resolved: The Committee:

- (1) thanks the Assistant Director for the report;
- (2) requests that the percentage of green belt land that has been identified as land supply within the PfE be circulated to Members;
- (3) requests that an update on parking standards for new housing developments be shared with the Committee; and
- (4) endorses the Council's approach to engaging with the Greater Manchester Growth Locations agenda as set out within the report.

23 New Litter Prevention Strategy:

The Committee considered a report of the Director - Environment, Paul Barton, presented by the Operations Manager, Andrew Bond, which provided an update on the development of the Litter Prevention Strategy for the Borough. The Strategy had been developed in response to feedback from residents during the Big Listening Project, during which litter was identified as a priority issue and was incorporated into The Deal 2030.

Members ideas and suggestions were sought on the new draft litter prevention strategy and the associated plans, before they were formally approved at Cabinet on 24 November 2022.

Confident Places Scrutiny Committee (19.10.22)

Some of the key points that arose from the Committee's discussions were:

- the welcoming of the new Litter Strategy as a whole, including the bin review - in some area's street bins were sometimes full and it was hoped that the review would highlight this and enable larger bins to be located in these areas;
- dog fouling being an issue, with the suggestion that dog walkers be fined if they were not carrying a dog fouling bag;
- the need for more 'Keep Dogs under control' signage;
- whether more could be done with takeaway businesses to help improve the issue of litter, including asking them to add educational messages onto their packaging, asking their customers to dispose of their rubbish responsibly and to litter pick outside the vicinity of their premises;
- support for tougher enforcement and for the Council to issue fines when residents were caught littering, including dog fouling and fly tipping;
- the need for support to be available for the elderly/residents with no access to IT, to access the bulky waste collection service;
- the need for street bins in poor condition to be replaced across the borough;
- the appreciation for the fantastic work of the volunteers across the borough who litter picked and whether the Council could do more to recognise this and reward them;
- whether an award scheme could be set up for schools, volunteers and organisations who supported the Council in keeping the borough clean;
- issues with people littering from their vehicles and what could be done to prevent this from happening;
- education being a key element to help prevent littering;
- the processes for the deployment of CCTV cameras to hot spot areas;
- the welcoming and usefulness of the bin strategy when dealing with ward enquires;
- whether the Council would run the Christmas recycling campaign like in previous years; and
- end of tenancy fly tipping being a large problem and how the Council was dealing with this issue.

The Operational Manager informed the Committee that the Council was doing an audit and review of all its street litter bins and following that review, if it was established that a location required a larger street bin then the Council would consider replacing the one in situ with a larger bin. Once this review was completed, Members would be consulted on the decisions relating to the street bins within their ward.

The Operational Manager advised Members that the Council would strive to educate residents on the picking up of dog fouling, but would also pursue the enforcement route and issue fines. Members and residents should always advise the Council of any hot spot areas that they were aware of, as only identified areas could be targeted.

The Director informed Members that rewarding and recognising the excellent work carried out by the volunteers was a focal point of the new strategy. At the up and coming 'Our Town' Council awards, there had been a number of litter pickers nominated for an award and the Council would also be bringing back the Litter Hero award next year and would welcome Members to nominate people from their wards.

Confident Places Scrutiny Committee (19.10.22)

The Director reported that littering from vehicles was a large issue and there were strategies in place to deal with this, including using car dash cameras to catch perpetrators. In terms of the deployment of cameras, these were placed in locations from the intelligence received, and would be put in situ for three months at a time and then reviewed, with perpetrators then being taken to court and prosecuted, if necessary.

Resolved: The Committee:-

- (1) thanks the Operational Manager for his report;
- (2) endorses the New Litter Prevention Strategy, Fly Tipping Action Plan, Shopping Trolley Policy and Litter Bin Policy;
- (3) requests that the New Litter Prevention Strategy be circulated to all Members following its approval by Cabinet at its meeting on the 24 November 2022;
- (4) requests that a Members' Seminar be arranged on the new Litter Prevention Strategy; and
- (5) requests that Members' comments and suggestions be taken into consideration when taking the new strategy forward.

Chairman

The meeting concluded at 7.51 pm

Wigan Council
Declaration of Interest Statement



To: Kay East
 Resources Directorate

From Councillor _____
 (Block Capitals Please)

I intend to declare the interest(s) indicated below at the meeting of the **Confident Places Scrutiny Committee** to be held on

.....

Agenda Item Number	Type of Interest - PERSONAL AND NON PREJUDICIAL Reason for declaration of interest	Type of Interest – PREJUDICIAL Reason for declaration of interest	Type of Interest – DISCLOSABLE PECUNIARY INTEREST Reason for declaration of interest
Page 9			

Signed.....

Date.....

Advice from the Head of Service, Legal and Risk in relation to declaration of interests

Disclosable Pecuniary Interests (“DPIs”)

Under the Localism Act, DPIs are broadly similar to what are referred to as “Prejudicial Interests” in the Current Code. A principal difference between DPIs and Prejudicial Interests however, is that if a Member fails to take appropriate action in relation to a DPI, then Section 34 of the Localism Act provides that such failure may constitute a criminal offence, which on conviction may lead to a fine of up to £5,000 and/or disqualification from office for a period of up to 5 years.

Definition of Disclosable Pecuniary Interests

Section 30(3) of the Localism Act defines DPIs as being an interest of a description specified by the DPI Regulations which is either:

- (a) an interest of a Council member (“the Member”), or
- (b) an interest of:
 - (i) the Member’s spouse or civil partner,
 - (ii) a person with whom the Member is living as husband and wife, or
 - (iii) a person with whom the Member is living as if they were civil partners, where the Member is aware that the other person has the interest.

The attached table from the Code describes those interests of Members and their partners which constitute DPIs (e.g. “any employment, office, trade, profession or vocation carried on for profit or gain”). The Code advises Members of their statutory obligation under the Localism Act to notify the Council’s Monitoring Officer of any DPIs within 28 days of becoming a Member. The Code also advises Members of their statutory obligation under the Localism Act in relation to non-participation where a Member is present at a meeting where they have a DPI in any matter that is being considered and that a failure to comply with the requirements of the Code in relation to DPIs may constitute a criminal offence.

Subject	Description
Employment, office, trade, profession or vocation Sponsorship	Any employment, office, trade, profession or vocation carried on for profit or gain Any payment or provision of any other financial benefit (other than from the Council) made or provided within the 12 month period prior to notification of the interest in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation Act) 1992 (a).

Contracts	<p>Any contract which is made between you or your partner (or a body in which you or your partner has a beneficial interest) and the Council -</p> <p>(a) under which goods or services are to be provided or works are to be executed: and</p> <p>(b) which has not been fully discharged.</p>
Land	<p>Any beneficial interest in land which is within the area of Wigan Borough Council.</p>
Licences	<p>Any licence (alone or jointly with others) to occupy land in the area of Wigan Borough Council for a month or longer.</p>
Corporate Tenancies	<p>Any tenancy where (to your knowledge) -</p> <p>(a) the landlord is the Council: and</p> <p>(b) the tenant is a body in which you or your partner has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where -</p> <p>(a) that body (to your knowledge) has a place of business or land in the area of Wigan Borough Council; and</p> <p>(b) either -</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you or your partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

Personal Interests other than DPIs

The Localism Act provides that the Council's Code must include such provisions as the Council "considers appropriate" in respect of the registration in the Council's Register of Member's Interests of: -

- (a) pecuniary interests, and
- (b) interests other than pecuniary interests.

The Localism Act also provides that, subject to the specific provisions of the Localism Act in relation to the requirement for the Register of Member's Interests to record DPIs, it is for the Council to determine what is to be entered in its Register of Member's Interests.

Notification of Personal Interests

The Code requires Members (in addition to notifying the Monitoring Officer of any DPIs in accordance with the requirements of the Localism Act and the Code), to notify the Monitoring Officer of any "Personal Interests" as defined at Part 3 of the Code.

However, it should be noted that the Code only requires a Member to register in the Register of Member's Interests if he/she is in "a position of general control or management" of any body:

- (a) exercising functions of a public nature;
- (b) directed to charitable purposes; or
- (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union).

Disclosure of Personal Interests

The Code provides that where a Member has a Personal Interest (as defined by Part 3, paragraph 11.2 of the Code or Part 3, paragraph 12.2 of the Code) in any Council business, and he/she attends a Council meeting at which the business is considered, the Member concerned must disclose to that meeting the existence and nature of his/her Personal Interest as soon as the Personal Interest becomes apparent. As in the Current Code a Member must disclose a "Personal Interest" in any Council business where:

"a decision in relation to that business might reasonably be regarded affecting your well-being or financial position or the well-being or financial position or the well-being or financial position of a *relevant person* to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral ward, affected by the decision"

The definition of "*relevant person*" is wider than "partner" and includes the Member's wider family and close friends whose interests are not DPIs. Therefore, where a Member of the Council's Planning Committee becomes aware that a decision in relation to a planning application involves a "*relevant person*" (such as a child or close friend of the Member), the Code will require the Member to disclose this as a "Personal Interest" to the meeting, even though it does not constitute a DPI that must be disclosed under the Localism Act.

Non-participation in the case of Prejudicial Interests

As in the Current Code, where a Member has a “Personal Interest” in any Council business, then the Member will also have a “Prejudicial Interest” in that business where:

“the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest and where that business –

- (a) affects your financial position or the financial position of a *relevant person*; or
- (b) relates to the determining of any approval, consent, licence, permission or registration in relation to you or any *relevant person*.”

Where a Member has a Prejudicial Interest, then the Code provides that (subject to a number of specific exceptions), the Member must:-

- (a) Not participate in any discussion of the matter at the meeting;
- (b) Not participate in any vote taken on the matter at the meeting;
- (c) Disclose the Prejudicial Interest to the meeting (if it is not registered in the Register of Member’s Interests); and
- (d) Notify the Council’s Monitoring Officer of the Prejudicial Interest within 28 days (if it not if it is not registered in the Register of Member’s Interests and is not the subject of a pending notification).

As always, if any Member requires advice prior to the meeting regarding whether there is a need to declare an interest then please contact Kay East, Democratic Services Scrutiny Officer on 01942 827113.

This page is intentionally left blank

This is an open report

Report to: Confident Places Scrutiny Committee

Date of Meeting(s): Wednesday, 30 November 2022

Subject: Deal for Business

Report of: Claire Burnham, Assistant Director, Skills and Enterprise

Contact Officer: Tricia Evans, Service Manager 01942 489178

Cabinet Portfolio Holder and area: Councillor Molyneux, Executive Leader and Portfolio Holder for Economic Development

Summary:

The report provides an update to Members of the Confident Places Scrutiny Committee on the refreshed Deal for Business which was launched in December 2021. It provides information on the collaborative approach taken with the Business Consortium, the key learning points and seeks member input and feedback on how we can potentially expand the reach of the scheme and explore areas for potential improvement.

Link to Corporate Priorities:

Our People: Together we feel happy, safe, included and look out for each other:

- Communities that care for each other

Our Place: Together we are proud of our towns and look after our environment:

- Vibrant town centres for all

Our Future: Together we will build a future where everyone has the opportunity to thrive:

- Economic growth that benefits everyone

Wards Affected: All

Recommendation(s): That Confident Places Scrutiny Committee comments on The Deal for Business, how the initiative could be potentially expanded and any potential areas for improvement.

Implications:

What are the financial implications?

There are no financial implications to this initiative. The work carried out this year has not incurred cost and has been conducted within normal officer duties.

Is budget release necessary (Capital Expenditure Only)? No

What are the legal implications? There are no legal implications

What are the staffing implications? There are no staffing implications. Work related to the Deal for Business is carried out within normal officer duties.

Equality and Diversity Impact Assessment attached or not required because (please give reason). If not required, then a relevance check needs to be completed.

A full Equality and Diversity Impact Assessment is not required as vulnerable groups are not negatively impacted. However, in raising awareness of the Deal for Business officers work with a range of stakeholders, partners, social enterprises and community groups to ensure that all businesses or self employed individuals are aware of the initiative and the benefits.

What are the property implications in terms of reduction, addition or change to the council's asset base or its occupation? There are no property implications

What are the Corporate Parenting Implications?

There are potential employment or self-employment opportunities for care leavers through the Deal for Business. All businesses are encouraged to recruit locally and to consider the widest possible potential labour force with relevant support put in place for both the employer and individual.

Risks:

Despite the initial success of the initiative there are risks associated with businesses currently involved disengaging by perceiving little or no added value or due to the increasing challenges currently facing businesses. This will be monitored through regular engagement and officers will seek to encourage businesses to remain as participants to ensure they receive all relevant guidance and support to sustain and grow their business. There are also risks associated with being unable to recruit further businesses to register for the initiative therefore limiting the impact to stimulate economic growth that benefits everyone. Work will be ongoing to raise awareness of the Deal for Business through events, business engagement and social media/PR to increase participating businesses.

Sustainability/Environmental implications:

The purpose of the Deal for Business is to support the Deal 2030 objectives to stimulate inclusive economic growth that benefits all and to meet the ambitions of the Climate Change strategy. This is achieved through encouraging local supply chain networks between businesses in the borough, recruiting locally and asking businesses to consider how they are impacting on the climate and what support they need to reduce this impact.

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution?

Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget?

Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council?

No

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s):

An alternative option is to cease encouraging businesses to register for the Deal for Business. However, this would negatively impact on the achievements to date and limit the council's ability to stimulate inclusive economic growth and associated employment opportunities particularly at this challenging time for businesses and residents.

List of Background Papers under Section 100D of the Local Government Act 1972:

There are no background papers for this report.

Directorate Sign-off:	Clare Burnham
Date:	21/11/22

Please list any appendices:

Appendix number or letter	Description

1 Background:

- 1.1 In early 2021, a Business Consortium was established to focus on the borough's long-term recovery and achieving inclusive economic growth, post COVID-19. The consortium explores how all components of the local economy can adapt and build resilience through the principles of Community Wealth Building and working collaboratively across private, public and VCSE sectors.
- 1.2 One area that was quickly identified for collaboration was the existing Deal for Business. Originally created in 2015 and refreshed in 2018, the Deal for Business aimed to secure commitment from local businesses to invest in their business and stimulate the local economy through the Your Part/Our Part principles. However, working with the Business Consortium the main observations from the business community were that businesses did not perceive the added value of The Deal for Business and the tangible benefits of participating were not clear. A motion was put forward to work collaboratively to refresh The Deal for Business and this was re-launched in December 2021.
- 1.3 This report sets out further details on the context, rationale and performance to date of the refreshed Deal for Business as we approach the first anniversary of the re-launch.

2. Context

- 2.1 Our ten-year strategy for the borough, The Deal 2030, sets out the ambition for economic growth that benefits everyone including creating a thriving economy which attracts business and increases local entrepreneurs.
- 2.2 Additionally, through the economic vision (We are Wigan), consideration is given to how the council can create a supportive environment for existing businesses and encourage entrepreneurs to drive growth and significantly improve performance against key economic indicators.
- 2.3 Our Community Wealth Building aspirations build on both of these strategies by applying principles that stimulate inclusive economic growth.
- 2.4 Wigan Council has worked collaboratively with the Business Consortium to co-design the refresh of the Deal for Business so that it reflects and meets business needs, is accessible to all businesses in the borough and provides clear value and benefits.
- 2.5 To address this, the collaborative group has co-designed the refreshed Deal for Business to be a structured approach which:
 - enables businesses of all sizes to reflect where they need to focus/improve
 - signposts to practical support and assistance
 - provides an ongoing point of engagement

- connects the business to their local community
- recognises achievement through a tiering structure
- enables promotion of the business
- encourages sustainable, inclusive local economic growth

2.6 To support this, the Your Part/Our Part of the previous Deal for Business was reviewed and now includes more detail to ensure businesses understand the commitment both from themselves and the council and therefore the benefits to being part of The Deal. The language used is clear, simple and does not use public sector speak.

3. New process

3.1 At the core of the new Deal for Business is a membership structure which reflects the commitment and achievement of the business to inclusive economic growth. The Business Consortium felt this was a tangible benefit to the new process and one that would encourage businesses that have not previously engaged with the council to participate. The membership levels are bronze, silver and gold.

3.2 On initial signing, a company achieves bronze membership. The business is then asked to complete an online self-assessment form designed to explore achievements or commitments to a range of key local issues including:

- Recruitment (local residents, apprentices, long term unemployed, people with disabilities)
- Training
- Supporting the local supply chain
- Sustainability
- Giving back to their local community
- Supporting other local businesses
- Participation in other local schemes and initiatives

3.3 The responses are scored and weighted to determine if the business remains as a bronze member or achieves silver or gold. The scoring matrix has been designed to consider size and age of business so that micro businesses and SMEs are not restricted from achieving silver or gold status.

3.4 The responses to the self-assessment form also provides the ability to gain a greater understanding of our business base, enables the council to identify opportunities for businesses and any support that can be developed to help with challenges that they may face. This will inform the council in terms of policy and initiative development and engagement with current and future partners for delivery.

3.5 The new process allows for a yearly review with the business to track progress. Although engagement with the business will be ongoing, the yearly review enables recognition of progress, renewal of the existing membership or award of the next membership level, if achieved.

- 3.6 A strong message from the Business Consortium was the use of the Deal for Business to promote not only the initiative but also local businesses by raising their profile and encourage collaboration. A number of mechanisms have been developed in conjunction with the Business Consortium to achieve this including an online directory and social media/video content.

4. Performance

- 4.1 1,100 businesses signed the original Deal for Business. However, the level of engagement was varied and on review some businesses were no longer trading. Since the re-launch in December 2021, 300 businesses have signed the new Deal for Business with 170 of these being completely new registrations. This demonstrates that the refreshed Deal for Business is achieving the aim to engage with new businesses.

