
STATUTORY INSTRUMENTS

2002 No. 523

The Local Government (Best Value) Performance Indicators and Performance Standards Order 2002

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Local Government (Best Value) Performance Indicators and Performance Standards Order 2002 and shall come into force on 1st April 2002.

(2) In this Order—

“the Act” means the Local Government Act 1999;

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

“fire authority” means—

- (a) a fire authority constituted by a combination scheme;
- (b) a metropolitan county fire and civil defence authority;
- (c) the London Fire and Emergency Planning Authority;
- (d) The Council of the Isles of Scilly in its capacity as a fire authority; or
- (e) a county council acting as the fire authority for its area under the provisions of section 4 of the Fire Services Act 1947⁽¹⁾;

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

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

“principal council” means a council elected for a principal area as defined in section 270 of the Local Government Act 1972⁽³⁾; and

“waste collection authority” has the same meaning as in section 30(3) of the Environmental Protection Act 1990⁽⁴⁾.

(3) In this Order 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.

Application

2. This order applies—

- (a) in relation to England, to all best value authorities; and
- (b) in relation to Wales, only to authorities falling within section 1(1)(d) or (e) of the Act (police and fire authorities).

(1) 1947, 10 & 11 Geo 6 c.41.
(2) 1980 c. 66
(3) 1972 c. 70.
(4) 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 14 in Schedule 1 to this Order.

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

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

(3) The performance of the Greater London Authority in exercising all of those of its functions which are exercised through the Mayor shall be measured by reference to indicators 2 to 5 and 8 to 14 in Schedule 1 to this Order.

(4) The performance of Transport for London, in exercising all of its functions, shall be measured by reference to indicators 2, 3, 5 to 7 and 8 to 13 in Schedule 1 to this Order.

(5) The performance of the London Development Agency, in exercising all of its functions, shall be measured by reference to indicators 2, 3, 5 to 7 and 8 to 13 in Schedule 1 to this Order.

(6) The performance of county councils, in exercising all of their functions, shall be measured by reference to indicators 1 to 5 and 8 to 13 in Schedule 1 to this Order.

(7) The performance of National Park authorities and the Broads authority, in exercising all of their functions, shall be measured by reference to indicators 2, 4, 5, 9 to 11, 14 and 15 in Schedule 1 to this Order.

(8) The performance of fire authorities, in exercising all of their functions, shall be measured by reference to indicators 2, 5, 8, 9, 11 and 13 in Schedule 1 to this Order.

(9) The performance of waste disposal authorities established under section 10 of the Local Government Act 1985(5) in exercising all of their functions shall be measured by reference to indicators 2, 4, 5, 8, 9, 11 and 13 in Schedule 1 to this Order.

(10) The performance of county passenger transport authorities in exercising all of their functions shall be measured by reference to indicators 2, 3, 4, 5, 8, 9, 10, 11, 12 and 13 in Schedule 1 to this Order.

Performance indicators for community safety

4.—(1) The performance of the best value authorities specified in paragraph (2), in exercising their functions in relation to community safety, shall be measured by reference to indicators 1 to 7 in Schedule 2 to this Order.

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

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

(5) 1985 c. 51.

- (g) county councils; and
- (h) police authorities.

Performance indicators for education

5.—(1) The performance of the best value authorities specified in paragraph (2), in exercising their education functions, shall be measured by reference to indicators 1 to 18 in Schedule 3 to this Order.

- (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) unitary councils.

Performance indicators for social services

6.—(1) The performance of the best value authorities specified in paragraph (2), in exercising their social services, functions shall be measured by reference to indicators 1 to 14 in Schedule 4 to this Order.

- (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) the Council of the Isles of Scilly;
 - (d) London borough councils;
 - (e) metropolitan district councils; and
 - (f) unitary councils.

Performance indicators for housing and 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 indicators 1 to 9 in Schedule 5 to this Order.

- (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) the Council of the Isles of Scilly;
 - (c) metropolitan district councils;
 - (d) non-metropolitan district councils;
 - (e) London borough councils; and
 - (f) unitary councils.

