

2005 No. 598

LOCAL GOVERNMENT, ENGLAND

**The Local Government (Best Value) Performance Indicators and
Performance Standards (England) Order 2005**

<i>Made</i> - - - -	<i>7th March 2005</i>
<i>Laid before Parliament</i>	<i>10th March 2005</i>
<i>Coming into force</i> - -	<i>1st April 2005</i>

The First Secretary of State, in exercise of the powers conferred by section 4(1) and (2) and 28(1)(b) of the Local Government Act 1999(a), and having consulted, in accordance with section 4(3) of that Act, persons appearing to him to represent the best value authorities concerned and such other persons as he thought fit, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Local Government (Best Value) Performance Indicators and Performance Standards (England) Order 2005 and shall come into force on 1st April 2005.

(2) In this Order—

“the Act” means the Local Government Act 1999;

“DEFRA” means the Department for the Environment, Food and Rural Affairs;

“DETR” means the Department of the Environment, Transport and the Regions;

“ODPM” means the Office of the Deputy Prime Minister;

“development” has the same meaning as in section 55 of the Town and Country Planning Act 1990(b);

“disabled person” has the same meaning as in section 1 of the Disability Discrimination Act 1995(c);

“ethnic minority communities” means communities which are composed of people from any of the following ethnic backgrounds: Caucasian and Black African, Caucasian and Black Caribbean, Caucasian and Asian, any other mixed race background, Indian, Pakistani, Bangladeshi, any other Asian background, Black Caribbean, Black African, any other Black background, Chinese.

“fire and rescue authority” means a fire and rescue authority within the meaning of section 1 of the Fire and Rescue Services Act 2004(d);

“highway authority” has the meaning as in section 1(2) and (3) of the Highways Act 1980(e);

(a) 1999 c.27. For the application of the Act to Wales, *see* section 29.

(b) 1990 c.8; section 55 was amended by the Planning and Compensation Act 1991 c.34, sections 13(1), (2), 14, 31, 84, Schedule 6, paragraph 9, Schedule 19, Parts 1 and 2 and the Planning and Compulsory Purchase Act 2004 c.5, section 49(1).

(c) 1995 c.50.

(d) 2004 c.21.

(e) 1980 c.66; section 1(2) and (3) were amended by the Local Government Act 1985 c.51, section 8, Schedule 4, paragraph 1.

“intentionally homeless” has the meaning as in section 191 of the Housing Act 1996^(a);
“major planning application” means a planning application for development involving any one of the following—

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwelling houses where—
 - (i) the number of dwelling-houses to be provided is 10 or more; or
 - (ii) the development is to be carried out on a site having an area of 0.5 hectare or more and it is not known whether the development falls within paragraph (c)(i);
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more;

“minor planning application” means a planning application that is neither a major nor an other planning application;

“other planning application” means the following planning applications: mineral application other than those which are classed as major applications, consents to alter, householder developments, change of use of a building, advertisements, extensions or demolition of listed buildings, conservation area consents;

“port health authority” is an authority or board constituted as a port health authority by an order under section 2 of the Public Health (Control of Disease) Act 1984^(b);

“principal council” means a council elected for a principal area as defined in section 270 of the Local Government Act 1972^(c);

“priority need for accommodation” has the meaning given in section 189 of the Housing Act 1996;

“unitary council” means a district council or a county council which is the sole principal council for its local government area;

“waste authority” means a waste collection authority or a waste disposal authority;

“waste collection authority” has the same meaning as in section 30(3) of the Environment Protection Act 1990^(d);

“waste development” means any operational development designed to be used wholly or mainly for the purpose of, or a material change of use to, treating, storing, processing or disposing of refuse or waste materials;

“youth work” means a service providing activities for young people directly funded by a local authority.

(3) In this Order—

- (a) a reference to a numbered indicator or standard in a particular Schedule is to the indicator or standard so numbered in column 1 of that Schedule and which is described in column 2 of that Schedule;
- (b) a reference to a numbered Schedule is a reference to the Schedule to this Order bearing that number.

Application

2. This Order applies to best value authorities in England, except police authorities.

(a) 1996 c.52.
(b) 1984 c.22.
(c) 1972 c.70.
(d) 1990 c.43.

General corporate health performance indicators

3.—(1) The performance of the best value authorities specified in paragraph (2), in exercising all of their functions, shall be measured by reference to indicators 1 to 12 in Schedule 1.

(2) The best value authorities specified for the purposes of paragraph (1) are —

- (a) district councils;
- (b) the Council of the Isles of Scilly;
- (c) London borough councils;
- (d) the Common Council of the City of London, in its capacity as a local authority; and
- (e) county councils which are unitary councils.

(3) The performance of the best value authorities specified in paragraph (4), in exercising all of their functions, shall be measured by reference to indicators 1, 2, and 5 to 12 in Schedule 1.

(4) The best value authorities specified for the purposes of paragraph (3) are—

- (a) the Greater London Authority;
- (b) Transport for London;
- (c) the London Development Agency; and
- (d) county councils which are not unitary councils.

(5) The performance of National Park authorities and the Broads Authority, in exercising all of their functions, shall be measured by reference to indicators 1, 2 and 6 to 12 in Schedule 1.

(6) The performance of fire and rescue authorities, in exercising all of their functions, shall be measured by reference to indicators 1, 2, 5, 6, 8, 9, 10 and 12 in Schedule 1.

(7) The performance of waste disposal authorities established under section 10 of the Local Government Act 1985(a), in exercising all of their functions, shall be measured by reference to indicators 2 and 5 to 12 in Schedule 1.

(8) The performance of metropolitan county passenger authorities, in exercising all of their functions, shall be measured by reference to indicators 1, 2 and 5 to 10 of Schedule 1.

Performance indicators for education

4.—(1) The performance of the best value authorities specified in paragraph (2), in exercising their education functions, shall be measured by reference to the indicators in Schedule 2.

(2) The best value authorities specified for the purposes of paragraph (1) are—

- (a) county councils;
- (b) the Council of the Isles of Scilly;
- (c) the Common Council of the City of London in its capacity as a local authority;
- (d) London borough councils;
- (e) metropolitan district councils; and
- (f) non-metropolitan councils which are unitary councils.