- 4.2 Fifty eight percent (174 businesses) of the 300 registrations have completed the online self-assessment form. Within this the following memberships have been achieved:

Gold level - 5 businesses

Silver level - 109 businesses

Bronze level - 60 businesses

- 4.3 Follow up engagement is being made with the remaining 126 businesses to encourage completion of the self-assessment forms. It is encouraging to see so many businesses achieving the silver membership level.

- 4.4 The re-launched Deal for Business is also enabling officers to have a different conversation with businesses and explore community wealth building opportunities. Positive examples are already coming forward including:

- Silver member Interact is located in Trencherfield Mill employing over 300 staff, mainly young people under 30 in their call centre operation. Officers worked with Interact to develop a comprehensive health and wellbeing offer for their staff. This included financial advice through Unify Credit Union and arranging a partnership with a local caterer, Red Pepper Bistro, to supply healthy food options. Red Pepper Bistro had significant financial difficulties through the pandemic and this new partnership has benefitted the business in its recovery.
- Stephenson's, is a solicitors firm located in Wigan Investment Centre employing 250 staff. Stephenson's is one of the 5 organisations to achieve gold membership reflecting their level of commitment. Stephenson's has invited the council's fostering team into their workplace to raise awareness of fostering amongst their employees.
- DMR Training is located in Leigh and has achieved silver membership. Through the positive relationship with this business officers engaged

with the owner to potentially assist Barclays Bank retain a presence within Leigh town centre following the closure of their high street branch. Barclays now operate from premises owned by DMR Training on selected days within the week to enable customers to speak in person to Barclays staff.

- As part of their social value commitment bronze member Design Plumbing Services/Homes by Design located in Winstanley wanted to explore if they could gift houses in their portfolio to support the crisis intervention team. Officers brokered an introduction and the crisis intervention team report that the relationship is progressing well.

5. Future Direction

- 5.1 Work will continue to increase the number of businesses in the borough that are signed up to the refreshed Deal for Business to encourage regular engagement.
- 5.2 Additionally, as we have reached twelve months since the first registrations, the process of the annual reviews will commence. It will provide the opportunity to ensure that the Deal for Business processes are working as expected and to identify businesses that have progressed with their membership level.
- 5.3 With our continued support we would like to see more businesses progress into Gold membership level. Whilst the current economic situation may make this more challenging our focus will be to support businesses to increase their scores demonstrating continuous alignment with the values as set out in the refreshed Your Part / Our Part benefitting not only the business through increased resilience and growth, but the employees, residents, local economy and the environment.

6. Conclusions

- 6.1 The collaborative partnership with the Business Consortium has stimulated a conversation on how stakeholders across the borough can support our local economy to build resilience and achieve inclusive, sustainable economic growth.
- 6.2 Through this, the development of the refreshed Deal for Business is a practical initiative that has been co-designed with businesses to encourage wider business engagement and support underpinned by community wealth building principles.
- 6.3 Businesses have welcomed the structured approach and see clear value and benefits from the self-assessment form, promotion/collaboration opportunities, regular engagement and a different approach to how they can give back to their community. This is reflected in the number of registrations and the percentage of new businesses that have signed up for the first time.

- 6.4 The introduction of a membership tiering structure has resonated well with local businesses and there is a real sense of achievement and pride amongst those businesses that have achieved silver or gold membership levels.
- 6.5 The refreshed Deal for Business will be a key initiative to support and guide our business base through the increasing economic and social challenges facing our local businesses and communities.

This is an open report

Report to: Confident Places Scrutiny Committee

Date of Meeting(s): Wednesday, 30 November 2022

Subject: Annual Progress Report on the Climate Crisis

Report of: Paul Barton, Director - Environment

Contact Officer: Kerrell Boardman, Climate Change Manager (01942 489290)

Cabinet Portfolio Holder and area: Portfolio Holder for Planning, Transport and Environmental Services, Councillor Paul Prescott

Summary:

The purpose of the report is to provide the second update on action on the climate crisis. The report includes sections on the updates of each climate action theme, as well as an update on Wigan Council emissions for 2021/22 and Wigan Borough emissions for 2020 (this information is provided by the Department of Business, Energy & Industrial Strategy and is backdated every 2 years). The report also includes a look ahead to priority actions on climate for the next 12 months.

Link to Corporate Priorities:

Our People: Together we feel happy, safe, included and look out for each other:

- Best start in life for children and young people
- Happy healthy people
- Communities that care for each other

Our Place: Together we are proud of our towns and look after our environment:

- Vibrant town centres for all
- An environment to be proud of
- Embracing Culture, Sport and Heritage

Our Future: Together we will build a future where everyone has the opportunity to thrive:

- Economic growth that benefits everyone
- A well-connected place
- Confidently digital
- A home for all

Wards Affected: All

Recommendation(s):

The Confident Places Scrutiny Committee is asked to:

1. endorse and comment on the second Annual Progress Report on the Climate Crisis;
2. review and comment on the proposed priority actions on climate for the 2022/23 period; and
3. review and comment on the supporting presentation

Implications:

What are the financial implications?

As the nature of the report is monitoring progress, there are no financial implications to the development of the report itself.

Is budget release necessary (Capital Expenditure Only)?

Capital expenditure is currently utilised for net zero related projects including walking and cycling and decarbonisation.

What are the legal implications?

The Climate Change Act 2008 commits the UK government to reducing domestic greenhouse gas emissions by a set date. In June 2019, the Act was updated based on more accurate climate projections, therefore the UK Government increased the UK's legislated target for greenhouse gas emissions reductions from at least 80% to at least 100% lower than the 1990 baseline by 2050. In April 2021, it was decided by Government that the UK would enshrine a new target into law; that being to cut national emissions by 78% by 2035. As the national target is legally binding, central government will soon begin to apply pressure to public and private sectors through regulation, legislation and possible carbon taxes to deliver on climate commitments.

With regards to air quality, the European Union Air Quality Directive 2008/50/EC has been transposed into English law as the Air Quality Regulations 2010.

What are the staffing implications?

Not applicable

Equality and Diversity Impact Assessment attached or not required because (please give reason). If not required, then a relevance check needs to be completed.

As this report is an Annual Progress update, with no decisions to be taken, an impact assessment is not required.

What are the property implications in terms of reduction, addition or change to the council's asset base or its occupation?

None

What are the Corporate Parenting Implications?

None

Risks:

The changing climate will impact all on Earth, and the extent of this impact locally depends on the action taken now. Climate change disproportionately impacts the most disadvantaged and vulnerable residents and communities; therefore, the Annual Progress Report on the Climate Crisis supports the Council's overall Outline Climate Change Strategy.

As the Council has publicly declared a Climate Emergency in July 2019, there is a very high reputational risk to the Council if we fail to act now on climate change. The report mitigates this risk and provides confidence and support to residents and communities that Wigan Council are taking a leadership role on this global threat and reporting on Council and borough wide greenhouse gas emissions.

Sustainability/Environmental implications:

The Annual Progress Report on the Climate Crisis will support the overall monitoring and quantifying of the Council's actions to tackle the climate emergency. This will also support the mitigation and adaptation to climate change, as well as supporting the delivery of a cleaner, greener Wigan Borough.

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution?

Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget?

Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council?

No

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s):

As Wigan Council approved and declared a Climate Emergency motion during the July 2019 Full Council, we are now required to act on this motion to ensure we deliver on our commitment to become a Net Zero Council by 2038 or sooner, bringing the borough along on the journey. As part of this commitment, within our Outline Climate Change Strategy, a requirement was to provide an Annual Progress Report on the Climate Crisis.

There are no alternative options to tackle the climate emergency, we must mitigate emissions and adapt to a changing climate.

There are no background papers for this report.

Directorate Sign-off:	Paul Barton
Date:	11 November 2022

Please list any appendices:

Appendix number or letter	Description
A	Annual Progress Report on the Climate Crisis 2021-22

1. Background

- 1.1. Wigan Council declared a Climate Emergency on 17th July 2019. In response to this declaration, an Outline Climate Change Strategy was adopted by Cabinet in October 2020. The strategy requires an annual progress report to be created every year from 2021 to at least 2038, to ensure progress on climate action is monitored and effectively managed.
- 1.2. This is the 2nd Annual Progress Report on the Climate Crisis and details progress attained on the priority actions through 2020-21, identifies progress across the 6 climate action themes and looks ahead to priority actions for 2022-23.
- 1.3. It should be noted that the Committee has now scrutinised all six climate action plans.

2. Section 1 & 2: Progress on the Climate Crisis

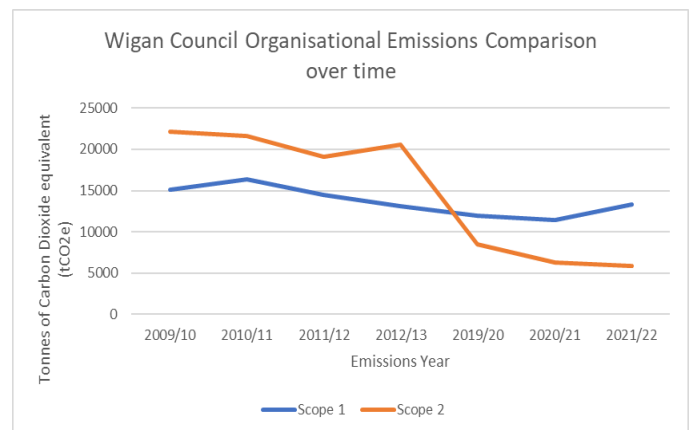
- 2.1. The introductory sections of the report comment on the progress on climate action across Wigan borough after emerging from prioritising the response to the COVID-19 pandemic. Climate action is now becoming embedded into Council operations and strategy and has been built into the newly emerging Litter Strategy, Wigan Local Plan, Asset Management Strategy and the Be Wigan Experience.
- 2.2. Example of progress on priorities set out in the first Annual Progress Report include:
 - Delivery of the first digital Go Green week engagement campaign
 - Creation of a Climate Awareness Training course for all staff and elected members, to be rolled out by the Climate Response Team who have been trained as carbon literacy trainers
 - Development of a sustainable business infrastructure across the borough
 - Collaboration with Wigan & Leigh Youth Cabinet to deliver the first Wigan Youth Climate Summit, a fully youth-led experience for schools and colleges across the borough
 - Launched the first workshop for the Wigan Climate Coalition
- 2.3. Examples of progress on our six climate action themes include:
 - **Our Resilience & Adaptation** – deployment of 50 highway gullies and sensors across the borough to monitor silt build up and therefore flooding. Collaboration with the Environment Agency and United Utilities on high-risk flood hotspots. Deployed critical weather scenario training for key frontline staff.
 - **Our Air Quality & Transport** – created a dedicated Electric Vehicle Charging Infrastructure working group focussing on the creation of a strategy for the borough and reviewing various infrastructure options. Working to create the Borough's first active neighbourhood in Worsley Mesnes.
 - **Our Natural Environment** – over 70,000 trees have been planted and 17,000 hectares of species-rich grassland created resulting in increased biodiversity, flood prevention, habitat creation and the take up and storage of carbon dioxide.
 - **Our Built Environment** – completed decarbonisation measures worth £5.7m on 5 council owned buildings including Leigh Sports Village, Turnpike and Howe Bridge Leisure Centre. The Wigan Local Area Energy Plan has been created, setting out steps to decarbonise the borough's energy.
 - **Our Sustainability & Consumption** – upgraded 79% of our fleet vehicles to Euro-6 compliant engines. Local Kitchen has begun work on its Carbon

Reduction Plan, aiming to become a carbon neutral caterer. The recycling rate for Wigan borough in 2021/22 was 53%.

- **Our Communities & Wellbeing** – working with the private rented sector, engagement to ensure properties that are poorly efficiency aim to meet higher energy efficiency standards, has resulted in supporting those in fuel poverty, as well as reducing carbon emissions. Eco craft days have been held throughout the year across our libraries within the borough, to engage families on fun ways to connect with climate change

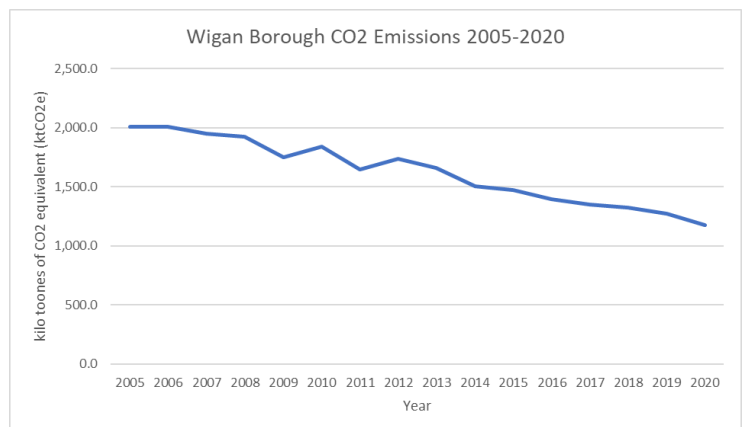
3. Section 3: Greenhouse Gas Emissions monitoring

3.1. Wigan Council reports on its organisational emissions through three different scopes; Scope 1 includes all gas used in corporate buildings, and all fuel used in fleet vehicles. Scope 2 includes the purchased electricity used in corporate buildings and streetlighting. Scope 3 emissions include purchased goods and services, business travel, employee commuting and homeworking etc. Only scope 1 and 2 emissions are comparable to previous years due to the additional data included each year for scope 3 emissions.



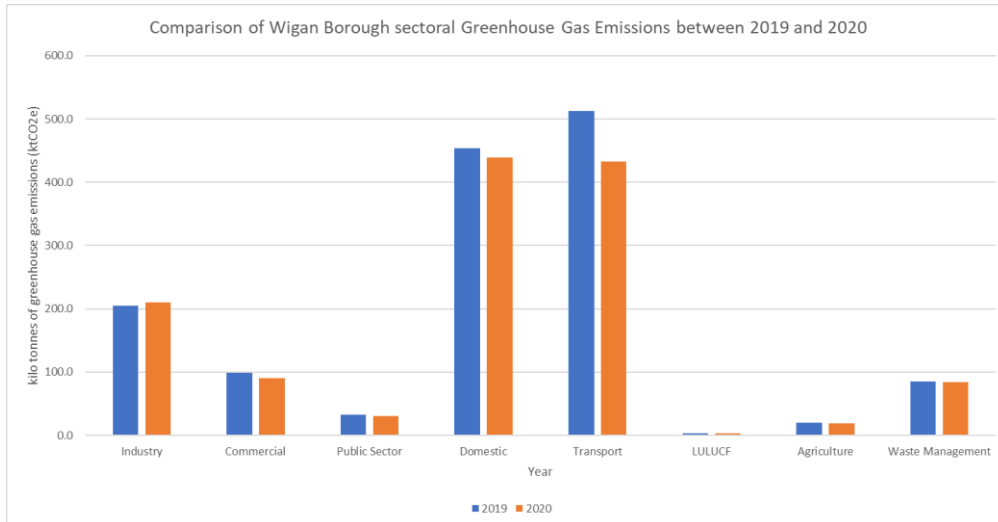
3.2. Although we have seen a reduction in scope 1 and 2 emissions from 2009, this is largely due to changes in the national power mix with a shift away from a reliance on coal, to cleaner forms of energy. Approximately 84% of the Council’s emissions come from our supply chain, including all purchased goods and services. In order to target Net Zero measures, we have to engage much more strongly in how the Council procures goods and services and ensure that this is a sustainable process.

3.3. Wigan borough emissions are monitored through annual data released by the Department of Business, Energy & Industrial Strategy each year. In 2022 we received the data from the first year of the pandemic in 2020, as the national datasets are so large it takes almost 2 years to apportion this down to the local level. So in 2023, we will receive the data for 2021. In 2020, Wigan borough’s emissions reduced by 7.7% and have decreased for the 8th year in a row from 2012. However, a national reduction of 9% was observed due to the impacts of the pandemic and subsequent lockdowns, therefore Wigan borough’s emissions reductions fall short of the national average.



3.4. Observing the sectors across Wigan borough, the sector with the biggest reduction in emissions was transport, due to fewer people utilising vehicles throughout 2020. This is significant as the transport sector is the only sector to have remained stagnant in

previous years, with no real reductions. The transport sector is also responsible for the highest number of emissions within Wigan borough. Therefore the scale of the challenge highlights that there needs to be a shift away from private vehicle dominance on the roads, to more sustainable forms of transport, in order to reach Net Zero.



4. Section 4: Priority actions for 2022/23

4.1. Over the next 12 months, Wigan Council have a number of priority actions to focus on including examples such as:

- Develop a Net Zero science-based timeline to 2038, focussing on key organisational emissions reductions for the Council
- Further develop and facilitate the Wigan Climate Coalition, to bring as many partners as possible together across the borough, to take climate action
- Prioritise sustainable procurement and supply chain emissions
- Deliver Climate Awareness Training, aiming to achieve a target of 33% of the workforce to be Climate Aware
- Support the delivery of a Youth Climate Strategy for the borough
- Develop a climate change risk assessment to embed within all decision-making processes within the Council

Relevance Check

Budget Reduction/Service Area: Climate Response Team

Service Lead: Kerrell Boardman

Date: 11/11/2022



In what ways does this Budget reduction have an impact on an outward facing service? How will the service feel different to your customers or potential customers?

N/A

If not, how does it impact on staff e.g. redundancies, pay grades, working conditions? Why are you confident that these staff changes will not affect the service you provide?