(3) For the purposes of the indicators specified by this article “dwelling” is a building, or part of a building which forms a separate, or reasonably separate and self contained, set of premises designed to be occupied by a single household including non-permanent housing such as caravans, mobile homes and houseboats available for all year round occupation; a group of bedsits (single rooms without exclusive use of bath or toilet) sharing facilities counts as one dwelling.

Performance indicators for housing benefit and council tax benefit

8.—(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 indicators 1 to 9 in Schedule 5, and 1 to 6 in Schedule 6 to this Order.

- (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) the Council of the Isles of Scilly;
 - (c) metropolitan district councils;
 - (d) non-metropolitan district councils;
 - (e) London borough councils; and
 - (f) unitary councils.

Performance indicators for environmental services

9.—(1) The performance of waste disposal authorities, in exercising all of their functions shall be measured by reference to indicators 1, 2, 3, 4, 5 and 7 in Schedule 7 to this Order.

(2) The performance of waste collection authorities, in exercising all of their functions shall be measured by reference to indicators 1, 2, 5, 6, 7 and 8, in Schedule 7 to this Order.

Performance standards for waste authorities

10.—(1) A waste disposal authority which achieved, in the financial year beginning with 1st April 1998—

- (a) a recycling and composting rate specified in column (1) of Part I of Schedule 8 to this Order shall, in relation to indicators 1 and 2 in Schedule 7 (taken together) meet for the financial year beginning with 1st April 2003 the standard specified in the corresponding entry in column (2) of that Part;
- (b) a recycling and composting rate specified in column (1) of Part II of that Schedule shall, in relation to indicators 1 and 2 in Schedule 7 (taken together) meet for the financial year beginning with 1st April 2005 the standard specified in the corresponding entry in column (3) of that Part.

(2) For the purposes of this article, the recycling and composting rate for an authority is that which is set out for the authority in the document published by the DETR entitled “Guidance on Municipal Waste Management Strategies”⁽⁶⁾ (published on 5th March 2001); and an authority which is stated in that document to have failed to supply to the DETR adequate details of the recycling and composting rates is treated for the purposes of—

- (a) paragraph (1)(a) of this article and Part I of Schedule 8 to this Order as having a recycling and composting rate of 16% or more; and
- (b) paragraph (1)(b) of this article and Part II of that Schedule as having a recycling and composting rate of 19% or more.

(3) For the purposes of this article “waste authority” means a waste collection or a waste disposal authority.

(6) “Municipal Waste Management Strategies” is published by the DETR 5th March 2001. The document is available free of charge from: DTLR, PO Box 236, Wetherby, West Yorkshire, LS23 7NB.

Performance indicators for transport

11.—(1) The performance of the best value authorities specified in paragraph (2), in exercising their transport functions, shall be measured by reference to indicators 1 to 9 in Schedule 9 to this Order.

(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) the Council of the Isles of Scilly;
- (d) unitary councils;
- (e) London borough councils; and
- (f) Transport for London.

(3) The performance of highways authorities, with the exception of inner London borough councils, in exercising their highways functions, shall, in addition to any indicators mentioned in paragraph (1), be measured by reference to indicator 7 in Schedule 9 to this Order.

(4) The performance of metropolitan district councils, in exercising their transport functions, shall be measured by reference to indicators 1 to 3 and 5 to 8 in Schedule 9 to this Order.

(5) The performance of county passenger transport authorities, in exercising their transport functions, shall be measured by reference to indicator 4 in Schedule 9 to this Order.

Performance indicators for planning

12.—(1) The performance of the best value authorities specified in paragraph (2), in exercising their planning functions, shall be measured by reference to indicators 1 to 5 in Schedule 10 to this Order.

(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) the Council of the Isles of Scilly;
- (c) metropolitan district councils;
- (d) London borough councils;
- (e) non-metropolitan district councils; and
- (f) unitary councils.

(3) The performance of the best value authorities specified in paragraph (4) in exercising their planning authorities shall be measured by reference to indicators 2, 3 and 5 in Schedule 10 to this Order.

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

- (a) county councils which are not unitary councils;
- (b) the Broads authority; and
- (c) National park authorities.