Performance indicators for the health and social care of children

5.—(1) The performance of the best value authorities specified in paragraph (2), in exercising their functions in relation to the health and social care of children, shall be measured by reference to the indicators in Schedule 3.

(2) The best value authorities specified for the purposes of paragraph (1) are—

- (a) county councils;

(a) 1985 c.51.

- (b) the Council of the Isles of Scilly;
- (c) the Common Council of the City of London in its capacity as a local authority;
- (d) London borough councils;
- (e) metropolitan district councils; and
- (f) non-metropolitan councils which are unitary councils.

Performance indicators for the health and social care of adults

6.—(1) The performance of the best value authorities specified in paragraph (2), in exercising their functions in relation to the health and social care of adults, shall be measured by reference to the indicators in Schedule 4.

(2) The best value authorities specified for the purposes of paragraph (1) are—

- (a) county councils;
- (b) the Council of the Isles of Scilly;
- (c) the Common Council of the City of London in its capacity as a local authority;
- (d) London borough councils;
- (e) metropolitan district councils; and
- (f) non-metropolitan councils which are unitary councils.

Performance indicators for housing and housing related services

7.—(1) The performance of the best value authorities specified in paragraph (2), in exercising their functions in relation to housing and housing related services, shall be measured by reference to the indicators in Schedule 5.

(2) The best value authorities specified for the purposes of paragraph (1) are—

- (a) the Council of the Isles of Scilly;
- (b) the Common Council of the City of London in its capacity as a local authority;
- (c) London borough councils;
- (d) district councils; and
- (e) county councils which are unitary councils.

(3) For the purposes of the indicators specified in Schedule 5 “residential accommodation” includes caravans, mobile homes and houseboats.

Performance indicators for homelessness

8.—(1) The performance of the best value authorities specified in paragraph (2), in exercising their functions in relation to dealing with homelessness, shall be measured by reference to the indicators in Schedule 6.

(2) The best value authorities specified for the purposes of paragraph (1) are—

- (a) the Council of the Isles of Scilly;
- (b) the Common Council of the City of London in its capacity as a local authority;
- (c) London borough councils;
- (d) district councils; and
- (e) county councils which are unitary councils.

Performance indicators for housing benefit and council tax benefit

9.—(1) The performance of the best value authorities specified in paragraph (2), in exercising their functions in relation to housing benefit and council tax benefit, shall be measured by reference to the indicators in Schedule 7.

(2) The best value authorities specified for the purposes of paragraph (1) are—

- (a) the Council of the Isles of Scilly;
- (b) the Common Council of the City of London in its capacity as a local authority;
- (c) London borough councils;
- (d) district councils; and
- (e) county councils which are unitary councils.

Performance indicators for waste and cleanliness

10.—(1) The performance of waste disposal authorities^(a) in exercising all of their functions shall be measured by reference to indicators 1 to 5 and 7 in Schedule 8.

(2) The performance of waste collection authorities in exercising all of their functions shall be measured by reference to indicators 1, 2,5,6,8 and 9 in Schedule 8.

Performance standards for waste authorities

11.—(1) A waste authority which is not specified in Schedule 10 and which achieved, in the financial year beginning on 1st April 1998, a recycling and composting rate specified in column (1) of Schedule 9 shall, in relation to indicators 1 and 2 in Schedule 8 (taken together), meet for the financial year beginning on 1st April 2005 the standard specified in column (2) to that Schedule.

(2) For the purposes of this article, the recycling and composting rate for a waste authority is that which is set out for the authority in the document published by the DETR entitled “Guidance on Municipal Waste Management Strategies”^(b); and an authority which is stated in the document to have failed to supply to DEFRA adequate details of the recycling and composting rates is treated for the purposes of paragraph (1) of this Article and Schedule 9 as having a recycling and composting rate of 13% or more.

Performance standards for specific waste authorities

12. The waste authorities specified in column (1) of Schedule 10 shall, in relation to indicators 1 and 2 of Schedule 8 (taken together), meet, for the financial year beginning on 1st April 2005, the standard specified in column (2) to Schedule 10.

Performance indicators for transport

13.—(1) The performance of best value authorities specified in paragraph (2), in exercising their transport functions, shall, subject to paragraph (3), be measured by reference to all the indicators in Schedule 11.

(2) The best value authorities specified for the purposes of paragraph (1) are —

- (a) county councils;
- (b) the Common Council of the City of London in its capacity as a local authority;
- (c) non-metropolitan district councils which are unitary councils; and
- (d) Council of the Isles of Scilly.

(a) As defined in section 1(5) of the Local Government Act 1999 c.27.

(b) “Municipal Waste Management Strategies” was published by the DETR on 5 March 2001. The document is available at www.defra.gov.uk/environment/waset/management/guidance/mwms/10.htm.

(3) The performance of metropolitan district councils, in exercising their transport functions, shall be measured by reference to indicators 1 to 9 in Schedule 11.

(4) The performance of Transport for London, in exercising its transport functions, shall be measured by reference to indicators 1 and 3 to 9 in Schedule 11.

(5) The performance of London borough councils in exercising their transport functions shall be measured by reference to indicators 1 to 4 and 6 to 9 in Schedule 11.

(6) The performance of metropolitan county passenger transport authorities in exercising their transport functions shall be measured by reference to indicator 5 in Schedule 11.

Performance indicators for the environment, environmental health and trading standards

14.—(1) The performance of best value authorities specified in paragraph (2), in exercising their functions relating to the environment, environmental health, and trading standards, shall be measured by reference to all the indicators in Schedule 12.

(2) The best value authorities specified for the purposes of paragraph (1) are —

- (a) the Common Council of the City of London in its capacity as a local authority;
- (b) London borough councils;
- (c) district councils; and
- (d) county councils which are unitary councils.

(3) The performance of county councils which are not unitary councils and the Council of the Isles of Scilly, in exercising their functions relating to the environment, environmental health and trading standards, shall be measured by reference to indicators 1 to 3 in Schedule 12.

(4) The performance of port health authorities, in exercising their functions relating to the environment shall be measured by reference to indicator 2 in Schedule 12.