N/A

Is a Customer Impact Assessment needed? No

**ANNUAL
PRGRESS
REPORT  ON
THE CLIMATE
CRISIS**

2021-2022

Contents

Section 1: Progress on the Climate Crisis.....	3
The Purpose of the Annual Report	3
Overview of our Climate Change Strategy.....	4
Strategic Progress in 2021/22.....	5
Section 2: Climate Change Progress	6
1. Progress on Priority Actions.....	6
2. Climate Action Themes Progress	7
Section 3: Greenhouse Gas Reporting.....	10
Wigan Council Emissions.....	10
1. Emissions Overview	10
2. Emissions Scopes	10
3. Data Collection and Methodology	11
4. Wigan Council 2021/22 Emissions Data	11
5. Historic Emissions Comparison	13
6. External Assurance and Carbon Offsetting.....	14
Wigan Borough Emissions.....	15
The Carbon Budget	18
Section 4: Priority Actions for 2021/22.....	19
Climate Governance and Accountability.....	20

Acronyms & Abbreviations

APSE	Association of Public Service Excellence
BEIS	Department for Business, Energy & Industrial Strategy
CDP-ICLEI	Carbon Disclose Project and Local Governments for Sustainability
CO ₂ / CO ₂ e	Carbon Dioxide / Carbon Dioxide equivalent
COVID-19	Coronavirus
DECC	Department for Energy & Climate Change (now BEIS)
DEFRA	Department for Environment, Food & Rural Affairs
GHG	Greenhouse Gas
GMCA	Greater Manchester Combined Authority
LULUCF	Land use, land use change and forestry
RAG	Red, Amber, Green – rating associated with project monitoring
tCO ₂ e	tonnes of Carbon Dioxide equivalent
T&D	Transmission and distribution
WTT	Well-to-tank

Section 1: Progress on the Climate Crisis

In the last few years, Covid-19 has affected every population in the world. This historic crisis, the first universal threat to human health, exposed and exacerbated economic inequalities, shrunk the scope of foreign policies, and multilateral cooperation suffered. It has dominated public life, with focus on the climate emergency pushed to the side. However, the climate crisis is another global challenge; one that is more complex and the impacts far greater.

We have learned much during Covid-19 and the resultant lockdowns: communities pulled together; societies have huge adaptive capacity; and radical economic and social adjustments can be made to support public health and the vulnerable. However, we also saw that lockdown-related falls in emissions were just a temporary blip – global emissions rebounded in 2021. In order to tackle the climate crisis, we need profound societal change, as well as transformation in industry, transport, energy, and land use.

The UK was centre stage in the renewed international efforts to make progress, hosting the Conference of Parties 26 (COP26) at Glasgow in November 2021, in which important progress was made in a number of areas. But it is still not enough. 2021-22 also saw the release of three important reports by the Intergovernmental Panel on Climate Change (IPCC), which covered the science of climate change, adaptation, and mitigation. Secretary-General of the United Nations, António Guterres, warned that,

“We are sleepwalking to climate catastrophe... In our globally connected world, no country and no corporation, can insulate itself [from the impacts of climate disasters].”¹

As we move on from the public health crisis of the pandemic, we find ourselves grappling with new crises: a cost-of-living crisis, an energy security crisis, and the global impact of Russia’s invasion of Ukraine. These are all issues that will likely be exacerbated by increasing temperatures: climate change is a multiple threat, interlinking with complex political, social, economic and demographic factors.

Here in Wigan borough, our pledge to reach Net Zero by 2038 and our Deal 2030 priorities go hand in hand. Doing our part to limit global heating is vital to ensuring we build a happy, thriving, and prosperous Wigan borough.

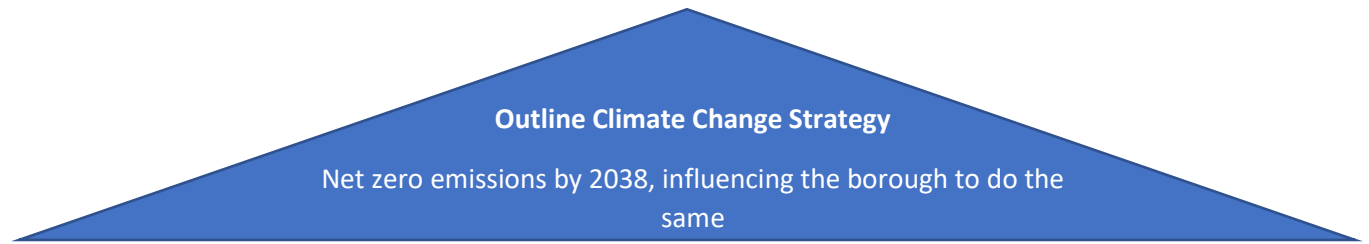
The Purpose of the Annual Report

This is Wigan Council’s second Annual Progress Report on the Climate Crisis. The first report detailed our progress since a Climate Emergency was declared in July 2019 and the Outline Climate Change Strategy being adopted by Cabinet in 2020.

This Annual Report will primarily focus on the development and progress of the six climate change action themes and their associated action plans. Actions are monitored by associated Working Groups throughout the year and progress is reported within the Annual Progress Report. This report also includes an overview of the annual greenhouse gas emissions of Wigan Council and the borough.

¹ Secretary-General's remarks to Economist Sustainability Summit

Overview of our Climate Change Strategy



Action Themes →



Description →

Provide robust actions and raise awareness of the importance and challenges surrounding the protection, preservation and management of the natural environment across Wigan Borough	Ensure emission mitigation is a priority across the Council's built environment, and raise awareness and understanding of built environment mitigation across the borough, including co-benefits	Raise awareness of adaptation and resilience to the impacts of climate change; identify groups and areas most vulnerable to the impacts of climate change such as risk of flooding, or extreme heat	Raise awareness of air quality among residents and communities, improve education in schools, and work towards a sustainable transport network to promote public transport and active travel	Reduce consumption and increase sustainability in fleet services and food systems; reduce waste and increase recycling; and deliver a long-term borough-wide education campaign on sustainability	The golden thread linking every action theme together through the necessary link of health, wellbeing and climate justice. The needs of future generations are also recognised and advocated for.
---	--	---	--	---	---

Enablers →

Governance – We review and enhance our governance by embedding climate-change responsibilities across the council, including at senior leadership level.
Decision-making – We take climate change into account in our decision-making processes; however, we are aware that stronger action is needed in this area and is a priority going forward.
Partnership – We will continue to jointly work and collaborate with other public, private and civic organisations, recognising that we can't do this alone.
Learning and Development – Our Outline Climate Change Strategy (OCCS) and Action Themes are designed to evolve as our societal knowledge and responses to the climate crisis develop. Changes and updates will be informed by scientific, technological, legislative, regulatory, and societal changes, as well as advances in our own knowledge and skills.
Education and Skills - We will ensure our staff have the appropriate training and skills to deliver our climate change strategy across the organization. We will also continue to raise awareness of the climate and ecological emergency among residents and communities.
The Deal 2030 – tackling the climate crisis, supports every single one of our corporate priorities and has the potential to exacerbate inequalities across Wigan borough if not prioritised.

Strategic Progress in 2021/22

Strategic progress on climate action within the council and Wigan borough was a key priority throughout 2021/22. This year we underwent a huge transition as we moved out of the acute phase of the pandemic, in which huge percentages of the workforce were redeployed to essential service provision, testing or vaccinations sites. We have now navigated how to get back to a “new normal” with new ways of working. During 2021, a dedicated Climate Response Team was created, with 4 staff working on strategy, engagement and communication, and dedicated to providing advice, education and support throughout the council, in order to reach our ambitious target of Net Zero by 2038, or sooner.

The OCCS is one of several ambitious plans for our borough, planning the urgent action required to meet our important priorities. Many of these strategies, including our corporate strategy The Deal 2030, were utilised to inform the local framework of climate action delivery. This year, we have begun to build climate action into some of the council’s wider plans for the future of the borough:

- Wigan Borough Litter Strategy (recently published)
- Wigan Local Plan Core Strategy (in development)
- Wigan Asset Management Strategy (in development)
- Internal Be Wigan Experience (in development)
- Specific Carbon Reduction Plans for pilot services (in development)

The OCCS outlined six key climate change action themes that represent areas of development and action that will focus our response to the climate crisis. The climate change action themes are outlined below, and the following pages provide an update on the development of each of the themes throughout 2021-2022.



Figure 1: Wigan Council Climate Change Action Themes

Section 2: Climate Change Progress

1. Progress on Priority Actions

In 2021 we set out 9 priority actions to guide us through the 2021/22 financial year. In line with these priority actions, we have:

- ✓ Delivered the first Go Green week, a digital climate engagement campaign to mark the United Nation's 26th Conference of the Parties (COP26), which was held in Glasgow in November 2021.
- ✓ Created a Climate Awareness Training session that we will be delivering in-house to upskill existing council staff across the organisation, with sustainable behaviours in and outside the workplace. We have also developed an e-learning module that will be used as part of the onboarding process for new staff.
- ✓ Focused on the development of a Green Economy within the borough. The Climate Response Team and Economic Development Teams have worked closely to build up relationships with businesses throughout the borough, and now have a number of businesses who started to transition towards a sustainable future and are supporting in the developmental ideas of a local, circular economy.
- ✓ Given a platform to youth-led climate action through collaborating with schools and colleges and launching the first Wigan Youth Climate Summit on behalf of Wigan & Leigh Youth Cabinet.
- ✓ Started the process of launching the Wigan Climate Coalition, which will connect local representatives and act as an independent voice on climate action within the borough, ensuring the transition towards Net Zero is fair and just for all residents, businesses and communities.
- ✓ Worked closely with the Council's Public Relations & Media team, to create an annual timetable of local, regional, national and international climate and environmental engagement events that reach people across the borough on social media and through our monthly climate change column in the Wigan Observer
- ✓ Worked alongside Lancashire Wildlife Trust to deliver on a range on environmental projects across the borough. The highlight of the year has been the creation of 'The Flashes of Wigan and Leigh' a new National Nature Reserve (NNR), which is a historic expanse of former coal mines that have been reclaimed by nature and now recognised for its national importance.

2. Climate Action Themes Progress

Our Resilience & Adaptation

- We have deployed around fifty highway gully and culvert sensors across the borough, which will allow us to monitor levels of silt build-up and water levels. The sensors are linked to local weather forecasts for the borough, so that we can act in advance of severe weather events and monitor high flood risk areas in real time.
- We are working with the Environment Agency and United Utilities on investing in the borough's known high-risk flood hot spots. We are also working with Greater Manchester Combined Authority to ensure cross boundary issues can be holistically managed at a regional level.
- We have conducted a condition survey of all of the Council's major drainage infrastructure and developed a minor works remedial works action plan; and a further, more detailed inspection programme will be developed.
- We have reviewed the Council's Winter Maintenance and Severe Weather Deployment Plans and deployed critical weather scenario training for key frontline staff from the Council's Civil Contingencies team. We have also reviewed staffing levels, to improve the resilience of the service to deal with the impacts of Covid-19 and multiple weather events occurring simultaneously.

Our Air Quality and Transport

- We have a dedicated working group focussing on our Electric Vehicle Charging Infrastructure strategy and are currently consulting with several providers to identify a variety of EV charging options across the borough, making sure that every area and community has access to the charging network. The strategy will be released in early 2023.
- As part of the Bee Network scheme with Transport for Greater Manchester, we are installing a range of cycle routes linking up Ashton, Standish and Wigan; and Leigh, Atherton and Tyldesley. A number of routes have been completed and used by hundreds of thousands of cyclists and walkers since early 2020, but our aspiration is to connect every ward across the borough, making active travel the easiest and most convenient option, and reducing traffic and air pollution.
- We successfully bid for funding to employ a dedicated Air Quality Education Officer, who will work closely with secondary schools, businesses and communities to raise awareness of the impacts of air pollution.
- Works to create the Borough's first active neighbourhood are well on the way, with the second and final phase set to start in October 2022. The Worsley Mesnes Active Neighbourhood aims to make it easier and safer for residents to walk or cycle for shorter journeys rather than jump in the car by creating better paths, more crossings, and stopping vehicles using the residential streets as a cut-through.

Our Natural Environment

- Over 70,000 trees have been planted in various parks and open spaces, which over time will increase the tree canopy across the borough, as well as improving air quality, local biodiversity and sequestering carbon.
- We have created 17,000 hectares of species-rich grassland which will result in less grass cutting, an increase in biodiversity and natural habitat, as well as capturing and storing carbon.
- Through our Wigan in Bloom campaign, we are collaborating with community groups to increase the amount of sustainable planting in our parks and open spaces, reducing the

amount of annual bedding plants which have a higher carbon footprint than perennial planting schemes

- A vast new National Nature Reserve (NNR) has been formally created in recognition of the borough's natural beauty and immense ecological importance. The formal declaration by Natural England in partnership with Wigan Council, Lancashire Wildlife Trust and Forestry England will protect 738.21 hectares of precious wetland habitats – now known as 'The Flashes of Wigan and Leigh.'

Our Built Environment

- We have recently completed the £5.7m decarbonisation of 5 council-owned buildings, including Leigh Sports Village, Turnpike Library, and Howe Bridge Leisure Centre, and have identified a further 6 sites for the next stage of decarbonisation funding. These buildings are now more energy efficient, and benefit from low carbon heating and solar panels, and have reduced emissions.
- We are working with Greater Manchester on the 'Go Neutral Smart Energy' project to identify sites for solar power generation and battery storage. This will help build our local green economy, make our energy supply more affordable, and contribute to a resilient and connected energy system across Greater Manchester.
- Construction has begun on Fred Longworth High School and St John Fisher Catholic High School, two of four schools earmarked for sustainable redevelopment. The schools, funded as part of the Department for Education School Rebuilding Programme, will be operationally net zero and incorporate sustainable technologies including air source heat pumps, low flow taps and solar panels.
- Wigan's Local Area Energy Plan, which sets out how Wigan can transition to an affordable and decarbonised energy system, has been completed.
- We have engaged with over 12,500 private property owners in the borough, raising awareness of energy efficiency improvements and leading to improvements being undertaken in the worst-performing properties. We have created the Wigan Landlord Hub to support property owners to undertake further improvements, reducing fuel poverty among private rental tenants.
- Last year, the solar panels installed on 1,465 council-owned homes generated 2.6 million kWh of free electricity for tenants. We have added panels to 61 further properties this year, reducing the risk of fuel poverty amongst these tenants.
- Over 80% of our council-owned homes are rated EPC C or above, compared to the England average of 42%.

Our Sustainability and Consumption

- We have upgraded 79% of our 300-strong fleet to Euro-6 compliant engine technology and are awaiting delivery of a further 80 vehicles over the next few months, of which 6 will be fully electric. This replacement programme has reduced fuel use and nitrogen oxides emissions and delivered significant financial benefits for the council. Our next step will be to explore the feasibility of using alternative fuels, as we recognise that electric will not be appropriate for the whole fleet.
- We have installed vehicle telematics across the whole of our fleet, monitoring driver behaviour including idling, speeding, utilisation of vehicles, and fuel consumption. We will use the data from this to highlight best practice, improve safety, increase fuel efficiency, and cut down on emissions and pollution.
- Our school catering service, Local Kitchen, has begun several initiatives:
- Trialling a new drinks hub in secondary schools, to reduce the number of plastic bottles used

- Partnering with Booths to develop and trial a product blend of 70% veg/30% meat, to reduce the number of higher carbon meat products on menus
- Completing a carbon footprint of existing menus, and working with food awareness organisation, ProVeg, to increase the uptake of existing vegetarian and plant-based options
- Farm visits for children to develop education around farming, its impact on the environment, and where fruit and vegetables come from
- Only using suppliers within 25 miles of Wigan town centre, to cut down on food miles
- Cabinet has adopted our first 5-year action plan
- Our recycling rate for 2021/22 was 53%

Our Communities & Wellbeing

- The Minimum Energy Efficiency Standards project saw an increase in the Energy Performance Certificate rating of a number of private sector housing properties across the borough, supporting a reduction in fuel poverty and carbon emissions
- The first Wigan Youth Climate Summit was held in September 2022. The event was fully youth led by the Wigan & Leigh Youth Cabinet, and involved a packed day of activities, workshops and presentations. A special guest speaker in the former of Britain's Got Talent finalist Aneeshwar Kunchala led the day with an inspiring poem on how to protect the planet. Along with climate action workshops, the Summit hosted a mini-Green Careers Fair with small, medium and large local businesses, as well as an Eco Marketplace filled with local communities and organisations tackling the climate crisis in and around Wigan borough.
- Cabinet has adopted our first 5-year action plan
- Summer 2022 was filled with a schedule of Eco Craft days across local libraries within the borough. Families were invited to make environmentally friendly crafts, to introduce children and parents to sustainable behaviours.
- Homecare provision has been transformed across the borough, with providers now working in smaller areas, now able to travel on foot or by bike supporting a reduction in transport emissions and promote health and wellbeing for our provider staff.

Section 3: Greenhouse Gas Reporting

Wigan Council Emissions

1. Emissions Overview

This section of the report outlines Wigan Council's GHG emissions. The reporting period for this report is 1st April 2021 to 31st March 2022 inclusive. GHG emissions for 2021/22 have been measured and reported in accordance with DEFRA guidance revised in March 2019 and calculated using the 2021 emissions factors. The guidance draws on the principles of The Greenhouse Gas Protocol, which is an internationally recognised standard for corporate accounting and reporting on GHG emissions. Under the protocol, all six GHGs are taken into consideration, namely carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs) and sulphur hexafluoride (SF₆). These gases are reported collectively and translated into CO₂ equivalent tonnes to support data analysis.