Performance standards for planning

13.—(1) The best value authorities specified in paragraph (2), in exercising their planning functions shall, in relation to indicator 3(a) (major applications) in Schedule 10 to this Order, meet standard 1 as specified in Schedule 11 to this Order.

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

- (a) Babergh District Council;
- (b) Bath & North East Somerset Council;
- (c) London Borough of Brent;
- (d) Brighton and Hove City Council;
- (e) Canterbury City Council;
- (f) Carrick District Council;
- (g) Chester City Council;
- (h) Corby Borough Council;
- (i) London Borough of Croydon;
- (j) Dartford Borough Council;
- (k) East Hampshire District Council;
- (l) Epping Forest District Council;
- (m) Epsom and Ewell Borough Council;
- (n) Fareham District Council;
- (o) Fenland District Council;
- (p) Guildford Borough Council;
- (q) Harborough District Council;
- (r) London Borough of Havering;
- (s) London Borough of Hillingdon;
- (t) Royal Borough of Kensington and Chelsea;
- (u) Royal Borough of Kingston upon Thames;
- (v) London Borough of Lambeth;
- (w) Leeds City Council;
- (x) Medway Council;
- (y) London Borough of Merton;
- (z) London Borough of Newham;
- (aa) North Somerset Council;
- (bb) North Warwickshire Borough Council;
- (cc) Oxford City Council;
- (dd) Reading Borough Council;
- (ee) Restormel Borough Council;
- (ff) London Borough of Richmond upon Thames;
- (gg) Runnymede Borough Council;
- (hh) Sevenoaks District Council;
- (ii) South Oxfordshire District Council;
- (jj) Surrey Heath Borough Council;
- (kk) Trafford Borough Council;
- (ll) Tunbridge Wells Borough Council;
- (mm) Vale of White Horse District Council;
- (nn) Watford Borough Council;

- (oo) West Berkshire Council;
- (pp) Winchester City Council;
- (qq) Royal Borough of Windsor & Maidenhead;
- (rr) Wokingham District Council; and
- (ss) Wychavon District Council.

(3) The best value authorities specified in paragraph (4), in exercising their planning functions, shall in relation to indicator 3(b) (minor applications) in Schedule 10 to this Order be required to meet standard 2 as specified in Schedule 11 to this Order.

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

- (a) Alnwick District Council;
- (b) London Borough of Barnet;
- (c) Bromsgrove District Council;
- (d) Chichester District Council;
- (e) Christchurch Borough Council;
- (f) Corby Borough Council;
- (g) Dacorum Borough Council;
- (h) East Hampshire District Council;
- (i) Elmbridge Borough Council;
- (j) Epping Forest District Council;
- (k) Guildford Borough Council;
- (l) London Borough of Hackney;
- (m) Harborough District Council;
- (n) London Borough of Harrow;
- (o) London Borough of Havering;
- (p) London Borough of Hillingdon;
- (q) Royal Borough of Kingston upon Thames;
- (r) London Borough of Lambeth;
- (s) London Borough of Merton;
- (t) North Dorset District Council;
- (u) Oxford City Council;
- (v) Preston Borough Council;
- (w) Reading Borough Council;
- (x) Restormel Borough Council;
- (y) Rotherham Borough Council;
- (z) Rutland County Council;
- (aa) Selby District Council;
- (bb) Sevenoaks District Council;
- (cc) South Northamptonshire District Council;
- (dd) Southampton City Council;
- (ee) Stockport Borough Council;

- (ff) Test Valley Borough Council;
- (gg) Three Rivers District Council;
- (hh) Trafford Borough Council;
- (ii) Watford Borough Council;
- (jj) West Berkshire Council;
- (kk) Winchester City Council;
- (ll) Royal Borough of Windsor & Maidenhead;
- (mm) Wokingham District Council; and
- (nn) Wychavon District Council.

(5) The best value authorities specified in paragraph (6), in exercising their planning functions, shall in relation to indicator 3(c) (other applications) in Schedule 10 to this Order be required to meet standard 3 as specified in Schedule 11 to this Order.