Performance indicators for planning

15.—(1) The performance of the best value authorities specified in paragraph (2), in exercising their planning functions, shall be measured by reference to the indicators in Schedule 13.

(2) The best value authorities specified for the purposes of paragraph (1) are —

- (a) the Council of the Isles of Scilly;
- (b) the Common Council of the City of London in its capacity as a local authority;
- (c) London borough councils;
- (d) district councils; and
- (e) county councils which are unitary councils.

(3) The performance of the Broads Authority and the National Park authorities, in exercising their planning functions, shall be measured by reference to indicators 1, 2 and 4 to 6 in Schedule 13.

(4) The performance of county councils which are not unitary councils, in exercising their planning functions, shall be measured by reference to indicators 2 and 4 in Schedule 13.

Performance standards for major planning applications

16.—(1) The best value authorities specified in paragraph (4) shall, in relation to indicator 2(a) (major applications) in Schedule 13, meet the standard in paragraph (2).

(2) During the financial year, the authority shall determine 57 percent of major planning applications within a period of thirteen weeks, beginning on the day immediately following the date on which a valid application is received by the authority.

(3) For the purposes of this article and articles 17 and 18 —

- (a) an application is deemed to be determined on the date on which a decision in request of the application is dispatched to the applicant; and
- (b) a “valid application” means an application that the authority does not consider to be invalid by reason of a failure to comply with the requirements of regulation 3 of Town and Country Planning (Applications) Regulations 1988(a), article 4 of the Town and Country Planning (General Development Procedure) Order 1995(b) or any other statutory requirement.

(4) The best value authorities specified for the purposes of paragraph (1) are—

Bassetlaw District Council;
Bath & NE Somerset Council;
Berwick-upon-Tweed Borough Council;
Blyth Valley Borough Council;
Bradford Metropolitan District Council;
Burnley Borough Council;
Cambridge City Council;
London Borough of Camden;
Chesterfield Borough Council;
Colchester Borough Council;
Cotswold District Council;
Derby City Council;
Derwentside District Council;
Doncaster Metropolitan Borough Council;
Dudley Metropolitan Borough Council;
East Hertfordshire District Council;
East Northamptonshire District Council;
East Staffordshire Borough Council;
Ellesmere Port and Neston Borough Council;
Fenland District Council;
Harrogate Borough Council;
London Borough of Havering;
Hertsmere Borough Council;
Kirklees Metropolitan Council;
Luton Borough Council;
Maldon District Council;
Melton Borough Council;

(a) S.I. 1988/1812; regulation 3 was amended in relation to England by S.I. 2003/956.
(b) S.I. 1195/419; article 4 was amended in relation to England by S.I. 2003/956.

Mid Devon District Council;
Mid Suffolk District Council;
North Dorset District Council;
Northampton Borough Council;
Nuneaton & Bedworth Borough Council;
Oxford City Council;
Peterborough City Council;
Plymouth City Council;
Preston City Council;
Redditch Borough Council;
Rugby Borough Council;
Scarborough Borough Council;
Selby District Council;
Slough Borough Council;
South Cambridgeshire District Council;
South Gloucestershire Council;
South Oxfordshire District Council;
South Somerset District Council;
Southampton City Council;
London Borough of Southwark;
Stevenage borough Council;
Stroud District Council;
Suffolk Coastal District Council;
London Borough of Sutton;
Test Valley Borough Council;
Torrige District Council;
Trafford Metropolitan Borough Council;
Uttlesford District Council;
Walsall Metropolitan Borough Council;
London Borough of Wandsworth;
Waverley Borough Council;
Wealden District Council;
Welwyn Hatfield District Council;
West Berkshire Council;
Winchester City Council;

The Royal Borough of Windsor & Maidenhead;
Wokingham District Council;
Wychavon District Council;
City of York.

Performance standards for minor planning applications

17.—(1) The best value authorities specified in paragraph (3) shall, in relation to indicator 2(b) (minor applications) in Schedule 13, meet the standard in paragraph (2).

(2) During the financial year, the authority shall determine 63 percent of minor planning applications within a period of eight weeks beginning on the day immediately following the date on which a valid application is received by the authority.

(3) The best value authorities specified for the purposes of paragraph (1) are—

Allerdale Borough Council;
Amber Valley Borough Council;
Berwick-upon-Tweed Borough Council;
Blaby District Council;
Blyth Valley Borough Council;
Boston Borough Council;
Bournemouth Council;
Bracknell Forest Borough Council;
Castle Morpeth Borough Council;
Dudley Metropolitan Borough Council;
East Hertfordshire District Council;
East Northamptonshire District Council;
Eastleigh Borough Council;
Gedling Borough Council;
London Borough of Hackney;
London Borough of Harrow;
Hertsmere Borough Council;
London Borough of Hillingdon;
Lake District National Park;
Maldon District Council;
Melton Borough Council;
Mid Devon District Council;
Mid Suffolk District Council;
Newcastle-under-Lyme Borough Council;
North Dorset District Council;
North Hertfordshire District Council;
North Lincolnshire Council;
Nuneaton and Bedworth Borough Council;
Preston City Council;
Redditch Borough Council;
Salisbury District Council;

Sedgefield Borough Council;
South Holland District Council;
South Somerset District Council;
South Staffordshire District Council;
St Albans City and District Council;
Stafford Borough Council;
Stevenage Borough Council;
Stroud District Council;
Suffolk Coastal District Council;
Sunderland City Council;
Surrey Heath Borough Council;
Tandridge District Council;
Test Valley Borough Council;
Tewkesbury Borough Council;
Torridge District Council;
Trafford Metropolitan Borough Council;
Wakefield Metropolitan District Council;
Walsall Metropolitan Borough Council;
Waveney District Council;
Waverley Borough Council;
Wealden District Council;
Welwyn Hatfield District Council;
West Dorset District Council;
Winchester City Council;
The Royal Borough of Windsor and Maidenhead;
Wyre Borough Council;
City of York.

Performance standard for other planning applications

18.—(1) The best value authorities specified in paragraph (3) shall, in relation to indicator 2(c) (other applications) in Schedule 13, meet the standard in paragraph (2).