Wigan Council have utilised the 'operational control' approach to report on emissions for 2021/22. The base year is 2009/10 to ensure consistency for future years; however, the base year only covers Scope 1 and 2 emissions (further guidance below). In 2020, Wigan Council contracted Anthesis to quantify emissions for the year 2019/20, this included Scope 3 emissions. Therefore the 2019/20 data will be utilised alongside the base year data and historic reported data, to compare Scope 3 emissions on an annual basis. It should be noted that as Scope 3 emissions are currently highly complex in terms of full calculation, there will not be an effective comparison of emissions until more data on Scope 1 and 2 processes is procured from the Council's supply chain.

2. Emissions Scopes

GHG emissions are categorised into three groups of emissions-releasing activities known as 'Scopes' by The GHG Protocol. The guidance recommends reporting Scope 1 and Scope 2 emissions, but states that reporting Scope 3 emissions is discretionary. Emissions from Wigan Council actions fall under all three scopes:

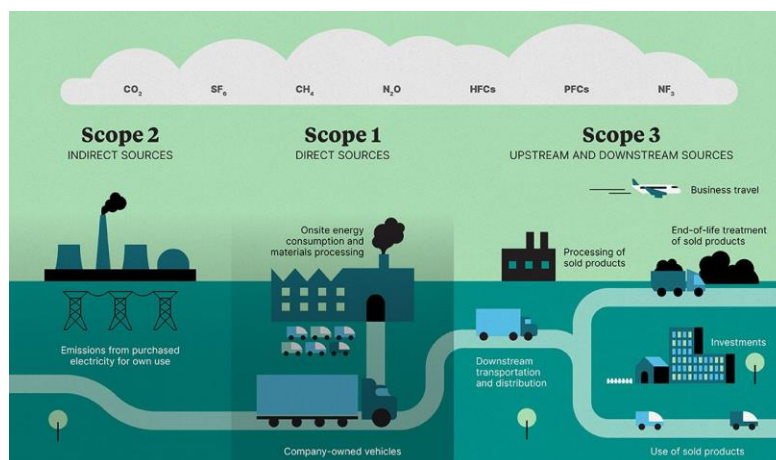


Figure 2: Breakdown of the three scopes of emissions. (Climate Action Navigator, 2022)

3. Data Collection and Methodology

GHG emissions for 2021/22 have been measured and reported in accordance with DEFRA guidance revised in March 2019 and calculated using the 2021 emissions factors.

Energy and fuel use in council buildings, plant, equipment and vehicles and the resulting emissions is manually collected on a monthly basis, or in some cases quarterly. Each service area is responsible for collecting and collating data on energy consumed in delivering their services. Purchased goods and services, and the associated expenditure, is monitored through procurement spend, with the associated activities aligned with the UK Standard Industrial Classification of Economic Activity.

Well to tank fuels and transmission and distribution losses have been calculated once all data has been collected therefore this information is collated annually.

Energy consumption and GHG emissions have also been estimated for staff remote workers due to increased levels of home-based working of many employees since the beginning of Covid-19 in March 2020. This year, many buildings within the public estate have begun to see levels of usage rise compared to 2020/21. However, residential energy use is still over pre-pandemic levels due to the shift to more home-based methods of working. Estimating the energy use and associated GHG emissions of home-based workers is a new activity with few worked examples. Wigan Council have utilised research conducted by EcoAct to estimate energy consumption and associated emissions of home-based workers throughout the pandemic, however the methodology for the 'base case' approach utilises national datasets and assumes several factors.

4. Wigan Council 2021/22 Emissions Data

Wigan Council emissions over the period of 1st April 2021 to 31st March 2022 inclusive, are estimated to be 161,079 tonnes of CO₂ equivalent (tCO₂e). Chart 1 identifies the scope breakdown of emissions over this period. The breakdown of all emissions for Scope 1-3 can be found in Table 1.

Scope 1 Emissions; from gas and oil use in buildings and fuel use in fleet vehicles stood at 13,554 tCO₂e and accounted for 8% of all emissions.

Scope 2 Emissions; from purchased electricity used in all corporate buildings and within streetlighting stood at 5,864 tCO₂e and accounted for 4% of all emissions

Scope 3 Emissions; from purchased goods and services, business travel, staff commuting, well to tank (WTT) processes and transmission and distribution (T&D) stood at 141,661 tCO₂e and accounted for 88% of all emissions.

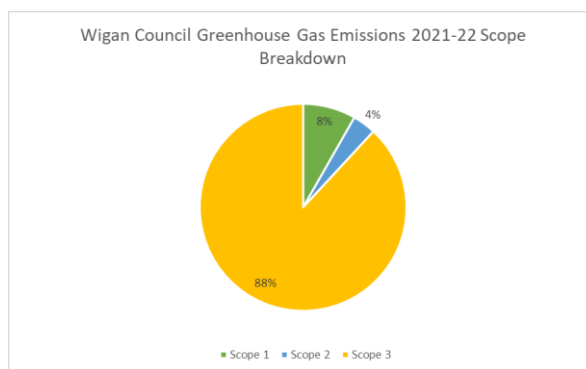


Chart 1: Wigan Council Emissions 2021/22 Scope Breakdown

Category	Emissions Source	Volume Unit	tCO2e
Scope 1			
1. Operations Fuel Consumption			
Natural Gas	Corporate Buildings, Schools, Void properties	kWh	11035
Fuel Oil	Corporate Buildings, Schools, Void properties	litres	273
Total			11308
2. Fleet Fuel Consumption			
Diesel	Demonstrator vehicles	litres	6
	Hired fleet	litres	361
	Leased fleet	litres	567
	Purchased fleet	litres	1291
	Fleet used for plant	litres	21
Total			2246
Scope 1 Total			
13554			
Scope 2			
1. Electricity			
Grid Electricity	Corporate Buildings, Schools, Void properties	kWh	4713
	Streetlighting	kWh	1151
Offsets	Renewable Energy Guarantee of Origin (REGO) backed green electricity tariff	kWh	-5864
Scope 2 Total			
5864			
Scope 3			
1 & 2: Purchased Goods & Services and Capital			
Total Expenditure (£)	Computer Software (Licenses & Maintenance)	£	771
	Construction & Capital Expenditure	£	35327
	Consultancy & Education	£	4370
	Fleet Repair & Maintenance	£	79
	Food & Drink	£	1380
	Fuel	£	25
	Furniture & Maintenance	£	5890
	Health & Social Work	£	52397
	Office Machinery & Computers	£	1070
	Other Services	£	10816
	Post & Telecommunications	£	728
	Stock	£	1081
	Transport	£	3079
	Warehousing	£	783
	Waste	£	16783
	Water	£	274
Total			134853
3: Fuel and Energy Scope 3 Emissions			
a. Well to tank (WTT) emissions of purchased fuels	Natural Gas	kWh	2093
	Natural Gas	kWh	74
	Diesel	litres	545
	Diesel	miles	267
	Diesel	miles	926
	Petrol	miles	554
b. WTT emissions of purchased electricity	Grid Electricity	kWh	1227
	Grid Electricity	miles	2
	Grid Electricity	kWh	9
c. Transmission and distribution (T&D) losses (generation of electricity, steam, heating and cooling that is consumed in a T&D system)	Grid Electricity	kWh	109
	Grid Electricity	miles	0
	Grid Electricity	kWh	1
d. Generation of purchased electricity that is sold to end users	Grid Electricity		N/A
Total			5807
6: Business Travel			
Small Petrol Motorbike (Mopeds/Scooters up to 125cc)	Petrol (average biofuel blend)	miles	0
Medium Petrol Motorbike (125-500cc)	Petrol (average biofuel blend)	miles	0
Average Medium Car (unknown fuel)	Petrol (average biofuel blend)	miles	0
Small Petrol Cars ≤ 1.4 litre	Petrol (average biofuel blend)	miles	142
Medium Petrol Car 1.4 - 2.0 litre	Petrol (average biofuel blend)	miles	91
Large Petrol Car > 2.0 litre	Petrol (average biofuel blend)	miles	5
Small Diesel Car ≤ 1.7 litre	Diesel (average biofuel blend)	miles	61
Medium Diesel Car 1.7 - 2.0 litre	Diesel (average biofuel blend)	miles	26
Large Diesel Car > 2.0 litre	Diesel (average biofuel blend)	miles	21
Small Hybrid Car - Petrol	Petrol (average biofuel blend)	miles	0
Medium Hybrid Car - Petrol	Petrol (average biofuel blend)	miles	0
Large Hybrid Car - Petrol	Petrol (average biofuel blend)	miles	0
Electric Vehicle (Average Sized Car)	Purchased Electricity	miles	4
Taxi	Diesel (average biofuel blend)	£	0
Train	£	£	0
Ferry	£	£	0
Airplane	£	£	3
Bus / Coach	Diesel (average biofuel blend)	£	0
Total			353
7: Employee Commuting			
Train	Passenger / mile	miles	1
Bus	Passenger / mile	miles	1
Car - single occupancy	Passenger / mile	miles	177
Passenger in a car	Passenger / mile	miles	0
Bike	Passenger / mile	miles	0
Walking	Passenger / mile	miles	0
Total			179
8: Employee Home Working			
Workstation	Grid Electricity	kWh	32
Lighting	Grid Electricity	kWh	2
Gas Consumption	Natural Gas	kWh	434
Total			468
Scope 3 Total			
141661			
Overall Emissions Total			
161079			

Table 1: Detailed emissions scope breakdown for Wigan Council emissions 2021/22

5. Historic Emissions Comparison

As per the previous mandatory reporting requirements for local authorities, Wigan Council last formally reported GHG emissions data in 2013. The base year utilised for comparison is 2009/10 datasets. Table 2 and Chart 2 outline emissions from 2009-2013 and from 2019-2022. The percentage reduction on base year emissions of 2009/10 has been calculated for figures from 2021/22 Scope 1 and Scope 2 emissions data. The percentage reduction for Scope 3 emissions between 2019/20 and 2020/21 has also been calculated. However, it should be observed that there is a large decrease between the reporting years that is reflective of temporary global, national, regional and local emissions reductions caused by the onset of the coronavirus pandemic and subsequent lockdowns in the UK. The true impact of COVID-19 on emissions reductions for all scopes, will only be determined after several reporting years have passed.

Similarly, as Wigan Council only has direct control over Scope 1 and 2 emissions, only these results are comparable. Within the Scope 1 emissions data, although 2021/22 emissions are a reduction of 14% from the base year, there has been an increase in gas consumption across the corporate estate resulting in an increase of emissions from 2019-2021.

	2009/10 (Base Year)	2010/11	2011/12	2012/13	2019/20	2020/21	2021/22	Percentage reduction in emissions from 2009/10 base year (%)
Scope 1	15075	16381	14447	13154	11922	11459	13281	14%
Scope 2	22152	21630	19146	20520	8484	6275	5864	74%
Scope 3	N/A	N/A	N/A	N/A	154317	132184	141661	Not comparable
Total Gross Emissions	37228	38011	33593	33673	174723	149918	160806	Not comparable
Carbon Offsets	0	0	0	0	0	0	0	Not comparable
Green Tariff	-7134	-6805	-5996	-5765	0	0	-5864	Not comparable
Total Annual Net Emissions	30093	31206	27597	27908	174723	149918	154942	Not comparable

Table 2: Comparison of Wigan Council emissions from 2009-2013 and 2019-2022

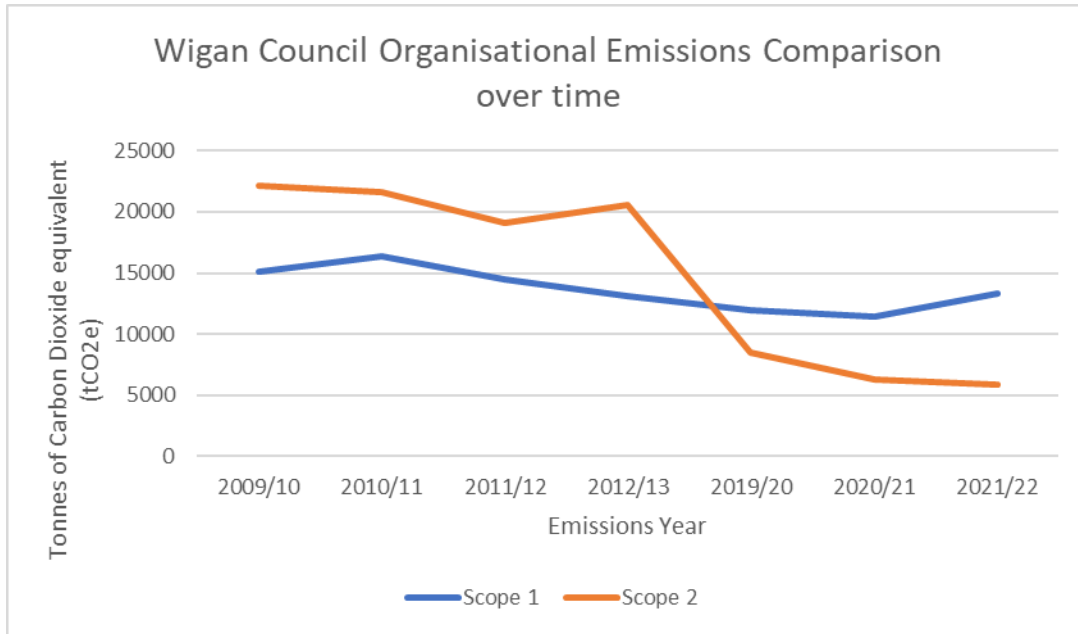


Chart 2: Wigan Council Historic Emissions Comparison

6. External Assurance and Carbon Offsetting

Wigan Council has not undertaken an external assurance assessment for this reporting period. However, key data systems for environmental and emissions reporting will be reviewed within the next 12 months with an aim to attain certification in GHG validation and verification such as the ISO 14064 suite of standards. Wigan Council have also liaised with the Carbon Disclosure Project (CDP) to join over 800 cities across 85 countries in 2022/23 to disclose our environmental data through the CDP-ICLIEI Unified Reporting System. The system provides local authorities with all publicly available data, evaluates environmental and emissions responses, benchmarks performance against other areas and identifies areas of opportunity on climate action.

Guidance from Defra suggests that offsets are classified as external emissions reduction which would be recorded as a negative in the next CO₂e balance sheet. This is because the emissions reductions occur outside of an organisation's operations or supply chain. This should not be reported in gross CO₂e emissions and instead should be reported in net CO₂e emissions. The electricity purchased by Wigan Council through a green tariff is backed by REGOs (Renewable Energy Guarantee of Origin) and can therefore already be reported as a reduction in net CO₂e emissions. Where the tariff supplier purchases Kyoto-compliant credits through an offset provider, the offsets must be compliant with the Government's quality assurance scheme for carbon offsetting. For this report, this is assumed to be the case based on the assurance of quality provided by the energy supplier to Wigan Council when purchasing the REGOs.

Furthermore, some of the Council's operational activity contributes to offsetting emissions such as tree planting, ecosystem restoration and the safeguarding of natural resources, renewable energy and decarbonisation projects. This is not considered in our published figures.

Wigan Borough Emissions

Wigan Borough's GHG emissions are currently identified through annual territorial CO₂ estimates published by BEIS². The UK compiles an annual inventory of its GHG emissions to monitor progress against domestic and international climate targets. Emissions are assigned to all 379 local authorities in the UK and are distributed according to the point of energy consumption. Utilising BEIS data is heavily caveated and local authorities have very little influence over some types of emissions. Therefore, data has been interpreted with caution.

The BEIS dataset released in 2022 reflects 2020 emissions data. The time lag is due to the national emissions estimates needing to be quantified initially, and this is not finalised until January each year, over 12 months after the end of the year being reported. It then takes a further 6 months to model local authority emissions, alongside data quality checking and preparation of the results for publication. Therefore, in 2023 BEIS will release data associated with emissions over the 2021 period.

Estimates of emissions have been produced within the broad categories of:

- Industry (including electricity-related emissions)
- Commercial (including electricity-related emissions)
- Public Sector (including electricity-related emissions)
- Domestic (including electricity-related emissions)
- Transport
- Land use, land use change and forestry (LULUCF) (including removals of CO₂ from the atmosphere, so that net emissions from this sector can sometimes be negative)

A number of emission sources included in the UK inventory are not included in the local authority estimates.

Across Wigan Borough, emissions have reduced by 7.7% or 98 kilo tonnes of CO₂ estimates (kt CO₂e) from 2019 to 2020. Borough-wide emissions stand at 1,174.5ktCO₂e for 2020 and have therefore decreased for the 8th year in a row from 2012 as shown in chart 3. It should be noted that a 9% national reduction in GHG emissions was observed due to the impacts of the COVID-19 pandemic and subsequent lockdowns.

The Department for Business, Energy and Industrial Strategy has for the first time expanded the usual CO₂ emissions, to cover wider GHG emissions including methane (CH₄) and nitrous oxide (N₂O). Although trends for CO₂ emissions go back to 2005, estimates for wider GHG emissions are not available before 2018. From the first year of recording in 2018, total greenhouse gas emissions for Wigan borough were identified as 1,461.9ktCO₂e, 1,409.6ktCO₂e in 2019 and 1,307.9ktCO₂e in 2020.