(6) The best value authorities specified for the purposes of paragraph (5) are—

- (a) Alnwick District Council;
- (b) London Borough of Barnet;
- (c) Bournemouth Borough Council;
- (d) Bromsgrove District Council;
- (e) Christchurch Borough Council;
- (f) Corby Borough Council;
- (g) Craven District Council;
- (h) Dacorum Borough Council;
- (i) East Hampshire District Council;
- (j) Epping Forest District Council;
- (k) Guildford Borough Council;
- (l) London Borough of Hackney;
- (m) Harborough District Council;
- (n) London Borough of Harrow;
- (o) Herefordshire Council;
- (p) London Borough of Hillingdon;
- (q) London Borough of Hounslow;
- (r) London Borough of Islington;
- (s) Royal Borough of Kensington and Chelsea;
- (t) Royal Borough of Kingston upon Thames;
- (u) London Borough of Lambeth;
- (v) Lichfield District Council;
- (w) London Borough of Merton;
- (x) Mid Devon District Council;
- (y) North Wiltshire District Council;
- (z) Northumberland National Park;
- (aa) Oxford City Council;

- (bb) Preston Borough Council;
- (cc) Reading Borough Council;
- (dd) Restormel Borough Council;
- (ee) Rutland County Council;
- (ff) Sevenoaks District Council;
- (gg) South Northamptonshire District Council;
- (hh) Southampton City Council;
- (ii) Teesdale District Council;
- (jj) Tendring District Council;
- (kk) Test Valley Borough Council;
- (ll) Tewkesbury Borough Council;
- (mm) Trafford Borough Council;
- (mn) Vale Royal Borough Council;
- (oo) Watford Borough Council;
- (pp) Wellingborough Borough Council;
- (qq) West Berkshire Council;
- (rr) Royal Borough of Windsor & Maidenhead;
- (ss) Wokingham District Council; and
- (tt) Wychavon District Council.

(7) For the purposes of paragraphs (4) and (6), in relation to those authorities specified in paragraph (8), planning applications for which the authority has responsibility but which are in respect of development in a National park, are excluded.

- (8) The best value authorities specified for the purposes of paragraph (7) are—
- (a) Alnwick District Council;
 - (b) Craven District Council; and
 - (c) Mid Devon District Council.

Performance indicators for Environmental Health and Trading Standards

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

- (2) The best value authorities specified for the purpose of paragraph (1) are—
- (a) county councils;
 - (b) the Common Council of the City of London, in its capacity as a local authority;
 - (c) the Council of the Isles of Scilly;
 - (d) London borough councils;
 - (e) metropolitan district councils;
 - (f) non-metropolitan district councils; and
 - (g) unitary councils.

Performance indicators for cultural and related services

15.—(1) The performance of the best value authorities specified in paragraph (2), in exercising their functions in relation to cultural and related services, shall be measured by reference to indicators 1 to 4 in Schedule 13 to this Order.

(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) London borough councils;
- (d) metropolitan district councils;
- (e) unitary councils; and
- (f) the Council of the Isles of Scilly.

(2) The performance of non-metropolitan district councils, in exercising their functions in relation to cultural and related services, shall be measured by reference to indicator 1 in Schedule 13 to this Order.

(4) The performance of the Greater London Authority, in exercising those of its functions which are exercised through the Mayor, in relation to cultural and related services, shall be measured by reference to indicator 1 in Schedule 13 to this Order.

Performance indicators for fire services

16. The performance of fire authorities, in exercising their functions in respect of the provision of fire services, shall be measured by reference to indicators 1 to 11 in Schedule 14 to this Order.

Performance indicators for community legal services

17.—(1) The performance of the best value authorities specified in paragraph (2), in exercising their functions in relation to community legal services, shall be measured by reference to the indicator in Schedule 15 to this Order.

(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) the Council of the Isles of Scilly;
- (d) London borough councils;
- (e) metropolitan district councils;
- (f) non-metropolitan district councils; and
- (g) unitary councils.

Revocation

18. The Local Government (Best Value) Performance Indicators and Performance Standards Order 2001(7) is hereby revoked.

Signed by authority of the Secretary of State

Dated this 8th day of March 2002

Alan Whitehead
Parliamentary Under Secretary of State,
Department of Transport, Local Government and
the Regions