(2) During the financial year, the authority shall determine 75 percent of other planning applications within a period of eight weeks beginning on the day immediately following the date on which a valid application is received by the authority.

(3) The best value authorities specified for the purposes of paragraph (1) are—

Berwick-upon-Tweed Borough Council
Blyth Valley Borough Council
Boston Borough Council
London Borough of Camden
East Hertfordshire District Council
London Borough of Hackney
London Borough of Hillingdon
Lake District National Park
Mid Devon District Council

Mid Suffolk District Council
Newcastle-under-Lyme Borough Council
North Hertfordshire District Council
Norwich City Council
London Borough of Redbridge
Redditch Borough Council
Sedgefield Borough Council
South Somerset District Council
South Staffordshire District Council
Stafford Borough Council
Stevenage Borough Council
Stroud District Council
Sunderland City Council
Torrington District Council
Trafford Metropolitan Borough Council
West Dorset District Council
The Royal Borough of Windsor and Maidenhead.

Performance indicators for community safety and community well-being

19.—(1) The performance of the best value authorities specified in paragraph (2), in exercising their functions in relation to community safety and community well-being, shall be measured by reference to the indicators in Schedule 14.

(2) The best value authorities specified for the purposes of paragraph (1) are—

- (a) the Council of the Isles of Scilly;
- (b) the Common Council of the City of London in its capacity as a local authority;
- (c) London borough councils;
- (d) district councils; and
- (e) county councils which are unitary councils.

(3) The performance of county councils which are not unitary councils, in exercising their functions in relation to community safety and community well-being, shall be measured by reference to indicators 1 to 5, 7 and 8 in Schedule 14.

Performance indicators for culture and related services

20.—(1) The performance of the best value authorities specified in paragraph (2), in exercising their functions in relation to culture and related services, shall be measured by reference to the indicators 1 to 3 in Schedule 15.

(2) The best value authorities specified for the purposes of paragraph (1) are—

- (a) county councils;
- (b) the Council of the Isles of Scilly;
- (c) London borough councils;
- (d) the Common Council of the City of London in its capacity as a local authority; and
- (e) district councils which are unitary councils.

(3) The performance of district councils which are not unitary councils, in exercising their functions in relation to culture and related services, shall be measured by reference to the indicators 1 and 3 in Schedule 15.

(4) The performance of the Broads Authority and the National Parks Authorities in exercising their functions in relation to culture and related services, shall be measured by reference to the indicator 3 in Schedule 15.

Performance indicators for fire services

21. The performance of fire and rescue authorities and the Council of the Isles of Scilly, in its capacity as a fire authority, shall be measured by reference to the indicators in Schedule 16.

Revocations

22. The Orders mentioned in the first column of Schedule 17 are hereby revoked to the extent specified in the third column of that Schedule.

Signed by authority of the First Secretary of State

7th March 2005

Phil Hope
Parliamentary Under Secretary of State
Office of the Deputy Prime Minister

SCHEDULE 1

Article 3

General Corporate Health Performance Indicators

<i>Indicator Number</i>	<i>Description of indicator</i>
1	(a) The level (if any) of the “equality standard” ^(a) for local government to which the authority conforms; and (b) The extent to which the authority complies with the duty to promote race equality ^(b) .
2	In the financial year, the percentage of invoices for commercial goods and services that were paid by the authority within 30 days of such invoices being received by the authority.
3	The percentage of council tax due to the authority in the financial year that is received by the authority during that year.
4	The percentage of non-domestic rates due to the authority in the financial year that is received by the authority during that year.
5	Of those employees of the authority who earn salaries in the top 5 percent of all authority employee salaries, the percentage that are— (a) women; (b) from ethnic minority communities; (c) disabled persons .
6	The average number of working days or shifts in the financial year recorded as sick leave for the authority’s employees.

7	In the financial year, the percentage of authority employees who retire before the standard retirement age for their occupation (excluding those retiring on the grounds of ill health).
8	The percentage of authority employees who retire on the grounds of ill health.
9	(a) The percentage of authority employees that are disabled persons. (b) The percentage of disabled persons in the authority's area who are economically active.
10	(a) The percentage of authority employees that are from ethnic minority communities. (b) The percentage of persons who are from an ethnic minority community in the authority area's who are economically active.
11	The percentage of authority buildings open to the public in which all public areas are suitable for and accessible to disabled people.
12	The number of types of interactions that are enabled for electronic delivery as a percentage of the types of interactions that are legally permissible for electronic delivery.

^(a) The equality standard 2002 can be found in the publication: The Equality Standard for Local Government. This document was published in October 2001 by the Employers' Organisation for Local Government. The document and related guidance is available from the Employer's Organisation for Local Government (<http://www.lg-employers.gov.uk/diversity/equality>).

^(b) Details of the duty to promote race equality are set out in the "Best Value Performance Indicators Guidance 2005/6". This was published by ODPM on 28th February 2005. Copies can be obtained from ODPM, PO Box 236, Wetherby, LS23 7NB, telephone: 0870 1226 236, e-mail: odpm@twoten.press.net.

SCHEDULE 2

Article 4

Education performance indicators

<i>Indicator Number</i>	<i>Description of indicator</i>
1	Percentage of young people in the authority's area aged 13 to 19 gaining: (a) a recorded outcome; (b) an accredited outcome ^(a) ; in respect of their participation in youth work compared to the percentage of young people aged 13 to 19 who participate in youth work.
2	The percentage of 15 year old pupils in schools maintained by the local education authority achieving five or more GCSEs at grade A* to C (or equivalent).
3	The percentage of 15 year old pupils in schools maintained by the authority achieving five GCSEs (or equivalent) including English and Maths at grades A* to G.