² Department for BEIS (2021) UK local authority carbon dioxide emissions estimates 2019. National Statistics dataset

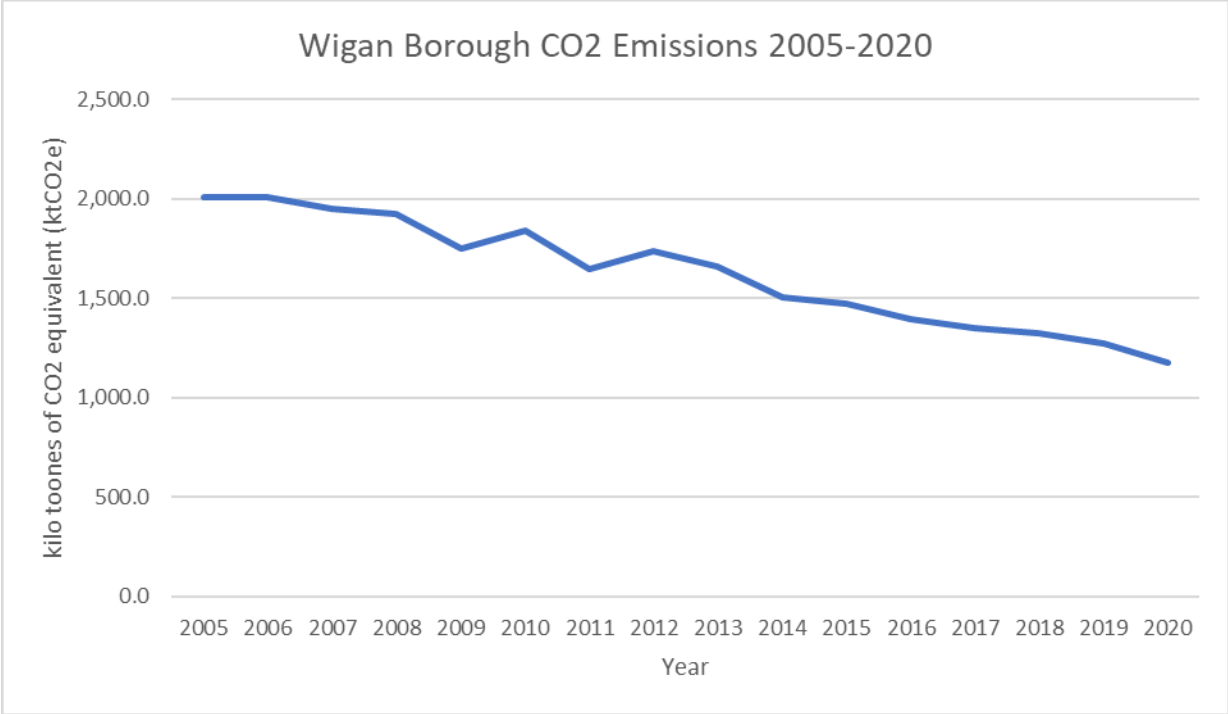


Chart 3: Wigan Borough CO₂ emissions 2005-2020.

To review the breakdown of emissions from different sectors across the borough, the full greenhouse gas dataset has been utilised, to include the additional sectors of agriculture and waste management. From a sectoral level, the breakdown of emissions is 34% attributed to domestic dwellings, 33% to transport, 16% to industry, 7% to commercial, 6% to waste management, 2% to the public sector, 2% to agriculture and less than 1% to land use, land use change and forestry (LULUCF).

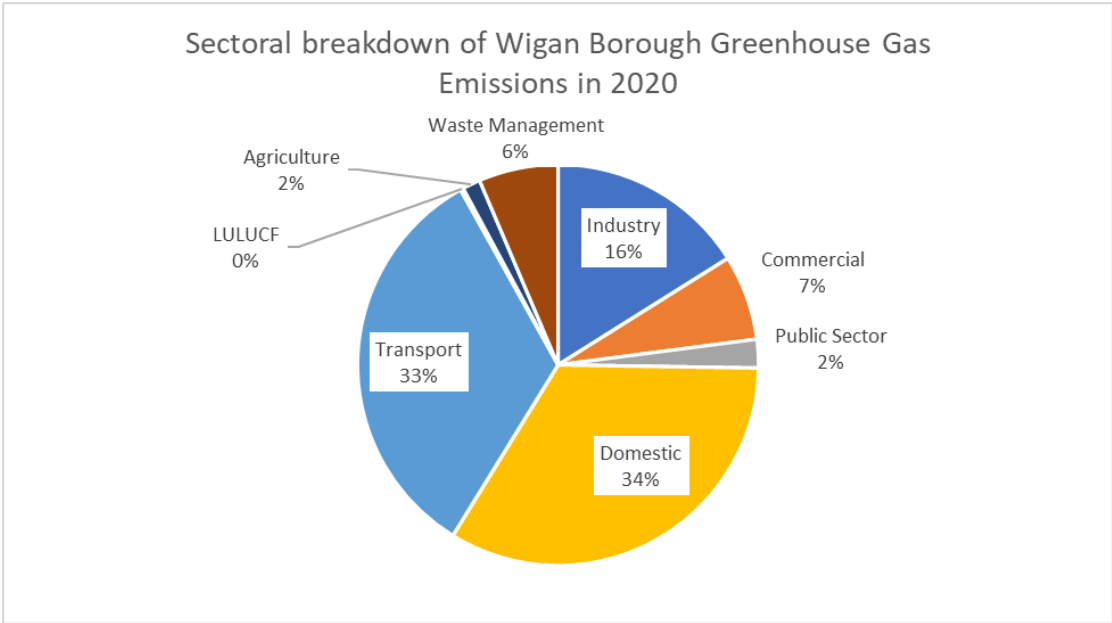


Chart 4: Wigan Borough Greenhouse Gas Emissions by sector in 2020

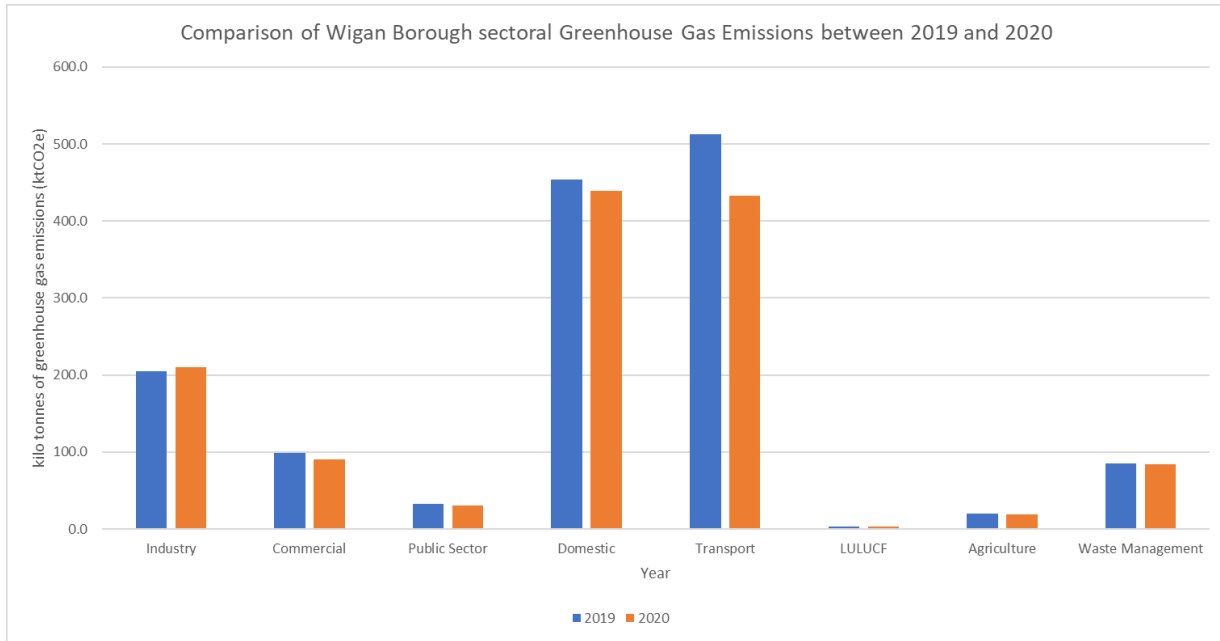


Chart 5: Wigan Borough sectoral emissions between 2019 and 2020

When comparing emissions reductions across Wigan borough from 2019 to 2020, all sectors excluding industry have witnessed a reduction in emissions. Of most interest, was the reduction in transport emissions, which has largely plateaued over the last several years of recording as identified within Chart 6. This data is significant as transport emissions have not benefitted from national emissions reductions due to changes in the energy mix, as other sectors have. Also, transport emissions are routinely the largest or second largest emissions source within the borough, therefore to see such a dramatic reduction within one year is clearly a result of the lockdown measures enforced throughout 2020.

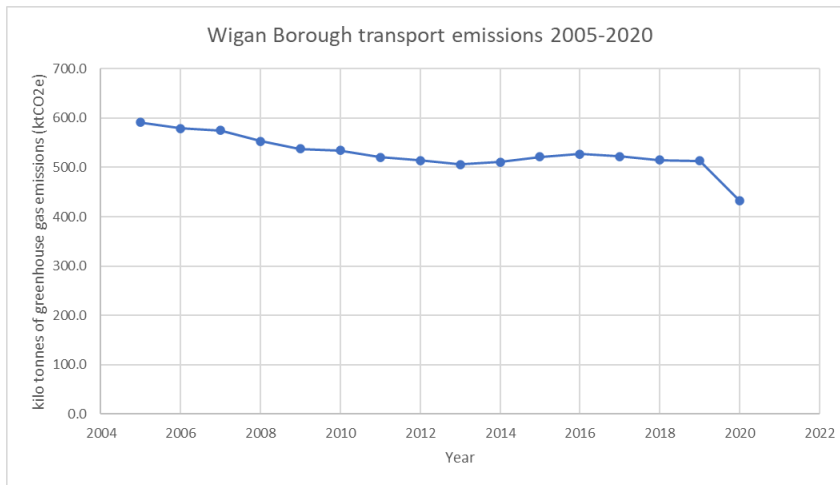


Chart 6: Wigan Borough transport emissions 2005-2020

The full impact of the pandemic on local emissions will only be recognised in the coming years, and although not every sector has rebounded to pre-pandemic levels, sectors such as transport have very quickly returned to a 'new normal' that is very similar to the old. Although Wigan Council is not solely responsible for the emissions of the borough, there is a strong leadership role that the Council is required to take in order to take the necessary action to reduce emissions in line with local, regional, national and international targets.

The Carbon Budget

Every tonne of CO₂ leads to more global heating – the more we emit, the more we heat the planet. Advances in science have allowed us to work out how much CO₂ can still be emitted before we reach 1.5°C and 2°C of warming above pre-industrial levels (1850-1900) as set out in the 2015 Paris Agreement. The amount of CO₂ we can emit without breaching these levels is known as a “carbon budget”. Much of this budget has already been used up by past emissions, and the amount still left to be emitted is known as the “remaining carbon budget”. The Tyndall Centre for Climate Change research has calculated remaining carbon budgets for each local authority area in the UK, including Wigan. This represents Wigan’s ‘fair’ contribution towards the Paris Agreement. At 2017 CO₂ emission levels, Wigan would use this entire budget within 7 years from 2020.

In order to stay within the recommended carbon budget Wigan needs to achieve an average emission reduction rates of -13.2% per year from 2020. Significant emissions reductions have been observed for 2020, due to the draconian measures placed on society in order to protect nationwide public health. Locally, emissions fell by 7.7% which is the largest reduction since the recession in 2008, and yet it is still just over half of the emissions reductions we need each year to remain within our carbon budget.

A Net Zero target date is hugely important, and yet, in order to fully understand how much carbon we have left, we need to understand our emissions similar to a financial budget. From 2023, Wigan Council will be developing a Net Zero Strategy and timeline, which will create carbon budgets similar to those developed by the Climate Change Committee for the nation. The aim is to ensure that the carbon budget is treated similar to, if not the same as, the Council’s financial budget, in all decision-making and day to day operations.

Section 4: Priority Actions for 2022/23

In this Annual Progress Report on the Climate Crisis, Wigan Council has identified its progress over the 2021/22 period in line with the requirement to do so, as stipulated within the Outline Climate Change Strategy. Similarly, GHG emissions for the Council have been reported for the 2021/22 financial year, and assessed against previous years of data. Borough-wide emissions have been reported in line with figures published by central government, against the base year of 2005.

Over the next 12 months, Wigan Council have a number of priority actions to focus on in terms of action on the climate crisis. These are highlighted below:

- Develop a Net Zero science based timeline to 2038, focussing on key organisational emissions reductions for the Council
- Scope out the formulation of, and facilitate the borough's Wigan Climate Coalition, to stimulate borough-wide commitment and accountability towards Net Zero and the need for urgent climate action
- Prioritise sustainable procurement and supply chain emissions through thoroughly analysing embedded greenhouse gases within the supply chain
- Deliver Climate Awareness Training to senior managers, elected members and begin rolling out to all officers within the authority – aim to achieve a target of 33%, with full delivery over 3 years
- Develop and deliver key Climate Awareness Training for specific services with a mandate to deliver on Net Zero projects including Planning, Energy & Facilities Management, Housing, Fleet, Highways & Network Management Human Resources & Organisational Development, Public Relations & Media
- Plan and host the 2nd Wigan Youth Climate Summit along with Wigan & Leigh Youth Cabinet, aiming to focus on a key theme as decided by our young people
- Facilitate the development of a Youth Climate Strategy as requested by Wigan & Leigh Youth Cabinet
- Develop and pilot a Climate Change Risk Assessment to embed within all decision-making processes within the Council. Pilot the risk assessment for 3 months and report on whether major decisions fall in line with Net Zero requirements
- Develop service specific Carbon Reduction plans for two pilot services, to begin embedding climate action as a major key environmental performance indicator for all services
- Explore the creation of a dedicated Wigan borough climate action website, to focus resources for residents, schools, businesses and community groups

Climate Governance and Accountability

This second Annual Progress Report on the Climate Crisis is the summation of over 12 months work by a range of internal services within Wigan Council, supported by many external partners and communities. Overall accountability of monitoring progress on the climate crisis lies with the Cabinet. However, progress on each Climate Action Plan, along with wider community and business action, is shaped by a range of stakeholders across Wigan Borough.

As required by the Outline Climate Change Strategy, yearly monitoring of action on climate will be highlighted within the Annual Progress Report. However, all areas of development will be subject to multiple reviews by a range of stakeholders, outlined within chart 7.

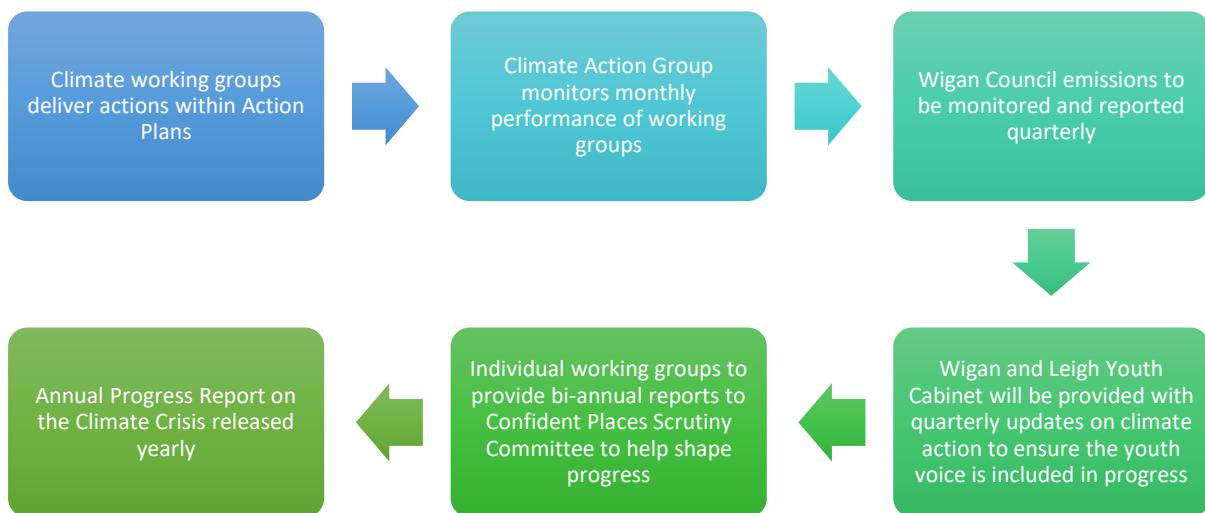


Chart 7: Flow diagram of the governance and monitoring arrangements for Wigan Council's action on climate

Key stakeholders will have the opportunity to comment upon, and shape, the progress of individual climate working groups, and also overall performance on the Council's efforts to tackle the climate crisis. Responsibility does not lie with one single individual, or organisation, therefore the Council will continue to work closely with other partners and anchor institutes across the borough, to encourage others to review their greenhouse gas emissions and begin reporting on progress towards sustainability, in line with the target of Net Zero Carbon 2038.