4	The percentage of pupils in schools maintained by the authority achieving level 4 or above in the Key Stage 2 Mathematics test.
5	The percentage of pupils in schools maintained by the authority achieving level 4 or above in the Key Stage 2 English test.
6	Of all of the special educational need statements issued by an authority in a financial year, the percentage which are prepared within 18 weeks– (a) excluding exception cases; and (b) including those affected by “exceptions to the rule” under the Special Educational Needs Code of Practice ^(b) .
7	The percentage of recorded half-day absences of pupils in secondary schools maintained by the authority during the authority’s academic year.
8	In primary schools maintained by the authority, the percentage of recorded half-days missed in the academic year due to pupil absences .
9	The percentage of pupils permanently excluded from school maintained by the authority who are offered provision of alternative tuition by the authority of 21 hours or more per week.
10	The percentage of 14 year old pupils in schools maintained by the authority achieving a level of 5 or above in the Key Stage 3 test in– (a) English (b) Mathematics (c) Science (d) Information and Communication Technology.
11	(a) Percentage of leaders of integrated early education and childcare settings ^(c) provided by the authority who have a qualification at Level 4, or above, of the National Qualifications Framework ^(d) . (b) Percentage of integrated early years and childcare settings provided by the authority which have input from staff with graduate or post graduate training in teaching or child development.
12	The percentage of pupils in the authority maintained schools achieving level 5 or above in Key Stage 2 English and Mathematics.

^(a) Young people participating in youth work are assessed either by way of a recorded outcome: an assessment by the youth worker or an accredited outcome: assessments by accredited recognised bodies that offer awards etc. More information on this can be found at: www.nya.org.uk

^(b) The code came into force on 1st January 2002. A copy of the code can be obtained from the Department for Education and Skills.

^(c) Locations where an integrated education and childcare service is provided.

^(d) The National Qualification Framework, devised by the Qualifications, Curriculum Assessment Authority, sets out levels at which various qualifications are recognised. More information can be obtained from : <http://www.qca.org.uk/493.html>.

SCHEDULE 3

Article 5

Performance indicators for the health and social care of children

<i>Indicator number</i>	<i>Description of indicator</i>
1	The stability of placements of children in local authority care ^(a) measured by reference to the percentage of all children in local authority care who have been moved to three or more local authority care homes or foster parents in the current financial year.
2	Percentage of young people aged 16 or over leaving the care of the local authority in the current financial year who have at least 1 GCSE at grade A* to G, or a General National Vocational Qualification.
3	Of those young people aged 16 to 19 in the authority's area who are employed or in education or training, the percentage who were in the local authority's care in their 17 th year.
4	The percentage of cases involving children on the Child Protection Register that were reviewed by the authority's social services department.
5	On the 31st March of each year, the percentage of all children in local authority care in respect of whom a court order for adoption or special guardianship had been made.
6	In the current financial year, the change in conception rate in women between the ages of 15 to 17.

^(a) Children in local authority care means those children either in local authority care homes or who have been placed by the local authority with foster parents.

SCHEDULE 4

Article 6

Performance indicators for the health and social care of adults

<i>Indicator Number</i>	<i>Description of Indicator</i>
1	Number of persons aged 65 and over per 1,000 population who are provided with intensive home care.
2	Number of persons aged 65 or over per 1,000 resident population of the authority who are given assistance by the authority to continue to live at home.
3	The percentage of items of equipment, provided by the authority to a person aged 65 or over to help him to continue to live at home, which are delivered to the person's residence within 7 days of the request for the items being made.

4	In the case of care assessments made of the needs of persons aged 65 or over the average of (a) and (b). (a) The percentage of assessments which are made by the authority in less than 48 hours; and (b)The percentage of assessments which are completed by the authority within 4 weeks from the time that the authority receives notification that an assessment is required.
5	In the case of applications made by persons aged 65 or over for an assessment of their care needs, the percentage of assessments which are completed by the authority within 4 weeks or less of the date of the application.
6	In the current year, the number of persons aged 18 and over who receive payments from the authority for the purposes of obtaining equipment to enable them to live independently.

SCHEDULE 5

Article 7

Performance indicators for housing and housing related services

<i>Indicator number</i>	<i>Description of Indicator</i>
1	The average “Standard Assessment Procedure (SAP)” rating of residential accommodation owned by the authority (the procedure for determining SAP ratings is described in “Government’s Standard Assessment procedure for Energy Rating of Dwellings” (2001 edition) ^(a) .
2	The number of units of residential accommodation (other than accommodation owned by the authority) which have become occupied or been demolished during the financial year as a direct result of action by the authority.
3	In the financial year; (a) the proportion of rent due to the authority which is collected; (b) the percentage of authority tenants with more than seven weeks rent arrears; (c) the percentage of authority tenants with rent arrears, on whom notices of possession have been served; (d) The percentage of authority tenants evicted as a result of rent arrears.
4	Satisfaction of tenants of authority residential accommodation with the overall service provided by their landlord, with results broken down by— (a) tenants from ethnic minority communities; and (b) tenants who are not from ethnic minority communities.
5	Satisfaction of tenants of authority residential accommodation with the opportunities for tenant participation in management and decisions making in relation to housing services provided by the landlord, with the results broken down by— (a) tenants from ethnic minority communities; and

	(b) tenants who are not from ethnic minority communities.
6	(a) The proportion of authority residential accommodation which was non-decent ^(b) at the start of the financial year. (b) The percentage increase or decrease of non-decent residential accommodation within the financial year.
7	Spending by local authorities on residential accommodation showing— (a) proportion spent on planned repairs and maintenance as compared to proportion spent on responsive maintenance and repairs; (b) proportion spent on emergency and urgent repairs compared to proportion spent on non-urgent repairs.
8	The average time taken to grant tenancies of the authority's residential accommodation.
9	The extent (if any) to which the authority complies with: (a) the Commission for Racial Equality's Code of Practice in Rented Housing ^(c) ; and (b) the Good Practice Standards for Social Landlords on Tackling Racial Harassment: Code of Practice for Social Landlords ^(d) .

^(a) This document can be obtained free of charge from: the enquiries bureau, Building Research Establishment, Garston, Watford WD2 7JR.

^(b) A "non-decent" home is one that is not in a reasonable state of repair, does not have reasonably modern facilities and services and does not provide a reasonable degree of heating.

^(c) This publication is available at: http://www.cre.gov.uk/gdpract/housing_rented_cop.html

^(d) This publication is available at: http://www.odpm.gov.uk/stellent/groups/odpm_housing/documents/page/odpm_house_603873.hcsp

SCHEDULE 6

Article 8

Performance indicators for homelessness

<i>Indicator Number</i>	<i>Description of indicator</i>
1	The average length of stay in— (a) bed and breakfast accommodation and (b) hostel accommodation of households which include dependent children or a pregnant woman and where the applicant for accommodation is unintentionally homeless and in priority need for accommodation.
2	The number of people, on a single night within the authority's area, sleeping or bedding down in the open air, or in buildings or other places not designed for habitation.
3	The percentage increase or decrease, from the previous financial year, in the number of households, which include dependent children or pregnant women, placed in temporary accommodation ^(a) .

4	The number of households in the financial year that considered themselves homeless, who approached the authority's housing advice service and for whom housing advice casework intervention resolved their situation.
5	The proportion of those households accepted as homeless ^(b) in the financial year, who had been previously been accepted as homeless by the same authority within the last two years.

^(a) Under section 193 of the Housing Act 1996 the authority has a duty to secure accommodation for persons with a priority need who are not homeless intentionally.

^(b) Persons in respect of whom the authority accepts that there is a duty to provide accommodation in accordance with section 193 of the Housing Act 1996.

SCHEDULE 7

Article 9

Performance indicators for housing benefit and council tax benefit

<i>Indicator number</i>	<i>Description of Indicator</i>
1	Of every thousand housing benefit and council tax cases administered by the authority in a financial year, the number of— (a) claimants visited by a representative of the authority for the purpose of preventing fraud and error; (b) fraud investigators working for the authority; (c) fraud investigations undertaken by the authority; (d) convictions from prosecutions of cases involving council tax benefit or housing benefit fraud; (e) persons who were given either an administrative fine or a formal caution for council tax or housing benefit related offences.
2	The average time for processing a new claim for housing benefit or council tax benefit.
3	The average time for processing a notification of a change in circumstance in respect of a person claiming council tax benefit or housing benefit.
4	The percentage of cases for which the calculation of the amount of benefit due was correct on the basis of the information available at the time the calculation was made.
5	(a) The percentage of all housing benefit overpayments identified during the financial year which were recovered in the current financial year; (b) Of the housing benefit overpayments identified in the financial year plus the existing housing benefit overpayment debt – (i) the percentage recovered during the financial year; (ii) the percentage written off as unrecoverable.

SCHEDULE 8

Article 10

Performance indicators for waste and cleanliness

<i>Indicator number</i>	<i>Description of indicator</i>
1	Of the total tonnage of household waste arisings – (a) the amount in tonnes; and (b) the percentage; sent by the authority for recycling.
2	Of the total tonnage of household waste arisings – (a) the amount in tonnes; and (b) the percentage; sent by the authority for composting or for treatment by anaerobic digestion.
3	Of the total tonnage of household waste arisings – (a) the amount in tonnes; and (b) the percentage; which have been used to recover heat, power and other energy sources.
4	Of the total tonnage of household waste arisings – (a) the amount in tonnes; and (b) the percentage; which have been land-filled.
5	The number of kilograms of household waste collected per head of population in the authority’s area and the percentage increase or decrease in this amount compared to the previous financial year.
6	The cost to the authority per household of waste collection.
7	The cost of waste disposal per tonne of municipal waste.
8	The percentage of households in the authority’s area served by— (a) a kerbside collection of recyclables; (b) a kerbside collection of at least two recyclable materials.
9	The level of— (a) street cleanliness (b) graffiti (c) fly posting; and (d) fly tipping in the authority’s area.

SCHEDULE 9

Article 11

Performance standards for waste authorities

<i>Column (1)</i>	<i>Column (2)</i>
<i>Authority's 1998-9 recycling and composting rate</i>	<i>Minimum amount of waste which must be sent for recycling or composting in 2005/2006</i>
6% or less	Percentage of household waste sent for recycling and composting is at least 18% of all household waste collected.
More than 6% but less than 13%	Percentage of household waste sent for recycling or composting is at least treble that achieved for the financial year beginning on 1st April 1998, or at least 30%, whichever is the smaller.
13% or more	Percentage of household waste sent of recycling and composting is at least 30% of all household waste collected.

SCHEDULE 10

Article 12

Performance standards for specific waste authorities

<i>Column (1)</i>	<i>Column (2)</i>
<i>Name of authority</i>	<i>Minimum amount of waste which must be sent for recycling or composting in 2005/6</i>
Mendip District Council	25%
Sedgemoor District Council	19%
South Somerset District Council	28%
Taunton Dean Borough Council	30%
West Somerset District Council	25%
Oxford City Council	18%
South Oxfordshire District Council	29%
Vale of White Horse District Council	29%
Wiltshire County Council	30%
Kennet District Council	25%
Salisbury District Council	30%
Merseyside Waste Disposal Authority	22%
Knowsley Metropolitan Borough Council	15%
Liverpool City Council	15%
Sefton Metropolitan Borough Council	21%
St Helens Metropolitan Borough Council	15%
Wirral Metropolitan Borough Council	18%
Greater Manchester Waste Disposal Authority	20%
Bolton Metropolitan Borough Council	20%
Bury Metropolitan Borough Council	20%
Manchester City Council	20%
Oldham Metropolitan Borough Council	20%

Rochdale Metropolitan Borough Council	20%
Salford City Council	20%
Stockport Metropolitan Borough Council	30%
Tameside Metropolitan Borough Council	20%
Trafford Metropolitan Borough Council	20%

SCHEDULE 11

Article 13

Performance indicators for Transport

<i>Indicator number</i>	<i>Description of Indicator</i>
1	The percentage of the principal roads in the authority's area which are principal roads for the purposes of the Highways Act 1980 ^(a) where maintenance should be considered derived from automated conditioned surveys of the roads surface.
2	(a) The percentage on non-principal roads where maintenance should be considered derived from automated conditioned surveys of the roads surface. (b) The percentage of non-principal roads where structural maintenance should be considered, derived from visual surveys of the road surface.
3	Road safety: (a) The number of adults and children killed or seriously injured in road traffic collisions in the authority's area in the financial year; (b) The number of children killed or seriously injured in road traffic collisions in the authority's area in the financial year; (c) The number of adults and children slightly injured in road traffic collisions in the authority's area in the financial year; (d) The percentage increase or decrease in (a), (b) and (c) compared to: (i) the previous year and (ii) the average of those numbers for the period beginning 1st April 1994 and ending 31st March 1998.
4	The total number of days per year of temporary traffic controls or road closure on traffic sensitive roads caused by local authority road works, per kilometre.
5	The total number of local bus journeys originating in the authority's area in the financial year.
6	The percentage of all pedestrian crossings in the authority that have facilities for disabled people.
7	The percentage of the total length of all footpaths and other rights of way which were easy to use by members of the public.
8	The percentage of the footpaths in the authority's area where structural maintenance should be considered, derived from visual surveys.