2nd Annual Progress Report on the Climate Crisis

Page 51

Kate Moody & Kerrell Boardman
Climate Response Team

Our People

Our Place

Our Future

Delivered the first Go Green Week

Created Climate Awareness Training

Climate Response Team – fully carbon literate and trained as CL trainers

Sustainable business network starting to build

Launched the first Wigan Youth Climate Summit

Launched the first workshop of the Wigan Climate Coalition

Delivered all 6 climate action plans

Created an annual timetable of climate, AQ and biodiversity related activities and engagement

Progress on Priority Actions

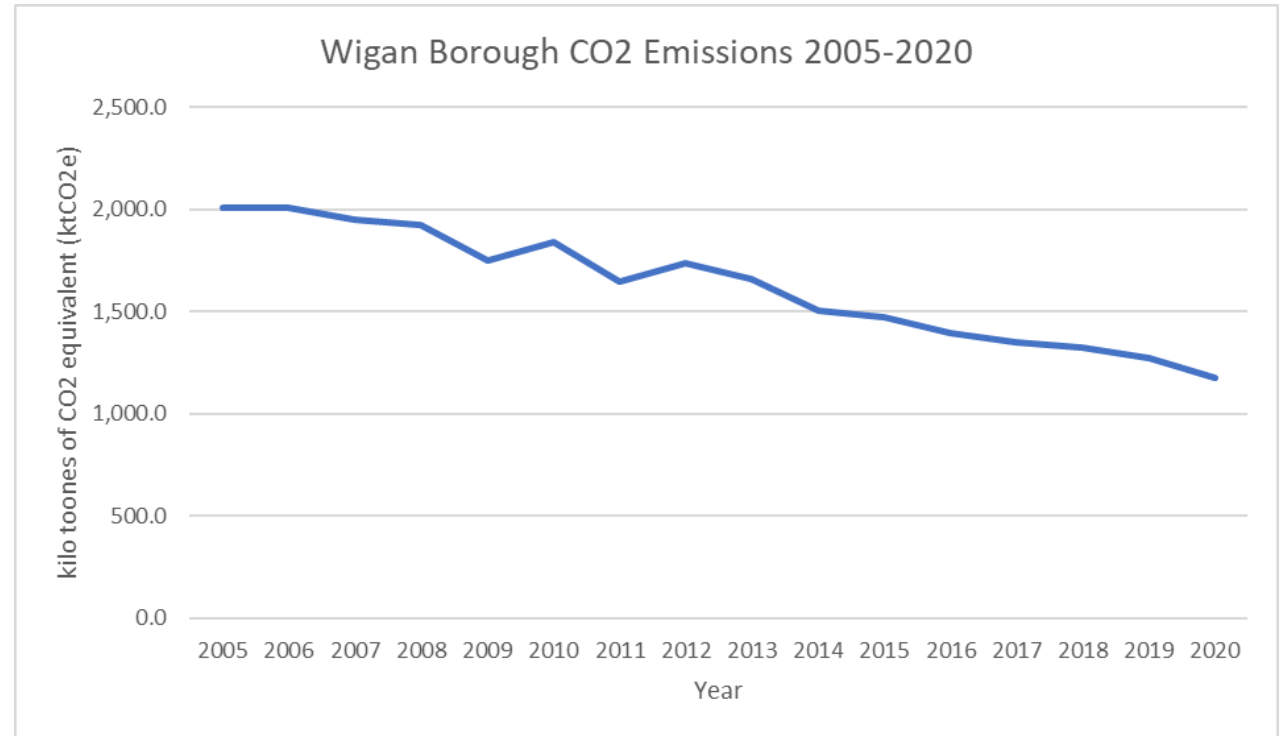
Climate Action Theme progress



Borough emissions

- 7.7% reduction in emissions from 2019 to 2020
- Biggest reduction in transport sector – previously plateaued
- Transport sector is routinely the largest / second largest source of emissions
- Domestic emissions also within the top 2 sectors

Page 54

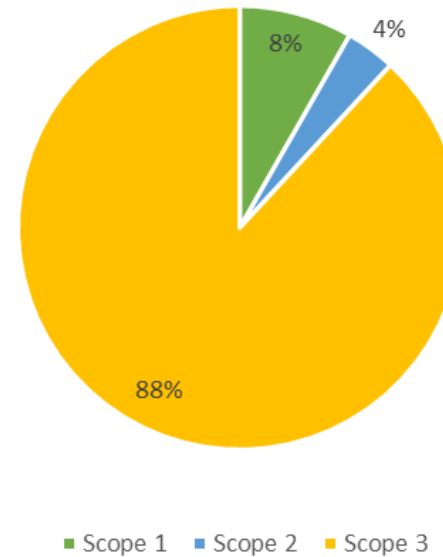


Wigan Council Emissions

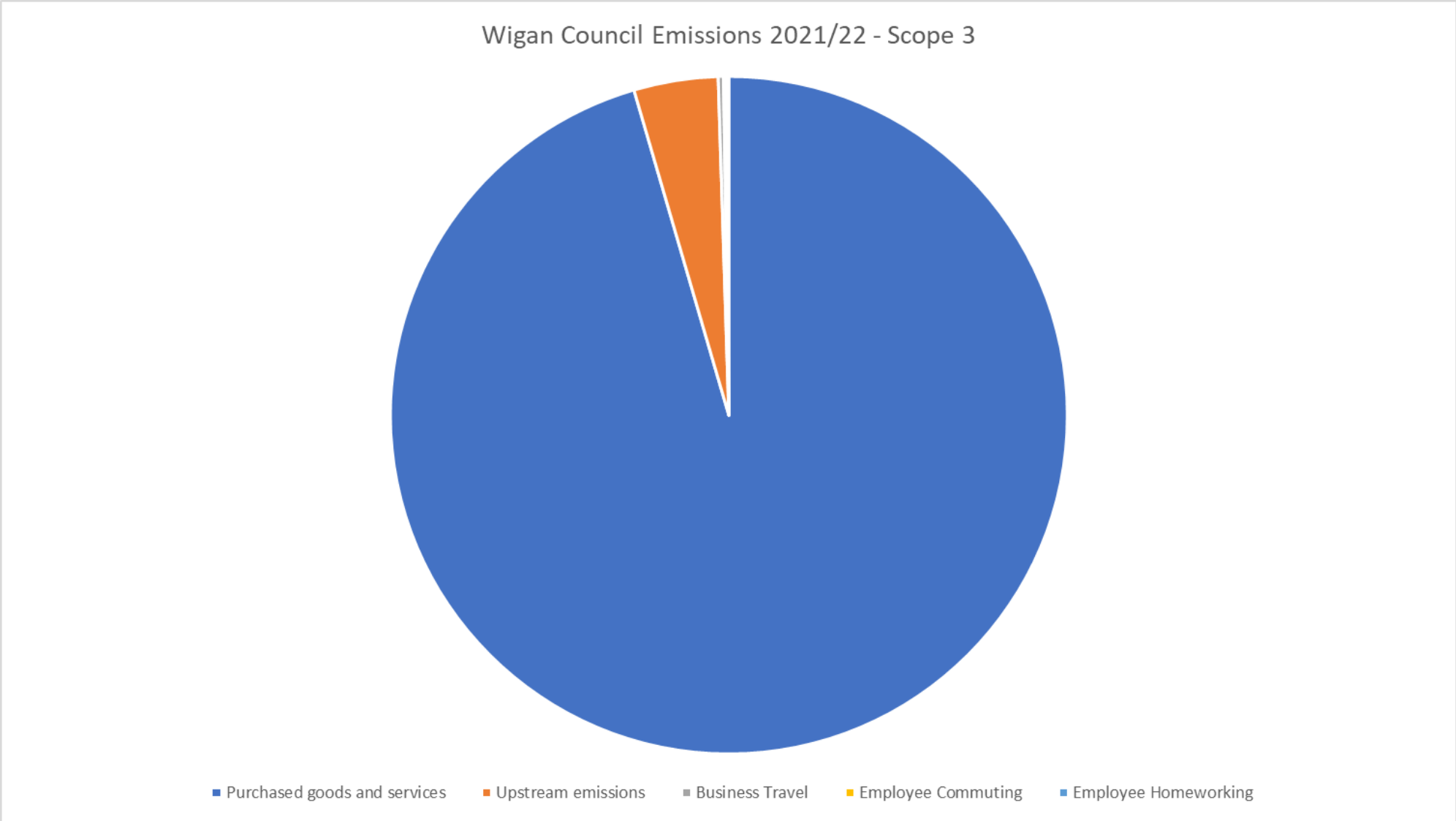
- Scope 1 – gas and oil use in buildings and fleet fuel
- Scope 2 – purchased electricity in buildings and streetlighting
- Scope 3 – purchased goods and services, business travel, staff commuting, upstream emissions

Page 55

Wigan Council Greenhouse Gas Emissions 2021-22 Scope Breakdown

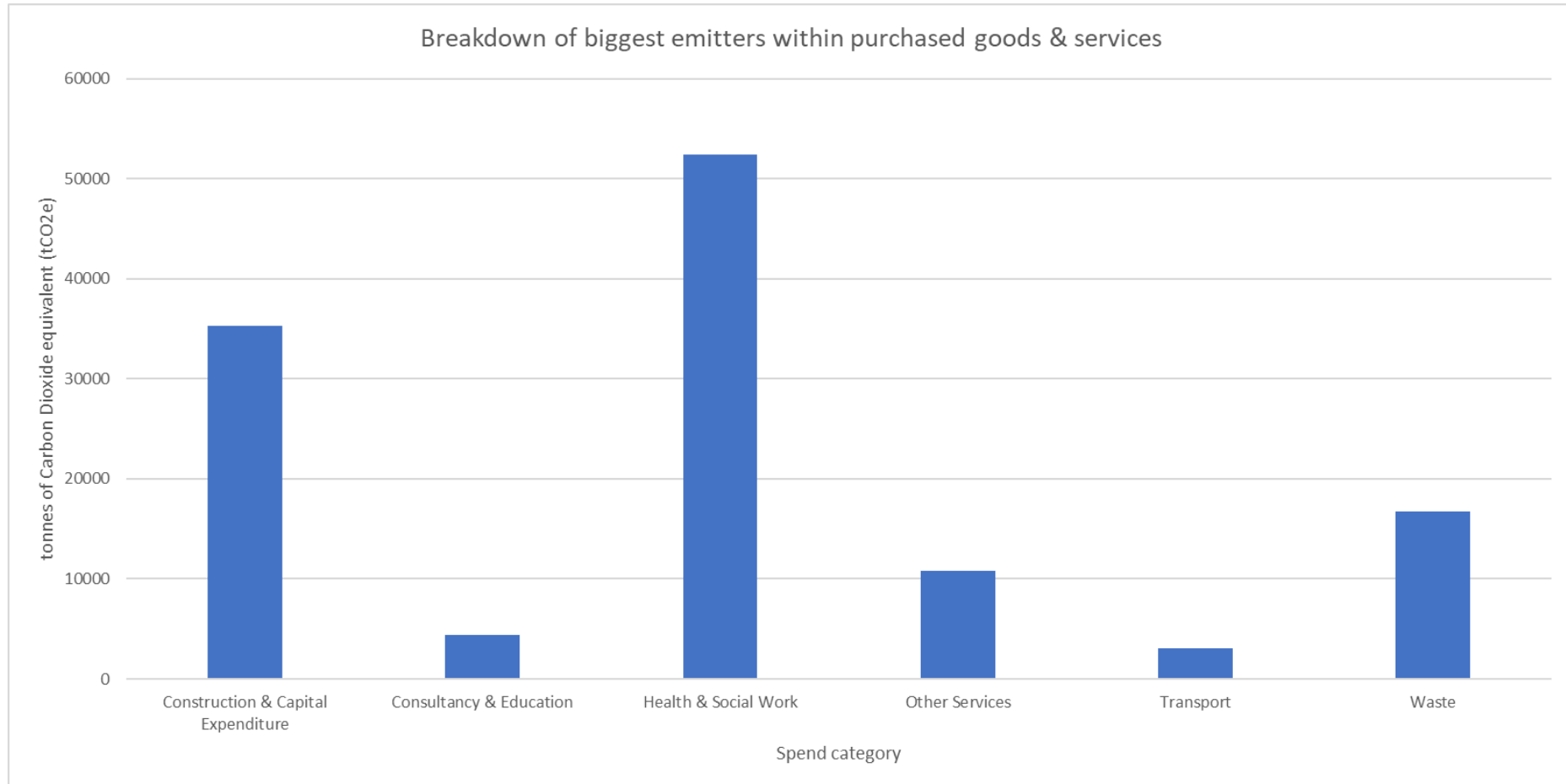


Wigan Council Emissions – Scope 3



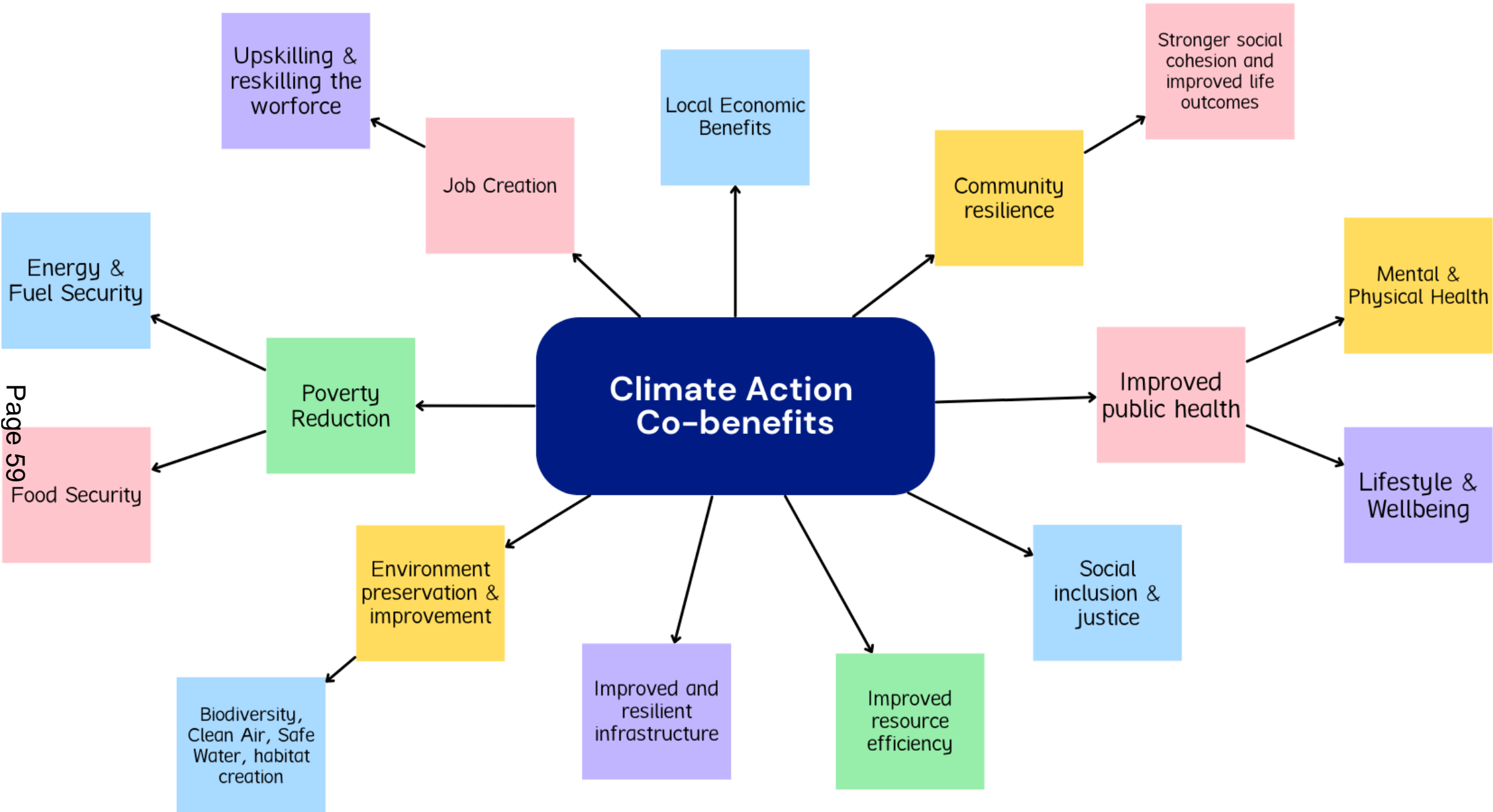
Wigan Council Emissions – purchased goods & services

Breakdown of biggest emitters within purchased goods & services



What next?

- We need to focus our attention on our purchased goods and services spend – support carbon AND cost savings
- Clear that climate action needs to become more embedded within Council operations – Climate Awareness Training
- How many decisions made are in line with Net Zero? – climate change risk assessment to become embedded within decision making
- What does Net Zero mean for our buildings and infrastructure? Get to 5% of current emissions – need to begin with a baseline for our biggest emitters e.g. Leigh Sports Village



This page is intentionally left blank

This is an open report

Report to: Confident Places Scrutiny Committee

Date of Meeting(s): Wednesday, 30 November 2022

Subject: Planning Enforcement

Report of: Assistant Director, Planning and Regeneration

Contact Officer: Gareth Jones
(Service Manager, Development Management & Building Control) (01942) 489136

Cabinet Portfolio Holder and area: Councillor Paul Prescott, Portfolio Holder for Planning, Environmental Services and Transport

Summary:

The Council adopted a Planning Local Enforcement Plan in January 2021, setting out how it would prioritise and investigate alleged breaches of planning control. The Committee is invited to consider the implementation of the policy to date, looking particularly at case volumes, the prioritisation process and outcomes achieved, and to provide feedback and challenge as appropriate.

Link to Corporate Priorities:

Our Place: Together we are proud of our towns and look after our environment:

- Vibrant town centres for all
- An environment to be proud of

Our Future: Together we will build a future where everyone has the opportunity to thrive:

- Economic growth that benefits everyone

Wards Affected:

The Local Enforcement Plan applies to all Wards across the Borough.

Recommendation:

That Committee endorse the Council's approach to triaging, prioritisation and the investigation of planning enforcement reports through the processes identified in the adopted Local Enforcement Plan.

Implications:

What are the financial implications?

None. The implementation of the policy to date indicates that a small saving within the Development Management Service has been created.

Is budget release necessary (Capital Expenditure Only)?

No.

What are the legal implications?

None. The Local Enforcement Plan is now (and since January 2021) adopted Council policy that has been through the necessary legal checks and procedures.

What are the staffing implications?

None. The implementation of the Local Enforcement Plan will be serviced through the existing Development Structure (Shown within Appendix D of this report).

Equality and Diversity Impact Assessment attached or not required because (please give reason). If not required, then a relevance check needs to be completed.

Not required – report relates to an existing approved policy.

What are the property implications in terms of reduction, addition or change to the council's asset base or its occupation?

None.

What are the Corporate Parenting Implications?

None.

Risks:

Reputational – timely, proportionate and effective planning enforcement is an important factor in maintaining the public's confidence in the planning system. The Local Enforcement Plan helps mitigate this risk by providing transparency and a basis for prioritising resource.

Sustainability/Environmental implications:

Effective and proportionate enforcement of planning controls is essential in protecting the quality of our local environments and is important in maintaining the public's confidence in the planning system.

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution?

Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget?

No - NA

Are any of the recommendations within this report contrary to the Policy Framework of the Council?

No.

Reason(s) for exemption from publication:

Appendix E is exempt from publication for the following reasons:

1. Information relating to any individual
2. Information which is likely to reveal the identity of an Individual

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s):

None – this report is seeking Committee's endorsement only.

There are no background papers for this report.

Directorate Sign-off:	David Proctor
Date:	21 November 2022

Please list any appendices:

Appendix number or letter	Description
Appendix A	The Council's Local Enforcement Plan (Adopted January 2021)
Appendix B	Planning enforcement report form for members of the public
Appendix C	Categorisation of enforcement breaches table

Appendix D	Development Management Service Structure
Appendix E	Examples of 'P99' triaged planning enforcement reports. Not for publication – this appendix contains exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972

1. Introduction

- 1.0** Effective and proportionate enforcement of planning controls is essential in protecting the quality of our local environments and is important in maintaining the public's confidence in the planning system.
- 1.1** The Development Management Service published its Local Enforcement Plan ('The Plan') to explain how it will deal with alleged breaches of planning control, so that all parties are clear on what to expect in terms of response times and the processes involved. The Plan, which can be viewed in full on the Council's website [here](#) or in **Appendix A** of this report, should be read alongside the Council's corporate Enforcement Policy.
- 1.2** The Plan sets out how the Council will deal with alleged planning breaches at each stage of the process, from initial reporting of a breach through (if necessary) to prosecution in court. It also explains how, in appropriate cases, the Council will offer its services to work positively with property owners to support them in what they are trying to achieve, while still securing rectification of any breach.

2. Legal and planning policy position to enforcement action

Legal background

2.1 The legislative background for planning enforcement is the Town and Country Planning Act 1990 as amended ('the Act'). Section 171A of the Act defines a breach of planning control as:

- The carrying out of development without the required planning permission; or
- Failing to comply with any condition or limitation subject to which planning permission has been granted.

This includes any contravention of the limitations on, or conditions belonging to, permitted development rights.

2.2 The Act provides a range of tools that authorities can use to take ‘formal’ enforcement action. These include:

- Breach of Condition Notices (s187 of the Act)
- Planning Enforcement Notices (s172 of the Act)
- Stop Notices and Temporary Stop Notices (s183 and s171E of the Act)
- Injunctions (s187B of the Act)

In addition to these definitions and powers relating to development, Section 215 of the Act also gives authorities the ability to take action where land is in a condition that impacts on the amenity of their area. Under this power authorities can serve notice on landowners specifying the steps to be taken to address the impact.

2.3 The Act also requires authorities to consider when it is ‘expedient’ to take enforcement action, having regard to the development plan (the Council’s local and neighbourhood planning policies) and other material planning considerations. The development plan for Wigan currently comprises of the following documents:

- Saved Policies of the Wigan Replacement Unitary Development Plan (adopted 2006);
- Wigan Local Plan Core Strategy (adopted 2013);
- Standish Neighbourhood Plan (adopted 2019);
- Greater Manchester Joint Minerals Plan (adopted 2013); and
- Greater Manchester Joint Waste Development Plan Document (adopted 2012).

National planning policy and guidance

2.4 The revised National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) set out how the Government expects authorities to approach potential breaches of planning control. The NPPF and NPPG also expand on the ways that authorities should use ‘informal’ approaches to resolving planning breaches where appropriate, without the need to initiate the ‘formal’ steps available through the legislation.

3 How the Council deals with alleged breaches of planning control

Reporting a potential planning breach

3.1 Any report of a planning breach must be made in writing. The form on which this should be done is on the Council’s website at the following address:

<https://apps.wigan.gov.uk/ReportPlanningBreach/>

Appendix B of this report shows how this reporting form looks to members of the public and the information they will be expected to provide.

3.2 Reports made only by telephone cannot be accepted and will not be investigated. For customers who do not have access to the internet they are directed to self-service facilities at the Wigan Life Centre and in libraries; if these are unavailable then the Plan suggests that friends or family may be able to help. Only if all these options have been exhausted will a verbal report be accepted.

3.3 The Council will only investigate alleged breaches where all the following information is supplied:

- Address of the alleged breach;
- Details of the alleged breach; and
- Name, address (postal and email) and telephone number of the person reporting the breach (this will be kept strictly confidential but anonymous reports cannot be accepted and will not be investigated).

3.4 The Council may itself become aware of a breach without a report being received from an external party. These cases will be logged and acted upon in the same way as any other breach, in accordance with the Enforcement Plan.

Categorisation of reported breaches

3.5 On receiving a report of a planning breach, the Council will assign it to a category according to the degree of harm that appears to be being caused to planning interests. This is a triage process currently undertaken by Principal Planning Officers for their respective 'work areas'. Through this process, reported breaches will be categorised as detailed in Appendix C of this report, but the categorisation designations can be summarised as below:

- **P0:** Extremely severe harm to planning interests or planning breach resulting in risk to public safety.
- **P1:** Significant harm to planning interests.
- **P2:** Material breach of planning control but limited harm.
- **P99:** Trivial breach of planning control, no material harm.

Timescales for investigation

3.6 Other than in exceptional circumstances, the Planning Enforcement Team will aim to carry out their initial investigation into reported breaches within the following timescales:

- **P0:** within 1 working day
- **P1:** 7 working days
- **P2:** 15 working days
- **P99:** breaches in this category will be recorded but will not be investigated further.

The aim is to provide an update to the person reporting the breach within three working days of carrying out the investigation, and no later than three working days beyond the timescales set out above.

Investigation of ongoing breaches

3.7 Where a report relates to an ongoing breach (for example a construction site working outside permitted hours, or a business operating from a domestic property that is receiving visits), the alleged breach will be assigned to a category in line with the above, and the person making the report will be provided with log sheets on which to keep a record over a period (normally 21 days) of the activity constituting the breach. If the log sheets are not returned, or are returned but do not contain sufficient information to clearly determine that a breach is occurring, the case will be re-categorised as 'P99', and will not be investigated further.

Resolution by negotiation

3.8 In some cases, the steps needed to rectify a planning breach are simple for the property owner to achieve. This is normally the case in respect of land in poor condition. Where it appears that the breach can readily be rectified, the Enforcement Team will attempt to secure the required steps through negotiation with the property owner. In respect of land in poor condition, the steps required will be those that would result in a sustainable solution to the amenity impact and minimise the possibility of repeat cases. We will write to the property owner once, setting out the steps required and the timescale for completing them, which will normally be 28 days. If the breach has not been fully rectified within this timescale, we will normally proceed to enforcement action or the service of a Section 215 Notice. No reminders will be sent. The Enforcement Team will not entertain protracted negotiation or repeated submissions that incrementally adjust what is proposed.

'Formal' enforcement action

3.9 The Enforcement Team will normally move directly to 'formal' enforcement action in the following circumstances:

- Where a retrospective application has been refused – in these circumstances the aim will be to serve an enforcement notice at the same time as refusing the application.
- Where a breach has not been resolved by negotiation in the required timescale.
- Where the extent or nature of the breach means that the works that have been carried out are clearly not in accordance with the Council's policies and / or it appears that resolution by negotiation is unlikely.

3.10 In determining whether 'formal' enforcement is appropriate, the Enforcement Team will make an initial assessment of whether it would be likely to be in the public interest for the case to be prosecuted should any notice not be complied with. The final decision on any prosecution will be made at the appropriate time. Many of the types of action that the Team can take come with a right of appeal.

Prosecution

3.11 Although carrying out development without planning permission is not normally a criminal offence, the Act creates a number of offences relating to failure to comply with formal Notices, including all the types listed in paragraph 2.2 of this report. A range of penalties apply, including in some cases unlimited fines. The Council will make its decisions as to the prosecution of any planning enforcement related offence, in line with the Council's corporate Enforcement Policy.

Works in default / direct action

3.12 The Act provides the Council with powers to take direct action to remedy planning breaches. The Enforcement Team will make its decisions as to any use of these default powers on a case by case basis, having regard to:

- The degree and type of harm being caused by the breach, including to the wider community and to the public's confidence in the planning system.
- The likelihood of the breach being resolved by any other means.
- The effective use of public resources.

Cases where assistance from other Council services may help remedy a breach

3.13 The Enforcement Team recognises that there are situations in which property owners have breached planning control unintentionally or with the best of intentions. Although this does not alter the fact that a breach has occurred and will need to be remedied, the Team will also consider whether there is any other assistance that it can offer the property owner to achieve an overall aim.

3.14 In particular the Enforcement Team will aim to assist individuals who are seeking to establish a small business by operating from their home, and who in doing so have changed the use of their property so as to include a component of business use. These types of activities change the character of the property and can have a significant effect on the wider residential area. This situation has become more prevalent following the COVID pandemic and the emergence of 'home' and 'virtual' working changing many people's day-to-day working and personal life arrangements.

3.15 Businesses encountering these types of issues are often reaching a point where they are ready to progress into their own accommodation, in a commercial area appropriate for the use. If this is the case the Council's Economic Development Service will work with the business owner with the aim of identifying a suitable premises. This Service will also explore whether the business owner requires any other support.

3.16 Offering this support does not mean that the Enforcement Team is not concerned about the breach of planning control that has taken place. The Team will continue to seek rectification of the breach through its planning powers, in line with the approach set out in the Plan. The Team will consider whether it is appropriate to allow longer periods to comply with its requirements: this will depend on the severity of the impact that the business is having on the surrounding residential area, and will be kept under review.

Enforcement aligned to other activity

3.17 The Plan sets out the basis for a consistent and transparent approach to planning enforcement, which will apply in all cases, including those reported by external parties and those that it identifies itself.

3.18 From time to time the Council may, in line with a corporate priority or as part of a package of coordinated activity, adopt an approach of actively seeking to identify breaches in a specific geographical area or of a particular type. Breaches identified in this way will be categorised and dealt with in line with this Plan.

4 Implications following the adoption of the Enforcement Plan

Volumes of cases

4.1 Since adopting the plan in January 2021 and implementing its policies throughout the same year, the table below shows the number of enforcement investigation cases that have been logged by the Team since 2017 to present:

Calendar Year	Number of enforcement cases opened
2017	317
2018	414
2019	367
2020	373
<u>Adoption of the Local Enforcement Plan</u>	
2021	267
2022 (to Nov)	213

Table 1: Number of enforcement cases investigated by calendar year

4.2 From these statistics it is evident that the Local Enforcement Plan is working in terms of the number of ‘true’ planning enforcement cases that the Team investigates. For example, the table above identifies the number of cases that has led to a report being opened and investigated by an Enforcement Officer. This trend appears to be continuing in 2022 (the number of 213 in the table equates to the number of investigations the Team has logged and undertaken to present). In addition to this number, 71 reports of planning enforcement breaches have been through the triaging process and have been closed at source as ‘P99’ cases. This number is not included within the 213 investigations logged for 2022.

Examples of ‘P99’ cases

4.3 For the Committee’s benefit, this report includes a number of examples of the ‘P99’ reports of planning enforcement breaches that equate to trivial breaches of

planning control with no material harm, or reports that do not equate to planning breaches at all. Examples of these cases can be viewed in **Appendix E**, but in summary, common forms of works that are undertaken that relate to 'P99' cases include:

- 'Permitted development', predominantly to residential properties, domestic extensions mainly;
- Development that is immune from enforcement action due to the length of time that it has been in situ;
- Works that having been assessed according to the degree of harm that appear to be being caused to planning interests, are considered to be minor breaches of planning control, that cause no material harm, and therefore it is not considered by Officers expedient to progress an enforcement investigation; and
- Works that are not relevant to planning at all.

4.4 Prior to the adoption of the Plan, each one of these cases would have been investigated by an Enforcement Officer, without any triage being undertaken. This would require administration of the report, be it by phone call, hand written letter or electronically, a site visit by an Enforcement Officer, which would then be followed by correspondence and further administrative actions to close the case.

Time, cost and mileage savings for the Service's Enforcement function

4.5 The Development Management Team within its structure currently has 3 no. Planning Enforcement Officers. The Service's structure is shown in **Appendix D** of this report. Currently, 2 of these Enforcement Officers are in post with recruitment underway to the third. When in post the Enforcement Officers will be allocated a 'work area' which will align with the 3 no. Principal Planners work areas for the Borough. Taking an average of 368 enforcement cases a year being investigated by the Team (2017 to 2020 figures), following the adoption of the Enforcement Local Plan, and presuming an average of enforcement cases continuing on current levels to the end of 2022, the average number of enforcement cases being investigated by the Team post adoption is 262 cases; a reduction of 106 cases or approximately 29%.

4.6 Calculating the time and cost savings of the above for the Enforcement Team, there is not a specific time that can be allocating to a specific case or investigation, but calculating on an estimated 1 hour administration, 1 hour desk based research and 1 hour on a site visit in terms of each case that is opened and not pursued (potential for significant further hours of work if the case is pursued), then amount of time saved between pre-adoption and post-adoption of the Plan equates to 318 hours or 8.6 weeks of Officer time. This equates to an approximate saving in Officer time of £5,277. In addition to other costs incurred, such as Officer mileage claims, this work also allows a saving on vehicle journeys. Taking an average of 10 miles per investigation (this is a difficult number to take an average on having to consider group visits and the commencement of journeys from differing locations) car mileage and emissions savings can be significant, possibly over 1000 miles on the basis of this assumption.

Further benefits of the Local Enforcement Plan

4.7 Key benefits in addition to the above time, cost and mileage savings to the Service following the adoption and implementation of the Plan relate to the ability to focus the Service's Enforcement resource on cases that are of most significance and generate the greatest public benefit, and those which are creating the highest levels of planning harm. This can include the ability to proactively undertake planning enforcement that aligns with the Council's priorities and strategies, including in geographical areas such as Town and Local Centres and also heritage and historical assets within the Borough's Conservation Areas for example.

4.8 In addition, there is also increased transparency and consistency for members of the public in terms of how planning enforcement will be undertaken and delivered by the Council. The Plan is routinely referenced in complaints and also in Ombudsman cases where the approach undertaken to an investigation is required to be demonstrated and justified. Furthermore, the Plan provides a tool for elected members to be able to explain the enforcement process to members of the public.

4.9 Internally, the processes within the Plan and how breaches are now required to be reported (the online reporting form) is of great benefit to the Enforcement Officers. The reporting form is specifically designed so that the important information required to both triage and investigate possible breaches, including the option to provide photos, is all recorded at the first step of the process. This saves significant amounts of Officer time and allows the breaches to be recorded and actioned through a single channel. Previously, prior to the adoption of the Plan, breaches could be reported in many different formats to all members of the Development Management Service. Other Teams within the Council would also sometimes receive reports of potential planning enforcement breaches. This created many workstreams that were sometimes lacking in information and required multiple contacts with members of the public to ensure all the necessary information was provided to investigate the breach. This also led to issues for management in the Team in terms of the allocation and prioritisation of the Enforcement Officer's cases.

5 Recommendation

5.1 That Committee endorse the Council's approach to triaging and the investigation of planning enforcement reports through the processes identified in the adopted Local Enforcement Plan.

Relevance Check

Budget Reduction/Service Area:

Service Lead: Gareth Jones, Service Manager Development Management & Building Control

Date: 21 November 2022

In what ways does this Budget reduction have an impact on an outward facing service? How will the service feel different to your customers or potential customers?

N/A – report relates to existing approved policy

If not, how does it impact on staff e.g. redundancies, pay grades, working conditions? Why are you confident that these staff changes will not affect the service you provide?

N/A

Is a Customer Impact Assessment needed? No



**Planning
Local Enforcement Plan**

January 2021

Table of Contents

Introduction	1
Background	1
Legal background	1
National policy and guidance	2
The role of the Enforcement Plan.....	2
How the Council will deal with alleged planning breaches	2
Reporting a concern.....	2
Categorisation of reported breaches	3
Timescales for investigation	5
Investigation of ongoing breaches.....	5
Retrospective planning applications	5
Resolution by negotiation.....	6
“Formal” enforcement action	6
Prosecution.....	6
Works in default / direct action	7
Cases where assistance from other Council services may help remedy a breach.....	7
Enforcement aligned to other activity	7
Sources of further information and assistance	8

Introduction

Effective and proportionate enforcement of planning controls is essential in protecting the quality of our local environments, and is important in maintaining the public’s confidence in the planning system.

Wigan Council has published this Local Enforcement Plan to explain how we will deal with alleged breaches of planning control, so that all parties are clear on what to expect in terms of our response times and the process involved. The Plan should be read alongside the Council’s corporate Enforcement Policy, which can be viewed [here](#).

Background

Legal background

The legislative background for planning enforcement is the Town and Country Planning Act 1990 as amended (“the Act”). Section 171A of the Act defines a breach of planning control as:

- *the carrying out of development without the required planning permission; or*
- *failing to comply with any condition or limitation subject to which planning permission has been granted.*

This includes any contravention of the limitations on, or conditions belonging to, permitted development rights.