9	The average number of days taken to repair a street lighting fault, where the street lighting maintenance is under the control of: (a) the authority; (b) an electrical company which owns the energy supply network.
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^(a) Section 12 of the Highways Act 1980.

SCHEDULE 12

Article 14

Performance indicators for the environment, environmental health and trading standards

<i>Indicator number</i>	<i>Description of indicator</i>
1	Score against a checklist of enforcement best practice for environment, environmental health and trading standards as set out in the document published in February 2005 by the ODPM entitled “Best Value Performance Indicators Guidance 2005/6” ^(a) .
2	The percentage of pollution control improvements completed on time during the financial year.
3	(a) The percentage, in the financial year, of reports of abandoned vehicles that are investigated within 24 hours of them being notified to the authority; (b) Of the abandoned vehicles which the authority is legally entitled to remove, the percentage that are removed within 24 hours of that legal obligation arising.
4	(a) Number of sites for which sufficient information is available to decide whether remediation is necessary, expressed as a percentage of all sites of potential concern. (b) Number of sites for which information about remediation may be required expressed as a percentage of all sites of potential concern.

^(a) Copies of the guidance can be obtained from ODPM Publications, PO Box 236, Wetherby, LS23 7NB, tel: 0870 1226 236, email: odpm@twoten.press.net.

SCHEDULE 13

Article 15

Performance indicators for planning

<i>Indicator number</i>	<i>Description of indicator</i>
1	The percentage of new homes built on previously developed land.
2	In the current financial year, the percentage of applications determined in accordance with planning standards– (a) percentage of major applications determined within 13 weeks; (b) percentage of minor applications determined within 8 weeks; (c) percentage of other applications determined within 8 weeks.

3	The percentage of standard searches for local land charges carried out in 10 or less working days.
4	(a) Whether the authority submitted the local development scheme by 28th March 2005 and from that date maintains a three year rolling programme; (b) Whether the authority met the milestones set out in the scheme. (c) Whether the authority published an annual monitoring report required under section 35 of the Planning Compulsory Purchase Act 2004 by December of each year.
5	The percentage of appeals allowed against the authority's decision to refuse a planning application.
6	The authority's score against a checklist relating to the quality of planning services set out in the Best Value Guidance 2005/6 ^(a) .

^(a) See footnote (b) to Schedule 1.

SCHEDULE 14

Article 19

Performance indicators for community safety and well-being

<i>Indicator number</i>	<i>Description of indicator</i>
1	The number of domestic burglaries in the authority's area per 1,000 households.
2	Per 1,000 population resident in the authority's area, the number of— (a) violent crimes ; (b) robberies.
3	The number of vehicle crimes per 1,000 population resident in the authority's area.
4	The number of racial incidents recorded by the authority per 100,000 population resident in the authority's area.
5	The percentage of recorded racial incidents that resulted in further action by the authority.
6	An assessment, by reference to the guidance and checklist on domestic violence strategy provided in the Best Value Guidance 2005/6 ^(a) , of the authority's anti-domestic violence strategy .
7	Per thousand head of population, the number of drug-users in the authority who are being treated by the NHS or a local authority service in a drug treatment programmes (provided either through the NHS or a local authority service).

8	<p>(a) Total amount spent by the authority on general advice and guidance services provided by external organisations to residents of the authority.</p> <p>(b) The percentage of the amount in (a) that is spent on organisations holding the Community Legal Service Quality Mark at General Help level and above^(b).</p> <p>(c) Total amount spent on advice and guidance, which is provided directly by the authority to the public, in the areas of: housing, welfare benefits and consumer matters.</p>
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^(a) See footnote (b) to Schedule 1.

^(b) The Community Legal Services Quality Mark is awarded by the Legal Services Commission to bodies who are able to meet certain criteria for the provision of advice and legal services.

SCHEDULE 15

Article 20

Performance indicators for culture and related services

<i>Indicator number</i>	<i>Description of indicator</i>
1	<p>Number of visits to museums and galleries which are owned by the authority, housed in an authority owned building or receive at least 20 percent of their funding from the authority:</p> <p>(a) The number of visits and enquiries (by way of telephone, in person or through the internet), per 1,000 population resident in the authority's area, in the financial year.</p> <p>(b) The number of visits made in person per year.</p> <p>(c) The number of pupils visiting in organised school groups, per year.</p>
2	<p>Compliance with the Public Library Service Standards published by the Department of Culture, Media and Sport in October 2004^(a).</p>
3	<p>(a) Total number of areas in the authority's area designated as conservation areas under section 69 of the Planning (Consequential Provisions) Act 1990^(b).</p> <p>(b) The percentage of conservation areas in the authority's area with an up to date character appraisal^(c).</p> <p>(c) The percentage of conservation areas in the authority's area in respect of which the authority has published proposals for management.</p>

^(a) A copy of the publication can be obtained at <http://www.culture.gov.uk/NR/rdonlyres/2374D642-EOEO-40BF-8BE4-F12047103DBE/O/PUBLICLIBRARYSERVICESTANDARDFINAL1OCTOBER.pdf>

^(b) 1990 c.11.

^(c) Character appraisal is an assessment of an area's interest and the action needed to help to protect it.