The Act provides a range of tools that authorities can use to take “formal” enforcement action. These include:

- Breach of Condition Notices (s187 of the Act)
- Planning Enforcement Notices (s172 of the Act)
- Stop Notices and Temporary Stop Notices (s183 and s171E of the Act)
- Injunctions (s187B of the Act)

In addition to these definitions and powers relating to development, Section 215 of the Act also gives authorities the ability to take action where land is in a condition that impacts on the amenity of their area. Under this power authorities can serve notice on landowners specifying the steps to be taken to address the impact.

The Act also requires authorities to consider when it is “expedient” to take enforcement action, having regard to the development plan (their local planning policies) and other material planning considerations.

National policy and guidance

The National Planning Policy Framework (NPPF) and Planning Policy Guidance (PPG) set out how the Government expects authorities to approach potential breaches of planning control. The NPPF and PPG also expand on the ways that authorities should use “informal” approaches to resolving planning breaches where appropriate, without the need to initiate the “formal” steps available through the legislation.

The role of the Enforcement Plan

This Plan sets out how the Council will deal with alleged planning breaches at each stage of the process, from initial reporting of a breach through (if necessary) to prosecution in court. It also explains how, in appropriate cases, the Council will offer its services to work positively with property owners to support them in what they are trying to achieve, while still securing rectification of any breach.

How the Council will deal with alleged planning breaches

Reporting a concern

Any report of a planning breach must be made in writing. The form on which this should be done is on the Council’s website at <https://www.wigan.gov.uk/Resident/Planning-and-Building-Control/Planning/Enforcement-and-breaches.aspx> Reports made only by telephone cannot be accepted and will not be investigated. For customers who do not have access to the internet there are self-service facilities at the Wigan Life Centre and in libraries; if these are unavailable then friends or family may be able to help.

The Council will only investigate alleged breaches where **all** the following information is supplied:

- Address of the alleged breach
- Details of the alleged breach, including:
 - Nature and location of any new building, alteration or structure alleged to have been created without planning permission
 - Nature of any use alleged to be under way without planning permission, including times when such a use is occurring if intermittent
 - Nature of any contravention of a planning condition, including times if intermittent
 - Nature of any impact on amenity arising from the condition of land, including specific information about what is causing the impact, details of where the land can be seen from, and the length of time the land has been in the condition described.
- Name, address (postal and email) and telephone number of the person reporting the breach (this will be kept strictly confidential but anonymous reports cannot be accepted and will not be investigated)

If photographs of the alleged breach are available, these may assist the Council. They can be uploaded alongside the form, via the web page above. Under no circumstances should complainants place themselves in any danger or expose themselves to any risk in an attempt to obtain photographs.

The Council may itself become aware of a breach without a report being received from an external party. These cases will be logged and acted upon in the same way as any other breach, in accordance with this Plan.

Categorisation of reported breaches

On receiving a report of a planning breach, the Council will assign it to a category according to the degree of harm that appears to be being caused to planning interests. Reported breaches will be categorised as follows:

Category	Description
P0	Extremely severe harm to planning interests or planning breach resulting in risk to public safety
P1	<p>Significant harm to planning interests:</p> <ul style="list-style-type: none"> • Operational development without planning permission (other than as P2 below) • Change of use causing material impact on surrounding area with respect to amenity or the intensity of the activity • Development started without discharging pre-commencement planning conditions • Breach of condition leading to irreversible harm or significant impact on amenity
P2	<p>Material breach of planning control but limited harm:</p> <ul style="list-style-type: none"> • Operational development in excess of permitted development rights • Development not in accordance with approved plans • Breach of condition but not irreversible impact or significant impact on public safety • Development constituting a breach of planning control but also subject to other legislation, eg the Party Wall Act or civil processes dealing with encroachment <p>Land in a condition leading to impact on amenity:</p> <ul style="list-style-type: none"> • Impact due to presence of physical features on the site, eg mounds of earth / rubble, dilapidated structures • Land visible from public vantage points • Impact not due to a temporary situation, eg active demolition or development site
P99	<p>Trivial breach of planning control, no material harm, eg fence marginally exceeding permitted height</p> <p>Land in poor condition but visible only from one or a small number of private properties, eg domestic rear gardens</p> <p>Land that is in poor condition but where the only impact arises from overgrown vegetation (in extreme instances such cases may be classified as P2)</p> <p>Land that is in poor condition but where other legislation (for example the Building Act 1984) provides more appropriate powers for securing a lasting solution – such cases will be passed to the relevant Council service for further consideration</p>

Timescales for investigation

Other than in exceptional circumstances, the Council will carry out its initial investigation into reported breaches within the following timescales:

- P0 – within 1 working day
- P1 – 7 working days
- P2 – 15 working days
- P99 – breaches in this category will be recorded but will not be investigated further

The Council will normally provide an update to the person reporting the breach within three working days of carrying out its investigation, and no later than three working days beyond the timescales set out above.

Investigation of ongoing breaches

Where a report relates to an ongoing breach (for example a construction site working outside permitted hours, or a business operating from a domestic property that is receiving visits), the alleged breach will be assigned to a category in line with the above, and the person making the report will be provided with log sheets on which to keep a record over a period (normally 21 days) of the activity constituting the breach. If the log sheets are not returned, or are returned but do not contain sufficient information to clearly determine that a breach is occurring, the case will be recategorised as P99, and will not be investigated further.

Retrospective planning applications

Where the Council considers there to be a reasonable prospect that the development that has occurred would comply with the Council's planning policies, the property owner will be invited to submit a retrospective planning application, which may be for the development in its entirety or for part of it.

If a retrospective application is invited, a valid application must be submitted within 28 days of the Council requesting it. If a valid application is not submitted within this timescale the Council will normally proceed to enforcement action, subject to confirmation that is expedient to do so. No reminders will be sent.

A retrospective application will not be invited in circumstances where the development that has occurred is clearly contrary to the Council's planning policies. The Council will continue its enforcement process in relation to these cases even if an application is submitted. If a retrospective application is submitted and refused, applicants have a right of appeal to the Planning Inspectorate against this refusal. If no retrospective application is made, applicants wishing to make a case that the development being enforced against should have been granted planning permission, will be expected to do so via a Ground A appeal against any Enforcement Notice. Where appropriate the Council will seek to invite the Planning Inspectorate to deal with all relevant appeals concurrently.

More details on the appeals process can be found on the [Planning Inspectorate's website](#).

If the property owner believes that the development constituting the alleged breach has been in place for sufficient time to be "immune" from enforcement action (normally 4 years for building works and

10 years for changes of use), they have the option under the Act to submit an application for a Certificate of Lawful Development.

Resolution by negotiation

In some cases the steps needed to rectify a planning breach are simple for the property owner to achieve. This is normally the case in respect of land in poor condition. Where it appears that the breach can readily be rectified, the Council will attempt to secure the required steps through negotiation with the property owner. In respect of land in poor condition, the steps required will be those that would result in a sustainable solution to the amenity impact and minimise the possibility of repeat cases, for example the permanent clearance and levelling of land or, where appropriate, the erection of a substantial hoarding in place of temporary fencing. The Council will write to the property owner once, setting out the steps required and the timescale for completing them, which will normally be 28 days. If the breach has not been fully rectified within this timescale, the Council will normally proceed to enforcement action or the service of a Section 215 notice. No reminders will be sent. The Council will not entertain protracted negotiation or repeated submissions that incrementally adjust what is proposed.

“Formal” enforcement action

The Council will normally move directly to “formal” enforcement action in the following circumstances:

- Where a retrospective application has been refused – in these circumstances the Council will serve the enforcement notice at the same time as refusing the application
- Where a breach has not been resolved by negotiation in the required timescale
- Where the extent or nature of the breach means that the works that have been carried out are clearly not in accordance with the Council’s policies and / or it appears that resolution by negotiation is unlikely

In determining whether “formal” enforcement is appropriate, the Council will make an initial assessment of whether it would be likely to be in the public interest for the case to be prosecuted should any notice not be complied with. The final decision on any prosecution will be made at the appropriate time.

Many of the types of action that the Council can take come with a right of appeal.

Prosecution

Although carrying out development without planning permission is not normally a criminal offence, the Act creates a number of offences relating to failure to comply with formal Notices, including all the types listed on page 2. A range of penalties apply, including in some cases unlimited fines.

The Council will make its decisions as to the prosecution of any planning enforcement related offence, in line with its corporate Enforcement Policy.

Works in default / direct action

The Act provides the Council with powers to take direct action to remedy planning breaches. The Council will make its decisions as to any use of these default powers on a case by case basis, having regard to:

- The degree and type of harm being caused by the breach, including to the wider community and to the public's confidence in the planning system
- The likelihood of the breach being resolved by any other means
- The effective use of public resources

Cases where assistance from other Council services may help remedy a breach

The Council recognises that there are situations in which property owners have breached planning control unintentionally or with the best of intentions. Although this does not alter the fact that a breach has occurred and will need to be remedied, the Council will also consider whether there is any other assistance that it can offer the property owner to achieve their overall aim.

In particular the Council will aim to assist individuals who are seeking to establish a small business by operating from their home, and who in doing so have changed the use of their property so as to include a component of business use. These types of activities change the character of the property and can have a significant effect on the wider residential area.

Businesses encountering these types of issues are often reaching a point where they are ready to progress into their own accommodation, in a commercial area appropriate for the use. If this is the case the Council's Economic Development service will work with the business owner with the aim of identifying a suitable premises. This service will also explore whether the business owner requires any other support.

Offering this support does not mean that the Council is not concerned about the breach of planning control that has taken place. The Council will continue to seek rectification of the breach through its planning powers, in line with the approach set out in this Plan. The Council will consider whether it is appropriate to allow longer periods to comply with its requirements: this will depend on the severity of the impact that the business is having on the surrounding residential area, and will be kept under review.

Enforcement aligned to other activity

This Plan sets out the basis for a consistent and transparent approach to planning enforcement, which will apply in all cases, including those reported by external parties and those that it identifies itself.

From time to time the Council may, in line with a corporate priority or as part of a package of coordinated activity, adopt an approach of actively seeking to identify breaches in a specific geographical area or of a particular type. Breaches identified in this way will be categorised and dealt with in line with this Plan.

Sources of further information and assistance

The following sources of information may assist property owners in understanding the planning system, and their rights and options:

- Wigan Council website www.wigan.gov.uk – information about Wigan Council’s planning policies, how to apply for planning permission, and how to get further advice
- The Planning Portal www.planningportal.co.uk – information about what does and does not require planning permission, how to apply, and an online portal to submit planning applications
- The Planning Inspectorate www.gov.uk/government/organisations/planning-inspectorate - information about the appeals process
- The Royal Town Planning Institute’s “Planning Aid” service <https://www.rtpi.org.uk/planning-aid/> – a source of free advice from qualified planners via the industry’s professional body
- Planning consultants who are chartered members of the Royal Town Planning Institute (MRTPI) – via an internet search

This page is intentionally left blank

Appendix B – Planning breach reporting form

What to do

- Fill in the form providing as much detail as you can about the problem.
- State when the problem started and what harm is being caused.
- For possible unauthorised uses, provide full details of the activity such as hours of use, vehicle movements (including registration numbers) and customer visits including times of arrival and departure.
- For potential unauthorised buildings, please explain in detail how they differ from any approved plans including the dimensions and locations.

Please note that the council does not accept anonymous complaints and your full personal details are required prior to any investigation being commenced.

In each case, personal details will remain strictly confidential.

Your full name (Required):

Your address (Required):

Your postcode (Required):

Your telephone number (Required):

Your email address:

Address or location of the property/land subject of your complaint (Required):

(If giving a location of land please provide as much detail as possible so that it may be easily identified).

Please state the nature of your complaint, for example, an extension to a property, change of use of a property or land, unauthorised advertisements etc. (Required):

Please describe the problem the property/land subject of your complaint is causing:

You should also state whether you are willing to support the council in any subsequent prosecution by being prepared to supply a written statement of evidence and attend court if so required. Please tick the correct option outlined below:

- I am prepared to attend court if necessary
 I am not prepared to attend court under any circumstances

If you have any evidence (such as photographs etc.) please attach them here:

(You can attach up to 3 files (jpg, jpeg, pdf only) that must be smaller than 1Mb)

No file chosen

No file chosen

No file chosen

Please press the submit button **once** and wait for confirmation that we have received your report.

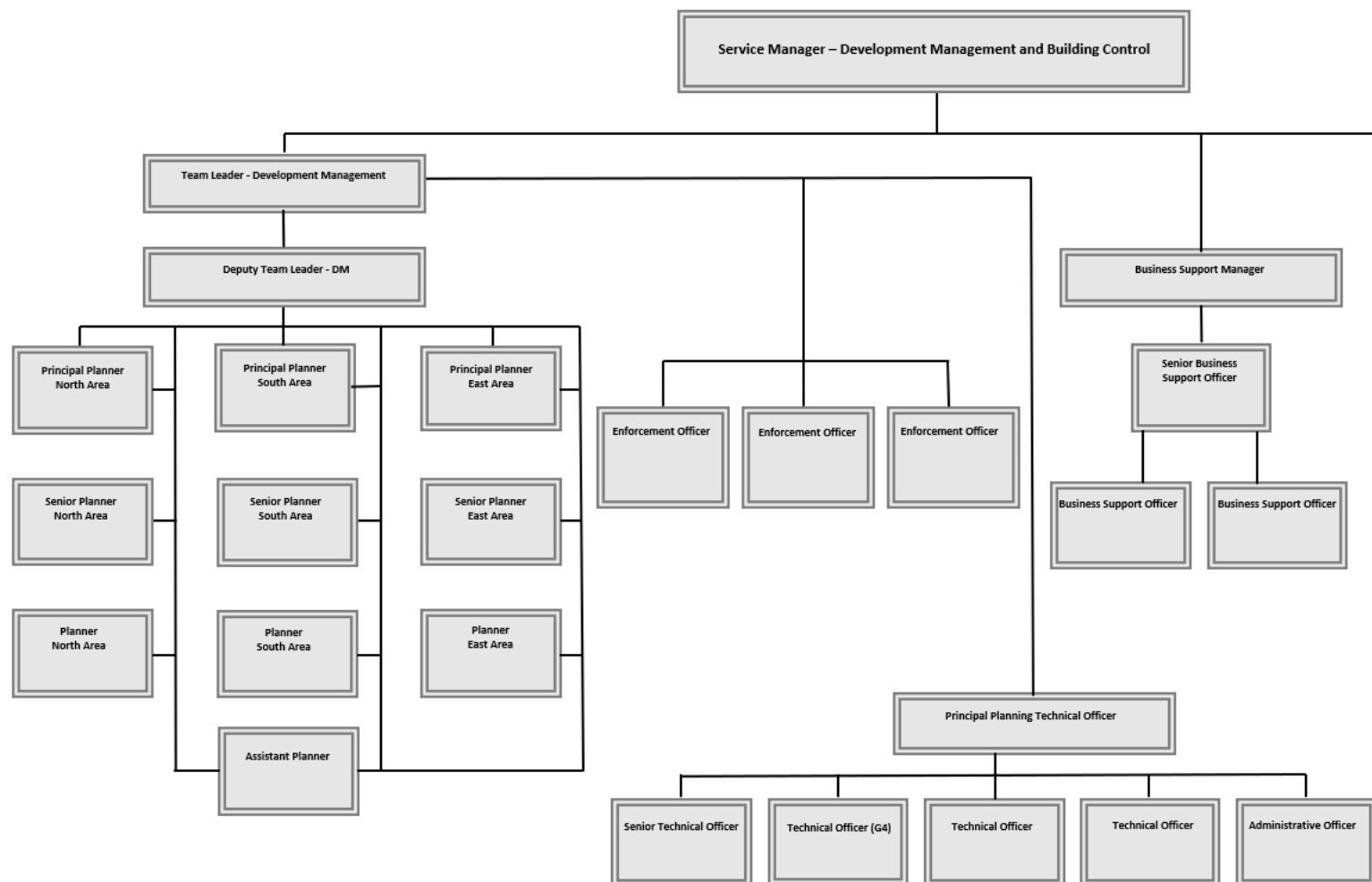
This page is intentionally left blank

Appendix C – Categorisation of enforcement breaches table

Category	Description
P0	Extremely severe harm to planning interests or planning breach resulting in risk to public safety
P1	<p>Significant harm to planning interests:</p> <ul style="list-style-type: none"> • Operational development without planning permission (other than as P2 below) • Change of use causing material impact on surrounding area with respect to amenity or the intensity of the activity • Development started without discharging pre-commencement planning conditions • Breach of condition leading to irreversible harm or significant impact on amenity
P2	<p>Material breach of planning control but limited harm:</p> <ul style="list-style-type: none"> • Operational development in excess of permitted development rights • Development not in accordance with approved plans • Breach of condition but not irreversible impact or significant impact on public safety • Development constituting a breach of planning control but also subject to other legislation, eg the Party Wall Act or civil processes dealing with encroachment <p>Land in a condition leading to impact on amenity:</p> <ul style="list-style-type: none"> • Impact due to presence of physical features on the site, eg mounds of earth / rubble, dilapidated structures • Land visible from public vantage points • Impact not due to a temporary situation, eg active demolition or development site
P99	<p>Trivial breach of planning control, no material harm, eg fence marginally exceeding permitted height</p> <p>Land in poor condition but visible only from one or a small number of private properties, eg domestic rear gardens</p> <p>Land that is in poor condition but where the only impact arises from overgrown vegetation (in extreme instances such cases may be classified as P2)</p> <p>Land that is in poor condition but where other legislation (for example the Building Act 1984) provides more appropriate powers for securing a lasting solution – such cases will be passed to the relevant Council service for further consideration</p>

This page is intentionally left blank

Appendix D – Development Management Service Structure



This page is intentionally left blank

Document is Restricted

This page is intentionally left blank