SCHEDULE 16

Article 21

Performance indicators for fire services

<i>Indicator number</i>	<i>Description of indicator</i>
1	The number of calls to fire attended in respect of: (a) primary fires ^(a) per 10,000 population in the authority's area; (b) accidental fires in dwellings per 10,000 dwellings in the authority's area.
2	The number of: (a) deaths; (b) injuries (excluding precautionary checks); per 100,000 population arising from accidental fires in dwellings.
3	The percentage of accidental fires in dwellings where the fire was confined to the room in which it started.
4	The number of calls to malicious false alarms, per 1,000 population in the authority's area: (a) not attended and (b) attended by the fire and rescue services.
5	(a) False alarms, per 1,000 non-domestic properties in the authority's area, caused by automatic fire detection equipment fitted in the premises. (b) Number of the properties in (a) where the fire and rescue services attended the property more than once in the financial year. (c) The percentage of all calls made to the fire and rescue services which are made in relation to a property where there has been more than one attendance by the fire and rescue services in the financial year.
6	Amount of expenditure per head of population in the authority's area on the provision of fire and rescue services.
7	(a) The number of deliberate primary fires (excluding deliberate primary fires in vehicles) per 10,000 population in the authority's area. (b) The number of deliberate primary fires in vehicles per 10,000 population in the authority's area. (c) The number of deliberate secondary fires (excluding deliberate secondary fires in vehicles) per 10,000 population in the authority's area. (d) The number of deliberate secondary fires in vehicles per 10,000 population in the authority's area.
8	The number of fires in non-domestic premises in the authority's area per 1,000 of such premises.
9	The percentage of people in accidental fires in dwellings who escaped unharmed without the assistance of the fire and rescue services.

10	The percentage of fires attended in dwellings where: (a) a smoke alarm had activated; (b) a smoke alarm was fitted but did not activate; (c) no smoke alarm was fitted.
11	The percentage of fire-fighters in the authority's area who are female.

^(a) Primary fires include fires that: (i) involve non-derelict buildings or vehicles that have not been abandoned, or (ii) where there are casualties or rescues as a result of the fire, or (iii) where five or more fire appliances attend the fire. Secondary fires are all other fires which would not be classed as primary fires.

SCHEDULE 17

Article 22

Revocations

<i>(1) Order revoked</i>	<i>(2) References</i>	<i>(3) Extent of revocation</i>
The Local Government (Best Value) Performance Indicators and Performance Standards Order 2003	S.I. 2003/530	The whole Order
The Local Government (Best Value) Performance Indicators and Performance Standards (Amendment) (England) Order 2003	S.I. 2003/864	The whole Order
The Local Government (Best Value) Performance Indicators and Performance Standards (Amendment) Order 2004	S.I. 2004/589	The whole Order
The Police Authorities (Best Value) Performance Indicators Order 2004	S.I. 2004/644	Article 3
The Local Government (Best Value) Performance Indicators and Performance Standards (Amendment) (No.2) Order 2004	S.I. 2004/1176	The whole Order
The Fire and Rescue Services Act 2004 (Consequential Amendments) (England) Order 2004	S.I. 2004/3168	Article 66

EXPLANATORY NOTE

(This note is not part of the Order)

Part I of the Local Government Act 1999 (Best Value) places requirements on local authorities and other authorities (“best value authorities”: see section 1 of that Act) relating to economy, efficiency and effectiveness in the exercise of their functions. Section 4(1) of that Act provides the Secretary of State with a power to specify by Order best value performance indicators and standards.

This Order specifies performance indicators by reference to which a best value authority’s performance in exercising functions can be measured. The Order also specifies standards in respect of particular functions and particular best value authorities.

The Order applies to best value authorities in England except police authorities.

The Order revokes and replaces The Local Government (Best Value) Performance Indicators and Performance Standards Order 2003. It also makes consequential revocations of orders amending that Order.

Article 3 and Schedule 1 to the Order specify general health indicators which apply in respect of all the functions of best value authorities specified in that article.

Article 4 and Schedule 2 to the Order specify indicators which apply to the best value authorities specified in that article in relation to their education functions.

Article 5 and Schedule 3 to the Order specify indicators which apply to the best value authorities specified in that article in relation to their health and social care of children functions.

Article 6 and Schedule 4 to the Order specify indicators which apply to the best value authorities specified in that article in relation to their health and social care of adults functions.

Article 7 and Schedule 5 to the Order specify indicators which apply to the best value authorities specified in that article in relation to their housing and housing related services functions.

Article 8 and Schedule 6 to the Order specify indicators which apply to the best value authorities specified in that article in relation to their housing and housing related services functions.

Article 9 and Schedule 7 to the Order specify indicators which apply to the best value authorities specified in that article in relation to their housing benefit and council tax benefit functions.

Article 10 and Schedule 8 to the Order specify indicators which apply to the best value authorities specified in that article in relation to their waste and cleanliness functions.

Article 11 and Schedule 9 to the Order specify standards which apply to the best value waste authorities (apart from those specified in Article 12) in relation to their waste functions.

Article 12 and Schedule 10 to the Order specify standards which apply to the named waste authorities specified in that article in relation to their waste functions.

Article 13 and Schedule 11 to the Order specify indicators which apply to the best value authorities specified in that article in relation to their transport functions.

Article 14 and Schedule 12 to the Order specify indicators which apply to the best value authorities specified in that article in relation to their environment and environmental health functions.

Article 15 and Schedule 13 to the Order specify indicators which apply to the best value authorities specified in that article in relation to their planning functions.

Articles 16, 17 and 18 to the Order specify standards which apply to the best value authorities specified in those articles in relation to their planning functions.

Article 19 and Schedule 14 to the Order specify indicators which apply to the best value authorities specified in that article in relation to their community safety and well-being functions.

Article 20 and Schedule 15 to the Order specify indicators which apply to the best value authorities specified in that article in relation to their culture functions.

Article 21 and Schedule 16 to the Order specify indicators which apply to the best value authorities specified in that article in relation to their fire and rescue functions.

Article 22 and Schedule 17 to the Order provide for revocations.

A full regulatory impact assessment has not been produced for this instrument, as it has no impact on the costs of businesses, charities or voluntary bodies; neither does it have significant financial impact on any public bodies.

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